



**National Council of  
Women of New Zealand**

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Wahine O Aotearoa

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**Submission to the Ministry of Women's Affairs on the Draft Government Report  
(Status of Women Report November 2001) to the UN CEDAW Monitoring Committee**

The National Council of Women of New Zealand Te Kaunihera Wahine O Aotearoa (NCWNZ) is an umbrella organisation representing 43 nationally organised societies. It has 35 branches spread throughout the country to which some 150 organisations are affiliated. It also represents a number of individual women.

Early in 2002 NCWNZ distributed copies of the Draft Government Report throughout its membership. The draft was also distributed to members of the four CEDAW Consultation Groups. This submission has been prepared from comments received from the Board of Management, 7 Branches, 1 Nationally Organised Society, 3 Standing Committees and 1 CEDAW Consultative Group. Some organisations have made their submission directly to MWA.

NCWNZ has looked at this draft on the basis of its completeness and its accuracy. Report deficiencies and ways forward in some cases will overlap and should be considered together.

In the main it is considered that the Report is superficial and deficient in specific data and information. It is acknowledged that a number of key areas are due to make research findings available in the near future and it will be essential that as much of this data is included in the final Report. There is a woeful lack of disaggregated data on the basis of ethnicity and age. Some comment that the Report concentrates on making the government look good rather than providing a transparent Report.

**Ministry of Women's Affairs (MWA) Community Consultation**

NCWNZ is concerned that the consultation process was not as robust as it should have been. The untimely notification of the meetings and the restricted invitation process meant that the consultation was not available to all interested women. NCWNZ expressed its concern about these matters at the time of the initial consultation.

A letter sent to MWA (26 September 2001) from the Nelson Branch of NCWNZ which was responsible for facilitating the Nelson consultation stated that, given those attending the consultation were already very familiar with CEDAW and the reporting process and did not require the preliminary process, the time would have been better spent discussing the issues. They expressed concern that education was not even discussed. They said it was unfortunate that attendance at the workshops was restricted.

One response asked why "women in unpaid work" was not included as a special workshop focus and how input from such women was obtained. NCWNZ considers this to be a major omission.





Another response questioned the geographic sitting of the workshops and why Hamilton was not selected as a consultation site given its population base.

All in all NCWNZ believes that the Report embellishes and overstates the effectiveness of the consultation process.

### **Article 1- Definition of Discrimination Against Women**

NCWNZ despite its considerable efforts to raise the awareness of women to the CEDAW convention believes that women's knowledge and understanding of this convention is still extremely limited.

It was suggested that the government should require state funded media to put more emphasis on educating women about their human rights and existing areas of discrimination. Some drama programmes eg Shortland Street were considered to have been useful in alerting women to issues concerning sexual harassment.

NCWNZ supports the New Zealand Bill of Rights being made the sole anti-discrimination standard for government as it believes that this will remove potential grounds for confusion.

While NCWNZ acknowledges Te Tiriti O Waitangi (Treaty of Waitangi) as New Zealand's founding document the Report fails to make it clear why this has a gender significance. It was suggested that some analysis of the benefit to Maori women of the Treaty settlements should be included.

NCWNZ's understanding is that governments before they are permitted to sign International Labour Organisation conventions must comply with all requirements outlined in the convention. It is because of this requirement that New Zealand is a signatory to only a handful of such conventions. While the government may be endeavouring to adjust its legislation in a number of areas so that it can comply, this is a basic requirement of becoming a signatory. NCWNZ does however support the government's efforts in this area.

NCWNZ was pleased that the government signed the Optional Protocol to CEDAW and suggests that this should be given more emphasis.

#### Ways Forward

1. "Recognise unpaid work."
2. "Reinstate the Family Benefit as a means of recognising and incentivising stable family life."
3. "Need for government to more proactively promote safety of women by adequately funding non violence programmes."
4. "Recognising couples (married or de facto) as economic partnerships like any business partnership. This would ensure independent individuals a shared source of income."

### **Article 2 – Anti – Discrimination Measures**

NCWNZ in general is supportive of the amendments that have been made to strengthen human rights in New Zealand. The specifics of those changes and the effect that they will have for women are not adequately covered in this report.

