

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



<b>Date &amp; location:</b>	28 February 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>• HRC's <a href="#">upcoming CEDAW consultations</a></li><li>• <a href="#">Submission template</a></li></ul>
<b>Attendance:</b>	40 people including representatives from WEP's, Rural Women NZ, Pacific Women's Watch, NZ Prostitutes Collective, PSA, Amnesty International NZ, World Vision, Auckland University, Shine, Auckland Women's Centre and the YWCA.

## 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 with stakeholders 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. Immigrant women's rights
- b. Financial security
- c. Gender impact assessment
- d. Reproductive / labour rights

## **C. Meeting Notes**

### **1. Violence and abuse**

- a. Family Court system and treatment of women by Judges
  - i. Failure to take a victim centered approach
  - ii. Misunderstanding of circumstances of women
  - iii. Lack of access to free legal services
  - iv. Lack of trained specialist family court advisors on violence and abuse
- b. Women abuse against women is often ignored, but is occurring in NZ
- c. Violence against immigrant women - a group that is often unheard and victimized
- d. Need for Maori and Pasifika women to be heard
- e. Barriers for Maori in accessing courts
- f. Collaboration and information sharing between groups who work on violence and abuse needed – currently a business model approach is taken resulting in groups competing with each other rather than sharing information
- g. Information on domestic violence and abuse needs to be offered to women, rather than telling them what to do
- h. Intersectional approach needed to recognize differences between women and issues particular to each group – particularly important for Maori where the history of colonisation needs to be kept in mind when dealing with issues that affect them
- i. Lack of funding of good researchers and academics
- j. Research needed on connection between poverty and women's suicide
- k. Integration of disabled women, mental illness and substance abuse
- l. Workplace abusive relationships when couples working together
- m. Police insensitive when dealing with sexual assault and rape

### ***Recommendations***

- n. Enact a comprehensive national strategy required across all government agencies to address violence and abuse; and to address gender equity and resourcing (look at approach of the Victoria, Australia which used a comprehensive approach across all agencies)
- o. Train police, immigration, counsellors, CYFs workers on gendered approach to violence and abuse, with a particular emphasis on an intersectional point of view and consent
- p. Improve funding to NGOs that work on issues relating to domestic violence and abuse

- q. Move focus to primary prevention involving education in schools and move away from gendered binaries in primary prevention strategies
- r. Provide list of NGOs providers, counsellors that work on domestic violence and abuse
- s. Support the International Labour Organisation Convention to stop Violence against Women and Men in the World of Work

## 2. **Poverty**

- a. Importance needs to be placed on children's learning environment at home and at school and cyclical impact on poverty
- b. Female students living in poverty at university
- c. Working poor - full time workers who live in poverty (30% of those living in poverty)
- d. Maori and Pacifica community disproportionately affected
  - i. Overrepresentation in prisons
  - ii. Individualism destroying whanau and support systems

### ***Recommendations***

- e. Provide a definition of poverty to address material deprivation
- f. Address systemic racism that feeds into poverty
- g. Engage with women on areas that affect them, including people live in poverty, Rainbow and Maori groups
- h. Ensure inter-ministry collaboration for best long-term effective strategies

## 3. **Data Collection**

- a. Important because need evidence to make arguments and push for change
- b. Allows for gender impact analysis of legislation
- c. Gender impact analysis needed in terms of housing – no mention of this in most recent report on housing situation
- d. Census
  - i. Only records those in households so homeless not recorded
  - ii. Issues for rural women now that census is digital lack of internet; need to ensure process so that women receive hard copy on time
  - iii. Refugee women not represented
  - iv. No question regarding SOGI-SIC community despite this being raised for years
- e. National health index numbers in place, but lack of communication between doctors, GPs, hospitals etc.
- f. NZ only country where people have to publish public domain name – puts women at risk
- g. Not all women report violence and abuse to police so need to ensure data is collected from them

- h. Rural impact assessment needed – what is rural and who is rural? Need to stop guess work

### ***Recommendations***

- i. Conduct gender impact analysis regarding housing and rural women
- j. Ensure homeless and refugee women are recorded in census data
- k. Ensure comprehensive collection of data on violence and abuse against women

