

# Stakeholder Engagement Meeting Notes Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)



<b>Date &amp; location:</b>	28 March 2018 Human Rights Commission (HRC) Office, Auckland
<b>International convention engagement relates to:</b>	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
<b>Documents referenced:</b>	<ul style="list-style-type: none"><li>• CEDAW <a href="#">Concluding Observations</a> from 7<sup>th</sup> periodic review of NZ (2012)</li><li>• CEDAW <a href="#">List of issues</a> for 8<sup>th</sup> periodic report of NZ</li><li>• <a href="#">NZ Government</a> 8<sup>th</sup> periodic report (June 2016)</li><li>• <a href="#">Submission template</a></li></ul>
<b>Attendance:</b>	35 people including representatives from Auckland Council, Shakti, NZ Prostitutes Collective, Sahaayta Counselling, the PSA, Integrate Women International, Selwyn Foundation, National Council of Women and Rotary New Zealand.

## A. Background to meeting:

1. In July 2018, the Committee for CEDAW will review how New Zealand is doing under the Convention.
2. On 28 February 2018, the HRC held a consultation meeting on issues that relate specifically to ethnic women to inform its report to the Committee.
3. Approximately 40 people attended the consultation, including representatives from a number of organisations.
4. A list of issues discussed and minutes from the meeting are provided below.

## B. Main issues raised:

1. The HRC identified six key issues:
  - a. Violence and abuse
  - b. Data collection
  - c. Employment
  - d. Human trafficking

- e. Access to healthcare
  - f. Poverty
2. Participants suggested four additional issues:
- a. Racism
  - b. Nepotism
  - c. Housing
  - d. Access to justice
  - e. Understanding diversity in NZ
  - f. Abuse can come in various ways under all 6 of the headings, especially when it comes to collection of data
3. The most pressing issue for most participants was violence and abuse.
4. Participants broke into three groups that discussed violence and abuse, racism and negative stereotyping and poverty. The issues identified and recommendations made by each group are outlined below.

## C. Meeting Notes

### 1. Violence and abuse

- **Access to justice**

- Ethnic women are vulnerable when up against Pakeha male – minimising of women's claim
- Reluctance to come forward
- Need for female legal representatives in court system
- Lack of quality of legal aid lawyers creates power imbalance
- If swap lawyers, sometimes don't want to pick up case half way through
- Women navigators needed in justice system
- Community law centers under utilised – can provide more support to ethnic women

#### Recommendations

- Ensure female representatives/lawyers (who perhaps have with children and who can empathise with situation) to represent ethnic women
- Women need navigators because system so complex (UK have specialist family violence navigators)

- **Prosecutions sexual violence**

- Only one interpreter for Hindi speakers - when interpreters available they are young and no understanding of culture
- Need culturally and linguistically appropriate teams for anyone coming through court system
- Make sure females support offered
- Detectives – train/guide people to withdraw cases – re-traumatising but need to have their say and heard survivors voice; often survivors not contacted support
- Sensitivity around re-traumatisation – have to repeat what happened multiple times and make sure accurate every time
- When “dealt” with it by talking to school or employer say case closed

#### Recommendations

- Ensure faster, inclusive and culturally appropriate response
- Ensure schools have positive relationship training; compulsory consent education; consent to marriage
- **No consistency when talking about family harm**
  - Depends on lawyers, police investigating on what falls within abuse and different levels of harm
  - Need for definition of family violence/harm perhaps within legislation and ensure training on different types of harm/violence and ensure circulation and training (ie. MOJ manual)
  - Sexual violence training lawyers and judges – currently pilot in Auckland and Whangarei

#### Recommendations

- Ensure consistent language used by police, court system etc. when talk about abuse, harm, violence
- Ensure ethnic groups have role in training on use of language when talk about violence and harm

- **Non-permanent residents**

- Access to benefits
- Safety of women – no women refuges take non-permanent residence