However discrimination on the basis of marital status and family status are recognised under the Human Rights Act and yet the report makes no mention of the inconsistency between taxation and access to government funded benefits with regard to the treatment of partnered women (or men)



who are not employed or are under employed because of their responsibilities in caring for children or dependent family members. These women (or men) are invisible within the structures which accord economic status only to those in paid work, unless the woman is single (unpartnered). This issue has been raised a number of times by women's groups.

Institutional changes to the Human Rights Commission which will see the HRC and Office of the Race Relations Conciliator amalgamated are in their infancy and it is too soon to classify these changes as "institutional strengthening". The success of replacing full time commissioners with a number of part time appointed commissioners is yet to be determined.

The women's advocate was one of the things resourced out of funding diverted from an unsuccessful proposal to establish a stand alone Commissioner for Women. The full time women's advocate has provided women with an immediate point of contact at the HRC. The dis-establishment of this position and the establishment of a part time commissioner with a responsibility for women's issues is yet to be experienced. The Report gives no indication of the basis on which this change was made.

The Time Use Survey was welcomed by women and the summary of findings will be of interest to the Committee, but more detail is needed on how this has been used in public policy in particular with respect to labour market policy. What provision has been made to update the data on a regular basis? What provision has been made to put an economic value on women's unpaid work? How has the MWA used the information in its policy advice?

One respondent comments, "Analysis of distribution of paid and unpaid work between men and women suggests that it is this balance which should change rather than the economic treatment of paid and unpaid work in government structures."

The HRC's survey on sexual harassment produced some important data. Apart from the HRC's Sexual Harassment Prevention Week, list of registered providers and sexual harassment prevention workshops, what other activity has the government taken to address this major area of discrimination. What additional funding has it directed to sexual harassment prevention? What work has been done on establishing the effect of sexual harassment on women's long term economic independence? Given the obvious correlation between increased awareness and increased complaints what provision has the government made for funding for future awareness programmes?

Reference was made to universities having better systems in place to educate and inform women about sexual harassment.

#### Additional Issues

1. "Legal discrimination virtually eliminated but many "customary practices" still exist."
2. "Unnecessary complexity of official forms."

#### Ways Forward

1. "Educate women of their rights."
2. "Improve and simplify official forms and procedures."
3. "Government should monitor the media more carefully in order to remove sexist attitudes."



### **Article 3 – The Development and Advancement of Women**

NCWNZ supports the requirement of MWA to provide a gender analysis in policy papers on income, education, health, employment, housing and criminal justice. More information is required concerning the statement that “Preliminary results from the monitoring suggest that the quality of gender analysis in social policy papers going before Cabinet has not yet improved significantly”. How will women know what advice has been given and what has been taken?

NCWNZ considers the lack of rigorous gender analysis undertaken on the issue of tertiary fees to be a shameful omission.

So far NCWNZ has not been consulted on the Women’s Strategy and has no involvement in establishing its goals or objectives. The Report contains no specific information on the process for implementing this strategy.

#### Way Forward

1. “While the development of women in many sectors is going forward, the position of Maori and Pacific women is strongly influenced by cultural concerns. It is often the men who need to make the changes in these societies and be prepared to lose some of their traditional dominance. Anger management is an important means of building self esteem and widening self perceptions. What information is there about the availability, accessibility, affordability, and compulsion to attend?”
2. “Need more programmes which foster the development of women.”

### **Article 4 – Acceleration of Equality Between Men and Women**

No comment

### **Article 5 – Sex Roles and Stereotyping**

While the information concerning the surveys carried out by the Office of Film and Literature Classification will be of interest to the Committee there is a need for more information to qualify the statement. “The results of this research will be used as a measure to ensure that classifications are in line with public opinion.”

A breakdown of the ratio of men:women on the bodies entrusted with censorship would be useful.

#### Additional Issues

1. “Television journalists and presenters still must conform to young, attractive norms and except for the very few, they fill less powerful positions than do men.”
2. “Daily news programmes and media documentaries tend to focus on women as ‘victims’ rather than on successful New Zealand female role-models.”
3. “What notice has been taken of the Beijing Platform for Action recommendations on Women and the Media.”

#### Ways Forward

1. “Pressure broadcasting management to promote their female on-air and off-air staff to higher positions, beyond token numbers. Renew contracts according to the same merit standards that apply to men.”



