



7 June 2020

S20.13

## Submission to Health Select Committee on the New Zealand Public Health and Disability Amendment Bill No.214-1

### Introduction

- 0.1. The National Council of Women of New Zealand, Te Kaunihera Wahine o Aotearoa (NCWNZ) is an umbrella group representing over 200 organisations affiliated at either national level or to one of our 15 branches. In addition, about 450 people are individual members. Collectively our reach is over 450,000 with many of our membership organisations representing all genders. NCWNZ's vision is a gender equal New Zealand and research shows we will be better off socially and economically if we are gender equal. Through research, discussion and action, NCWNZ in partnership with others, seeks to realise its vision of gender equality because it is a basic human right.
- 0.2. This submission has been prepared by the NCWNZ Health Standing Committee and the Parliamentary Watch Committee in consultation with individual NCWNZ members with relevant experience and expertise and by drawing on relevant NCWNZ policies and resolutions. It has not been possible to consult with all NCWNZ branches, individual members and member organisations within the timeframe for submissions.
- 0.3. NCWNZ welcomes the opportunity to make a submission to the Health Select Committee on the NZ Public Health and Disability Amendment Bill. Our submission was prepared within the framework of the United Nations' Convention on the Elimination of all forms of Discrimination against Women (CEDAW) and NCWNZ's longstanding commitment to the health and well-being of children and young women.

### 1. Summary

- 1.1. NCWNZ strongly supports this Bill as a significant step in the improving the lives of family-based carers, most of whom are women, and part of the process of removing discrimination against

women. We urge the Committee to give priority to reporting back to Parliament on this Bill in the new Parliamentary term, so that the legislation can be passed as soon as possible.

## 2. Commentary

- 2.1. NCWNZ welcomes the long-overdue removal of the discrimination in family care policies against spouses/partners who are carers and parents of children under 18 years. We also welcome the other changes to Funded Family Care (FFC) policy introduced by the Government in 2019, in particular the policy changes to expand eligibility for payment and increase pay rates, and funding for this in Budget 2019. These measures address many of the issues that NCWNZ has been submitting on and advocating for over many years. Most recently, in our submission on the Draft NZ Dementia Action Plan we stated:

*Caring for a person with long-term conditions like dementia, can have a huge, detrimental impact for others on health, wellbeing and financial security, and is a major reason that women give up work or work part time and have far less financial security in old age. Benefits, respite care and other support for carers needs to be considerably increased. Local support and “navigation” and respite care are important, but the proposed actions should also specifically include increased financial support.<sup>1</sup>*

- 2.2. These measures will particularly benefit women who make up 63% of New Zealand's family carers are women. According to Census 2013, 272,328 unpaid female carers live in NZ and 136,638 NZ women were assisting someone in their own home.<sup>2</sup>
- 2.3. We also acknowledge the recent release of the updated *Mahi-Aroha Carers Strategy Action Plan 2019-2023* and endorse the focus on recognising the contribution of carers, supporting wellbeing and supporting study or paid employment for carers. We particularly welcome the new focus on Māori, Pacific, young and older carers and a family, whānau, aiga-centred implementation approach.

## 3. UN Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)

- 3.1. The Bill is to be welcomed as part of the process of removing discrimination against women. Under article 2 of CEDAW, States parties must address all aspects of their legal obligations under the Convention to respect, protect and fulfil women’s right to non-discrimination and to the enjoyment of equality. The obligation to respect requires that States parties refrain from making laws, policies, regulations, programmes, administrative procedures and institutional structures that directly or

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<sup>1</sup> NCWNZ. 2019. Submission to the New Zealand Dementia Care Cooperative on the Draft New Zealand Dementia Plan 2020 to 2023. S19.20. <https://www.ncwnz.org.nz/wp-content/uploads/2019/11/S19.29-Draft-New-Zealand-Dementia-Action-Plan.pdf>

<sup>2</sup> <sup>2</sup> <https://she-cares.org/the-numbers-1>

indirectly result in the denial of the equal enjoyment by women of their civil, political, economic, social and cultural rights.<sup>3</sup>

- 3.2. The Bill will also help ensure New Zealand's family care policies are consistent with the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), which was ratified by New Zealand on 25 September 2008. The Committee on the Rights of Persons with Disabilities has twice raised concerns about the family care policy and Part 4A of the New Zealand Public Health and Disability Act 2000.

#### 4. Areas for further action

- 4.1. Whilst acknowledging recent progress, there are still important issues to resolve in improving support for carers and the people they care for.
- 4.2. The process and criteria for assessment for family care funding is not changing. Carers have long complained that this is often a humiliating, demeaning, arbitrary and inconsistent process with totally unrealistic measures such as allowing three minutes to assist a person with toileting.
- 4.3. Family Funded Care is only for household management and personal care and specially excludes supervision, yet many carers are, in effect, "on call" 24/7. The maximum they can be paid for is 40 hrs per week and many struggle or fail to achieve funding for the maximum number of hours.
- 4.4. NCWNZ supports a complete review of the assessment system and criteria, with criteria and funding to match the realities of the time and work carers actually do.

#### 5. Conclusion

- 5.1. NCWNZ welcomes the Bill as a significant step forward in ending discrimination and improving the lives of carers and the people they support. We urge the Committee to give priority to reporting back to Parliament on this Bill in the new Parliamentary term, so that the legislation can be passed as soon as possible.



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<sup>3</sup> United Nations. Convention on the Elimination of All Forms of Discrimination against Women New York, 18 December 1979. <https://www.ohchr.org/en/professionalinterest/pages/cedaw.aspx>