## **4. Employment**

- a. Living wage needs to be extended to precarious work
- b. Under new employment law, 90-day trial period continues to apply to employers with less than 20 employees, however women in this group are still vulnerable in the work place
- c. Need for child care to be funded
- d. Equal pay legislation to enable comparators across sectors
- e. Need to pass legislation to stop structural discrimination and to change societal thinking that men and women are different
- f. Traditional work done by women should be paid e.g. caring for children, elderly, house work
- g. Previous CEDAW recommendations still haven't been enacted
  - i. Temporary special measures:
    - 1. conversation needed on quotas
    - 2. could move away from quotas by calling for proportionate representation of gender groups in organisations (keeps away from merit arguments)
    - 3. e.g. Sovereign Insurance staff reflect clients and staff make up
    - 4. need for legislation on this
  - ii. Paid parental leave
    - 1. ability for men and women to share parental leave
    - 2. incentives needed for men to share parental leave i.e. look at Swedish example
- h. Leadership committees and boards need to proportionately represent organizations
- i. Deconstructing gender as a means of distinguishing between access to resources

### ***Recommendations***

- j. Ensure living wage is extended to precarious work and that traditional work carried out by women e.g. caring for children, elderly, house work is paid
- k. Remove 90-day trial period for employers with less than 20 staff
- l. Ensure further funding for child care
- m. Ensure equal pay legislation enables comparators across sectors

- n. Legislate to stop structural discrimination and to change societal thinking that men and women are different
- o. Act on previous CEDAW recommendations regarding temporary special measures and paid parental leave for men
- p. Ensure women are represented proportionately on leadership committees and boards

## **5. Health Care**

- a. Rural women
  - i. Access to healthcare for rural women: long waiting times; centralisation of health care leading to little or no care for rural community; elderly women and widows particularly affected, women who don't drive are unable to get to appointments
  - ii. Those especially affected are the elderly, mentally ill and those with disabilities
  - iii. Need attitude shift in terms of alternative medicines
  - iv. Acknowledgment of experience of rural community and experience of how to survive living outside of cities –climate and environmental issues
  - v. A lot of emphasis being placed on mental health of rural men, but women are the ones holding community together and need to be strengthened
- b. Need to see health issues through a disability lens e.g. breast screening for disabled women
- c. Attitudes of those treating those with mental health issues important – need for empathy
- d. Lack of disability data in relation to sexual and physical abuse, mental abuse, poverty, health care access; access to justice

### ***Recommendations***

- e. Ensure rural women have access to adequate healthcare, in particular the elderly, mentally ill and people with disabilities
- f. Engage with rural community on strategies for surviving outside of cities in relation to climate change and environmental issues
- g. Collect data on physical, mental and sexual abuse against women, poverty, access to health care and access to justice
- h. Ensure that health issues for women with disabilities are seen through a disability lens

## **6. Human trafficking and immigrant women**

- a. Labour exploitation major issue
  - i. International students, rainbow immigrants and refugees are all affected
- b. Exploitative practices vs. trafficking (global definitions differ)
  - i. Long hours
  - ii. Need permanent residency or citizenship to legally be a sex worker

- iii. Definition trafficking needed
- c. Migrant sex workers
  - i. Major problem around sex workers on student, work, or temporary visa – because it is illegal it places these workers in a vulnerable position as they are unable to go to the police when they are forced into this work
  - ii. Youth sex workers
  - iii. NZPC research immigrant sex workers: no evidence of trafficking; migrants working based on choice
- d. Human trafficking
  - i. Agricultural industries
  - ii. Forced marriage, dowry abuse
  - iii. Dowry abuse
- e. FGM – all forms should be illegal before 18 years of age
- f. Lack of up to date government information
  - i. NZ Plan of Action not updated since 2009
  - ii. Data needed on child trafficking as this is happening in NZ
  - iii. MBIE resource on immigrant workers hasn't been updated since 2009
- g. Global Alliance Trafficking made important recommendations in report in relation migrant sex workers in NZ, which should be considered by the government
- h. Domestic trafficking is an extension of gender based violence when girls or women are forced into sex work or prostitution but silenced – research been done that government needs to look at

### ***Recommendations***

- i. Collate legislation, research, information, organisations on immigrant rights
- j. Amend section 19 of the PRA and section 157 and 159 of the Immigration Act to decriminalize migrant sex work
- k. Conduct robust research on the agencies and organisations working with victims of human trafficking and immigrant women
- l. Train immigration officials to identify situations of human trafficking and issues particular to migrant women.