2. "Promote a change in programming policy to depict a more balanced representation of New Zealand women and to promote role models for girls."
3. "Educate for a change of attitude to sex stereotyping eg separate change room for babies not in the women's toilets."
4. "More women's sport on television."
5. "Government needs to emphasise the important contribution parents, particularly mothers, are making in raising the next generation whether they be in the paid or unpaid workforce. It should be a mother's choice whether she is in paid work or not while she is caring for her children."
6. "Need more women in positions of authority in the media."
7. "Need better system of monitoring explicit sex on television. Current standards support the stereotype of women as nymphomaniacs deserving of abuse and violence."
8. "Concerned about increasing exploitation of vulnerable young women through the use of the internet. More education needed about the danger of the internet as a medium of exploitation."

### **Article 6 – Suppression of the Exploitation of Women**

NCWNZ is pleased that the government has ratified ILO Convention 182 Concerning the Worst Forms of Child Labour and the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, but there is little in the Report on the effect that this will have on the girl child or what steps have been taken to implement and monitor compliance under these instruments.

NCWNZ supports a National Plan of Action against the Commercial Sexual Exploitation of Children. We note that MWA was not involved in the preparation of the Plan of Action. Did it provide a gender analysis of the Plan and if so was its advice taken? It is obviously too soon to establish the impact of this Plan of Action.

Non Governmental Organisations have lobbied strongly for the introduction of the Prostitution Reform Bill in an effort to safeguard the health and well being of sex workers and have been disappointed at the time it has taken to get this on the legislative calendar. At this stage the future of this Bill is still unknown.

The Report does not provide information on the profile of women working in the sex industry and NCWNZ has reason to question whether the figures quoted are an accurate reflection of the number of women working in the industry. NCWNZ understands that some young women have taken it up in order to either pay for tertiary education or pay off student debt.

While the pink sticker project may provide some protection for illegal migrant women what research has been done on the integration of Thai women back into their homeland?

#### Ways Forward

1. "The Prostitution Reform Bill by making sex work subject to the same sorts of regulations and controls as other businesses, will help to make the profession respectable and the workers less vulnerable to abuse and violence."
4. Information regarding women's human rights to be available in the languages of the majority of sex workers eg Thai and Filipino.

### **Article 7 – Political and Public Life**

While some of the key positions are currently filled by women and the number of women in Central Government has shown a small increase during this period there is some concern that New Zealand may be experiencing a backlash to the appointment of women. What work has MWA done



to investigate this? What instruments could be used to measure such a trend? One of the more current indicators will be the triennial local authority survey and it will be essential that its findings are included in the final Report. It will also provide some indication of the success of amendments to the Local Authority Amendment Act 2001. One respondent commented, “While candidate expenditure limits have been modified they are still too high for many women.”

The effectiveness of MWA in providing gender advice is hard to evaluate. MWA still has little profile outside of Wellington.

The number of women on the judiciary, the Employment Court, and Statutory Boards is poor. What plans are there to address this?

The gender pay gap within the State Services is appalling. There is an urgent need to investigate this and put in place processes to address this imbalance. Consideration could be given to developing firmer guidelines and banding of salary expectations for all levels of responsibility.

Women are still under-represented in many areas of decision-making and progress is either slow or non-existent in most areas. New Zealand’s international position should be no grounds for complacency.

NCWNZ has been most concerned at the selection of community representation on several occasions during this period. This Report contains no reference to complaints received by MWA about community representation. There is concern that community representation is being eschewed too much in the direction of minority groups.

NCWNZ has concerns about the MWA’s Nominations Service and its transparency. How can women be confident that the most appropriate women are being put forward by MWA for office. At roughly 10% MWA Nomination Service’s success rate is poor. What plans does MWA have to improve its success rate?

There is no reference to the Digital Divide survey undertaken by the Dept of Labour which identified women as a group which need more access and more training in the use of modern technology. The increasing use of modern technology is precluding women from taking part in political and public life.

#### Additional Issues

1. “Women should not be discriminated against because of what they wear. Eg Christine Rankin and the Prime Minister.”

#### Ways Forward

1. “Establish a judicial commission for appointments for the judiciary.”
2. “Improve the effectiveness of MWA’s Nomination Service.”
3. “Government to lead by example in introducing Family Friendly workplaces, hours and initiatives.”
4. “Provide more flexible child-care subsidies to enable women to participate in local body/community/public office.”
5. “Provide incentives to facilitate and provide childcare outside normal hours.”
6. “Implement research to investigate the decrease in the number of women JPs.”
7. “Increase efforts to attain equal gender representation.”