#### Recommendation

- Ensure women’s refuge take women who are non-permanent residents

- **Data collection**

- Problem with data collection relates to all issues
- **Privacy**
  - Emails and information about abuse going to partners
  - Way data is utilised by different groups and between agencies
  - Having to prove who you are to different agencies
  - Protection Orders – when write affidavit and hacking computer – safety
- **Issue in ethnic community wider than man and wife**
  - Community refusing to accept or acknowledge there is a problem
  - No one talks about mother in law being involved
  - Ethnic women don't want to talk to someone from own background because doesn't want to be exposed
  - Mobilise community to get prevention messages out there
  - Don't want black mark because underlying racism and don't want to be viewed as having problems within their community

#### Recommendations

- Raise awareness of dynamics of dowry and arranged marriage
- Ensure women have someone to talk to outside of community/navigators
- Providing forums where can discuss these issues
- Embrace migrants and understand barriers faced
- **Early intervention and prevention needed**
  - Education for community groups that places to go to – who are the first responders
  - Education at high school level
  - Police need to be trained: family violence; what forced and arranged marriage, dowry is; basic cultural understanding
  - Training for Plunket nurses

#### Recommendations:

- Strategy to address gendered nature family violence i.e. patriarchy, violence

- Not targeted ethnic communities but across board to avoid stigma
- Train police, Plunket nurses, judiciary, lawyers about forced marriage, dowry, violence towards ethnic women
- **FGM**
  - Agreed that this is a big issue
  - Chat to organisation that focuses on this
- **Information and introduction for new migrants**
  - New migrants receive introduction and information as part of maanaki (hospitality obligation)
  - Ensuring connection to tangata whenua – encourage iwi to reach out and help with integration
  - Crown agencies don't allow tangata whenua to carry out maanaki and iwi have to use own funds

Recommendation:

  - Put strategy in place to allow for maanaki
- **Other**
  - Fund NGOs working in area violence and abuse
  - Parental abuse against young girls – honour based violence/forced marriage/transphobic violence
  - Migrant Asian women specifically targeted by police – s 19 Prostitution Reform Act

## **2. Racism and negative stereotyping**

- Mahdis recently part of shadow report on ICESCR and worked under umbrella of Stop Institutional Racisms
- Institutionalised racism often neglected – even though we know it happens in CJS, employment
- We conceptualise it as something that happens on an individual level
- The group tried to de-conceptualise that racism doesn't mean people just be nice to one another
- Racism is entrenched in our institutions
- If Treaty was upheld then there wouldn't be racism for Maori as well migrants
- Privilege – we need to look at access to levels of resources beyond just discrimination people feel

- We need reverse data to compare discriminative data to mainstream
- What is the point of contact we know that discrimination of women occurs (c.f Maori and Pasifika men 6x more likely to get arrested and it happens at first point of contact on questioning)
- Demystify the word racism because people take it personal and see it as an attack but it's a way to learn
- We need not to be scared of the word but also not undermine it.
- Racism has bad consequences it's not necessarily about bad people
- If we lessen the negative outcomes for those who are the worst off, it will be a better outcome for all
- Racism is entrenched in our processes
- It is a structural issue e.g. in terms of statistics of criminalisation
- We all agree that the world is sexist but we all need to agree that the world is racist - perhaps not as overtly racist as it used to be, we have morphed but it still is
- 'Diversity' has been watered-down and it is used as if NZ is so diverse, and safe that if you're not happy, you should leave
- As a someone who has natural privilege by virtue of skin colour, we have moved from time in which overt racism was accepted, the arguments "I don't see colour", it is stripping away identity and culture.
- Diversity is encouraging token participation rather than an intent to include equally
- If we move towards seeing colour and hearing experiences of colour, there can be a way to have a radical conversation that puts accountability beyond representation to something deeper. Racism today is a wolf in sheep's clothing. Just because a woman turns up, does not mean she is listened to.
- NZ has come a long way and a lot has changed. The stereotypes have always been there regardless of culture; it starts in the home. Whether it is do with girls' education or something else, where did it start? The home.
- It is enforced from such an early age – these attitudes and perceptions start at informant years. Girls are made to believe from the first point of contact that their looks are paramount.
- The world interacts with my daughter is very different to the way the world interacts with my son. The son sees this and shapes their interaction
- Women are not believed in society when they say I have experienced abuse
- The questions are targeted at "what did you do"