8. "Parliament needs to adopt a more family friendly work environment especially with respect to the hours at which the house sits."
9. "Technology is a terrible divider and provision must be made so that women can be taught how to access information. It is to be hoped that young women over time will pick up these skills during their compulsory years in the state system and pass these skills onto their parents."
10. "Ensure that MMP is retained as it is a means of ensuring women are more fairly represented in government."
11. "Refrain from reducing the number of list MPs as it will adversely affect the number of women MPs."
12. "Encourage mentoring for women so that they can gain profile."
13. "Ensure that CCMAU extends its training opportunities to women interested in all directorships."

### **Article 8 – International Representation and Participation**

Ministry of Foreign Affairs and Trade is to be congratulated on its "50% representation of women at all levels" and NCWNZ asks what actions other Ministries/Depts are taking in this direction.

NCWNZ has expressed concern during this period about the selection and funding of women from non governmental organisations on government delegations. This Report makes no mention of these concerns and there is no comment on the government's policy concerning financial assistance for community women who are chosen to be part of government delegations. Women are less able than men, because of the gender pay gap, to fund their own travel and accommodation when part of a government delegation. In response to a request from MWA, NCWNZ developed some draft guidelines on NGO representation. To date NCWNZ has had no feedback on these guidelines.

#### Way Forward

1. "Ensure that public representatives on government delegations are financially assisted."

### **Article 9 – Nationality**

No comment.

### **Article 10 – Education**

NCWNZ notes that there is no reference to free education in primary and secondary schooling. However there is also no mention of the cost to parents of education in the state sector during the compulsory years and the effect that this can have on low income families many of whom are headed by sole parents who are women. This is becoming a major issue and could have an effect on girls participation and choice of subject options.

Despite a higher percentage of women graduating with a tertiary qualification than men fewer graduate with a post graduate qualification. There needs to be some comment on whether this is due to the cost of education in this sector. What incentives are there for women to proceed to post-graduate study?

The cost of tertiary education is a major issue for young people in New Zealand and especially women because of the gender pay gap and their need to take time out of the workforce to care for children and the elderly. At 7% the interest rate is well above current bank interest rates and this should be included in the Report. A report on the uptake of tertiary education indicates that



students from lower decile schools are increasingly less likely to proceed to tertiary education. How does this affect young women from these schools. Maori and Pacific women are heavily represented in this group. Is this due to the cost of tertiary education. What analysis has been done on this report. The Report needs to make a stronger statement about the effect on young people of the user pays principle.

NCWNZ understands that few women take up modern apprenticeships. The Report needs a breakdown by gender and ethnicity in this area.

Continuing education has always been popular with women. What analysis has been undertaken of the decrease in up take? How much of this is this due to the cost of tertiary education? What programmes are being organised?

It will take some time before the outcome of the initiative being put in place to address the imbalance of women principals is known. The Report gives little detail about this initiative.

Why have School Board's of Trustees failed to attract sufficient women so that they have had to co-opt women?

#### Additional Issues

1. "Despite women graduating with a first tertiary qualification in greater numbers than men within six months of graduation they earn significantly less than men across all sectors."
2. "Increasing impact of social problems on learning in the classroom."
3. "Cost of childcare for women in training and continuing education is a barrier."
4. "Non-violence programmes must be included in kaupapa education."
5. "Rural students are also missing out on a student allowance for those under 18 years of age. Boarding fees assistance and bursaries are needed for students under 18 years of age."
6. "Several schools have been set up, or are in the process of being set up, to assist young women who have stopped their education because of pregnancy. No mention is made of these initiatives or any other initiatives for this group. How are they being funded?"
7. "Special education is not mentioned in this Report and given that women are the major care-givers this is a major omission. In fact the Report makes little reference to disability."
8. "There is a need for industry training schemes to be well publicised."

#### Ways Forward

1. "Amend student loan legislation so that interest does not accrue for those earning below the repayment threshold."
2. "Extend the Social Workers in Schools Scheme."
3. "Ensure realistic resourcing of early intervention programmes."
4. "Reduce the student loan interest rate so that it is commensurate with bank interest rates."

#### Article 11 – Employment

The gender pay gap is a real issue for women in New Zealand and it is a major contributing factor to women's lifelong lack of economic independence. Despite the Equal Pay Act anecdotal evidence shows that there are many cases where women with the same qualifications and skills undertaking the same job are not being paid at the same rate. No comment is made about the Equal Pay Act even though it is known not to be serving women well. The results of the review of the Employment Relations Act are still some way off.



It is disappointing knowing that the CEDAW Report was due in 2002 that MWA and Dept of Labour are only now undertaking a pay equity project and the rationale behind the timing of the project must be questioned. There is an urgent need to agree on the definition of pay equity and whether it includes equal pay for the same job as well as equal pay for work of the same value.

The reference to hours worked as a contributing factor to the fact that women's average ordinary time weekly earnings at \$572.50 compared to men's \$751.15 is misleading. The major contributing factor is the gender pay gap. No mention is made of the Vice Chancellors Student Destinations Report which shows within 6 months of graduating women earn less than men in all but two sectors.

The gender pay gap in the Public Service is of major concern and the Report fails to make this clear. What is the government doing to address this issue?

The number of women in part time and casual work has increased. The Report makes no distinction between casual and part time work and yet often conditions of employment differ. The Report draws little conclusion as to why so many women are in part time or casual work or what effect this has on women's conditions of employment such as access to sick leave, special leave, training, promotion, and now paid parental leave. Women in casual employment cannot plan their lives and have difficulty in budgeting because of the uncertainty of available work. This is compounded by the fact that often these women are on low incomes.

The introduction of 12 weeks paid parental leave is a positive step but no mention is made in the report of the government's future plans to meet ILO minimum standards of 14 weeks. Women in self employment, in business partnerships, holding multiple jobs are not covered by this scheme and women's organisations have pointed out the anomalies. The introduction of paid parental leave has raised the issue of financial support for women who choose to stay at home with their children.

The EEO Trust is recognised as key to progressing equal employment opportunities in New Zealand and yet no mention is made of its ongoing difficulty in accessing financial resources to continue its programmes. Is it expected that EEO reporting will improve with changes to the State Sector Act.

#### Additional Issues

1. "Home care workers often work casual hours and they have limited ability to find out what is an equitable rate of pay."
2. "Women rich industries have lower rates of pay than men rich industries. What is being done to address this built in disparity?"
3. "Domestic violence is a major barrier to women to taking up and retaining employment and yet no mention is made of this."
4. "What protection is there for migrant women, particularly those who are working in sweat shops?"
5. "Women still overly represented in low paid, part time, casual and unsecured work. What has been done to determine whether women undertake this work by choice?"
6. "Need to raise awareness of value of unpaid work as relevant to employment."
7. "Need to recognise health implications of low income women when encouraging them back into the workforce."
8. "Rural women are disappointed that no financial assistance is available to them under the paid parental leave scheme, especially for children during the peak milking season. Young children



are either left on their own in the house or accompany the mother to the milking shed which is an unsafe environment. Financial assistance for child minding is needed.”

#### Ways Forward

1. “Need for diversity and flexibility of child care options and to match subsidies accordingly.”
2. “Need to recognise and address systemic discrimination in many workplaces.”
3. “Transport assistance needed for women coming off the benefit.”
4. “Urgent need to address the gender pay gap.”

#### **Article 12 – Health**

While the provision of healthcare is not necessarily gender specific, women as the main caregivers and as employees have a major interest in the delivery of healthcare. All areas need to be analysed with this in mind.

Respondents were concerned that this article did not cover some of the major issues and was light on specifics.

There is a correlation between low income and poor health and this Report does not make this connection.

The Report needs a more robust rationale for the move to 21 District Health Boards and while this is not in itself a gender issue if it consumes health dollars it will indirectly affect women as the main care-givers and as recipients of healthcare. For example the critical situation regarding radiation specialists in Auckland. What examples are there of DHBs jointly contracting for services.

The Report needs to breakdown membership of District Health Boards on the basis of gender and ethnicity.

Women as employees are heavily represented in the Health sector. There is a chronic shortage of nurses and yet no reference is made to this. This Report needs a further breakdown of women working in the health industry, their length of tenure and rates of pay.