- People who experience racism are made to question their experience i.e. was it really because of your race, maybe it wasn't mean to be offensive etc.
- Experts of racism are those who live with it
- True empathy is trying to listen to someone's experience as they say it; not trying to see it through your own lens; or justifying it through your own reality
- We live in a society (NZ is not exempt) that has lost values. We have apartheid in this country and no one is noticing it
- School zoning is creating apartheid
- We create racial divisions that do not require legislation
- Auckland is one of the most segregated cities in the world and this is based on wealth distribution
- Poverty and migration is coupled to exacerbate these segregations
- Diversity – as an older woman we have become irrelevant and are not represented. Age has become a barrier. Wisdom of older women is lost in society – the knowledge and experience some of us have been through is lost.
- Being an indigenous Mexican woman in times of Trump, we mask what race is, we confuse with diversity and ethnicity
- Ethnicity has no power demarcation, race does. We have to work with race to overcome it
- Not legal for everyone in our country to do sex work – migrant women and transgender women are disproportionately impacted by these laws

### Recommendations

- Talk more about unconscious bias
- Teach more about history and racism in schools
- We need to start talking about structural racism
- Representation as participation and people need to be decision-making tables
- We need not only to invite women of colour to the table to share their experiences but to actually have decision-making power
- Diversity in key decision-making roles and at every level of society
- Clarity on concepts e.g. diversity and race

- Clear definition of racism
- Get comparative data with mainstream
- Pool of funding that is available for non-for profits working with women of colour
- Commission specifically for older women
- Changes to current immigration policy
- Change s 19 of the Prostitution Reform Act to ensure everyone has equal protection as it is currently discriminatory

### 3. **Poverty**

- **Employment**
  - Living wage
  - What is the reality of equal pay? Women's roles are paid at a lower rate
  - We do not value women's employment roles e.g. midwives are underpaid
  - They are paid per birth. Travel, difficulty of labour etc. are not taken into account. This links to issues around women's access to health care
  - Gender pay gap
  - Tax rates – women often have more than one job but will get secondary tax
  - Re-establish respect for people using WINZ
  - The value of mothering and the skills brought by mothers to the workforce
- **Housing**
  - Education around healthy homes e.g. opening windows, cheap heating
- **Health**
  - You can only be registered at one GP so, visiting another GP costs much more. This is an issue for people who move lots, seasonal workers etc
  - Huge problems with provision and cost of mental health care
  - Intersectionality issues are not well addressed e.g. IVF and mental health, disability and housing
- **Education**
  - Life skills need to be taught at high school e.g. budgeting, how to find a flat
  - Lack of financial support for non-tertiary paths e.g. athlete
- **Other**

- Costs of sanitary products
- Cost of nappies. Lack of washing facilities at home for linen nappies leading to use of disposable nappies - environmental issues
- Cost of school fees. Parents approach grandparents for help with school fees. All generations are in poverty
- Getting into debt just trying to supply the basics
- Loan sharks and the trucks target poor communities
- Getting into debt to leave an abusive relationship
- A cycle between poverty, stress, and violence

### Recommendations

- Transparency around pay rates and leadership
- Strengthen law around unions
- Re-examine and re-calculate benefit levels
- Get rid of fish hooks about the benefit e.g. families are unable to give other family members food or money without the amount being deducted from the benefit
- Part-time/job-sharing for mothers
- Get rid of benefit sanctions for mothers who don't name the fathers