There is shortage of rural doctors and particularly a lack of choice of lead maternity carers in the rural areas. Rural women doctors face specific problems. The effect of GPs exiting obstetrics has left midwives with little medical support in rural areas. No mention is made of this.

While the data on infant mortality is appropriate there needs to be additional information on infant disability rates, readmissions to hospital within 6 weeks of birth for mother and/or baby. This information along with infant mortality is needed in order to establish whether the restructuring that has occurred in the maternity services has been successful.

A report by the Social Policy Unit on Older People shows that 10% of the population suffer some hardship in later life. Women are heavily represented in this group. Some have suffered from a life time of poverty. This Report makes no reference to this report and the effect that poverty has on health in this age group.

The section on older women is regarded as inadequate with little detail on government strategies. There is no reference to elder abuse.



This Report makes no reference to Environmental Health issues.

This Report makes no comment on length of stay in hospital and subsequent breast feeding rates.

#### Additional Issues

1. "DHBs are beginning to work but need national employment conditions and salary scales across all health workers. Repeated strike threats will arise from different DHBs and different sections of the workforce competing for available financial resources and improved conditions of employment."
2. "Demographic changes will see an ageing population, many of whom will be women, and pending legislative changes to Retirement Homes must be closely monitored in view of the potential for exploitation of residents."
3. "GP visits, prescription charges, medial referrals, accident care, and the ancillary costs pose problems for low income women particularly for those women just above the threshold for a community services card."

#### Ways Forward

1. "The government should take a lead in planning for the health workforce including offering incentives for retention such as rebates on loans, otherwise nurses, specialists and house surgeons will leave and health provision will suffer."
2. "Encourage multi-board contracts."
4. "Support pilot Child Mortality Review Database."
5. "Establish a national child tracking register to ensure that children at risk are picked up early."
6. "Improved resourcing for family planning education and contraceptives. Free contraceptives for all, including a 6 monthly check."
7. "Ensure that strategies eg Health of Older People Strategy, receive adequate funding to ensure their implementation."
8. "More funding for more effective mental health services with special focus on the needs of the girl child."
9. "Improve public confidence in national screening programmes."
10. "How appropriate is it for MWA to be developing a Women's Health Strategy. Why is it not being undertaken by the Ministry of Health so that it can be integrated with other health strategies eg cancer control strategy, child health strategy."

#### Article 13 – Economic and Social Life

Government funded benefits have not kept pace with inflation and neither has their abatement threshold. This has meant that many low income families, many of whom are headed by women, have become increasingly financially disadvantaged. The move to work-testing failed initially to acknowledge the complex factors which affect low income families. The Report does not acknowledge health as a contributing factor.

#### Additional Issues

1. "Women face increasing safety issues when out and about after dark. This affects their freedom to do as they choose with respect to exercise, employment, entertainment, etc."
2. "Sporting prize money and remuneration is less than for men, usually because less well funded or promoted."
3. "Less media exposure for women's sport."



4. "Women financially disadvantaged when borrowing because of lower incomes and asset holding."
5. "Increasing hours of work in some sectors affecting mental and physical health of employee. Putting families under stress. There is a fear that if say no the job will be lost."
6. "Effects of long hours of employment by health professional on patient safety."

#### Ways Forward

1. "Councils need to make extra provision eg lighting, security patrols, for safety in public places."
2. "Women have historically had little involvement with financial planners. As society becomes increasingly responsible for its own retirement income the government needs to make provision for financial planning education."

#### Article 14 – Rural Women

Access to health care is often difficult for rural women. Rural Women New Zealand undertook a major survey of health issues affecting the rural community. The Report gives no indication of any health initiatives that will improve the situation.

NCWNZ's Maternity Service Survey 2001 indicates that choice of lead maternity carer decreases with increasing isolation.

Reference has already been made concerning rural women and paid parental leave and the digital divide.

#### Additional Issues

1. "The digital divide is of great importance to rural women, as many poor rural families are out of touch with what goes on in the world through lack of access to the broadcasting media."
2. "There is a need to recognise travelling time as an extra in the allocation of time for home help."
3. "Childcare subsidies only available for licensed child care facilities. There is a need for flexibility as licensed facilities may not be available in rural areas. This applies to both pre-school and after-school care."
4. "The move to early discharge from hospital disadvantages rural communities."

#### Ways Forward

1. "Review Paid Parental Leave to recognise women in a self employed contract eg share milking."
2. "Government intervention needed to facilitate improved telecommunications especially faster access to the internet."
3. "Review maternity services so that rural women have a choice of lead maternity carer."
4. "Review resource allocations for services for domestic violence provision, as many services not available in rural communities."
5. "Establish a weighting system so that patients from rural areas can stay longer in hospital."
6. "Introduce tax incentives/reduction of student loans in order to encourage professionals to practise in rural areas."
7. "Provide funding which acknowledges increased travel costs in accessing healthcare, education, employment, justice, etc."



## Article 15 – Equality Before the Law and In Civil Matters

While the committee will be most interested in the findings and recommendations of the Women's Access to Justice project, this Report provides little comment on progress to date on addressing the recommendations.

What effect has the restructuring of the Legal Services Agency had on women?

### Additional Issues

1. "While women do not have as many accidents as men why do women have to pay the same ACC levy."
2. "Need to encourage the appointment of women to the judiciary as their life experiences increase their understanding of a women's viewpoint."
3. "What has changed in law departments at tertiary level to encourage lawyers to be more women friendly?"

### Ways Forward

1. "Strengthen funding base for Community Law Centres to ensure they are sustainable, include facilities for child care during consultations."
2. "Counsel for children need ongoing management and funding."
3. "Ensure that all recommendations from Women's Access to Justice are implemented."
4. "Appointments to Boards, Qangos, etc should have a gender balance wherever possible."
5. "Strengthen the Child Support Act so that it provides adequately for the care-giving parent who is usually the mother."
6. "Recognise Battered Women's Syndrome."

## Article 16 – Marriage and Family Life

NCWENZ along with other bodies has been lobbying for Repeal of Section 59 of the Crimes Act. No mention is made of the long term effect of this form of family violence on future relationships and its correlation with domestic violence.

The Report says little about initiatives to reduce Family Violence eg anger management, parenting skills, programmes targeting at risk families, etc.

This article attributes the "same rights and responsibilities during marriage and at its dissolution". No comment is made concerning the fact that property is split 50/50 upon breakup of a relationship, yet during marriage, income earned is taxed as if it were the property only of the earner. This indicates that partners do not enjoy the same rights and responsibilities during marriage when it comes to income. It is mostly women who are disadvantaged by this inconsistency, since women's earned income tends to be lower than men's, especially where there are children. This Report makes no reference to this issue despite numerous representations to MWA by women's organisations and individuals on this matter.

Some women in de facto relationships have complained that they will incur costs having to contract out of Property Relationship Act. No mention is made of this in the Report.



### Additional Issues

1. "Recognise women's unpaid work in GDP."
2. "The number of grandparents who are legally acting as parents is increasing. How is this affecting the health and financial well-being of the grandparents especially the grandmother who will on average live longer in retirement."
3. "Rights of grandparents."
4. "Delays in the Family Court."
5. "Status of the review of the Sterilisation, Contraception and Abortion Act."
6. "Provision of communication programmes to change the traditional roles within the family unit."

### Ways Forward

1. "Increase resources to facilitate access for non-custodial parents especially for supervised access situations."
2. "Review of the Guardianship Act to protect the rights of grandparents."
3. "Amend Property Relationship Act to provide penalties for delaying tactics."
4. "Review Property Relationship Act to reduce judicial discretion which has historically operated against women."
5. "Fund research to evaluate effect of Property Relationship Act."
6. "Amend Family Proceedings Act to strengthen enforcement provisions for spousal maintenance."
7. "Address anomaly in Property Relationship Act where child born within three years in a de facto relationship is covered but not a child born in a marriage of less than three years."
8. "Amend Property Relationship Act to provide for Disputes Tribunal jurisdiction for couples whose assets fall within its financial criteria rather than having to go through the Family Court."
9. "Introduce compulsory good faith mediation."
10. "Fast tracking to Court of Appeal property relationship cases to provide some legal precedents."

### Conclusion

In conclusion NCWNZ believes that this CEDAW Draft Report lacks in-depth analysis and so limits its value as a commentary on the Status of Women since the last report in 1998. There is a lack of specific information in many areas which makes it difficult to assess true gains. Having gaps and barriers honestly identified would enable the government to move forward firmly during the next reporting period. NCWNZ had hoped to see a clearer picture of the way forward.

Barbara Glenie  
**National President**