

## MINISTER'S FOREWORD

E ngaa mana, e ngaa reo, e ngaa karangatangamaha, tihei mauri ora!

'Naa tou rourou, naaku te rourou, ka ora te iwi'

(With your contribution and my contribution the people will be sustained)

I, along with my colleagues, welcome this opportunity to provide New Zealand's third (and fourth consolidated) report. It is timely to reflect on what has been achieved, through changes to legislation, policy and practice, to improve the lives of children and young people residing in New Zealand since the last report was submitted in 2000. The United Nations Convention on the Rights of the Child provides a valuable framework to monitor and assess progress.

The obligations that underpin this Convention are taken seriously, as they reinforce the duty that all adults and systems that interact with children and young people have – that is, to look after their best interests, treat them with respect and listen to their concerns.

We value all children and young people and place a great deal of importance on their doing well in a range of settings – and, as this report shows, this generally is the case. This has been achieved through significant and sustained investment to ensure that solid foundations are in place so all children and young people in New Zealand can achieve their full potential. Investments have been made in many areas and include:

- **education**, from early childhood through to tertiary, with the provision of 20 hours per week of free early childhood care for all three to four year olds, initiatives to improve secondary school retention with a focus on improved education outcomes for Maaori and Pacific,
- **health**, through providing free access to primary health care for all under six year olds and children of low income families and lowering the cost for all others, and a range of targeted initiatives to improve health outcomes – immunisation, oral health, contraception, encouraging healthy eating and healthy activity
- **care and protection**, through substantive reform leading to improved responsiveness and increased professionalism
- **family support**, through a comprehensive income assistance package to assist families with children (Working for Families), providing increased and enhanced parenting programmes and a range of universal and targeted support services with a particular focus on the elimination of violence in families, including removal of reasonable force as a defence for a parent or guardian correcting or disciplining their child.

Government's contribution is only part of the story. Vital contributors to improved outcomes are families/whaanau, the foundation on which we rely to nurture our children and young people. This work could not be done without the contribution of the non-government sector and advocacy organisations, philanthropic organisations, and the private sector through socially responsible businesses. This contribution is valued, acknowledged and respected.

Nania Mahuta  
Minister of Youth Affairs  
2008

No reira teenaa koutou katoa

## **INTRODUCTION**

New Zealand welcomes the opportunity to provide its consolidated third and fourth report to the Committee on the Rights of the Child. The report covers the period January 2001 to October 2008 and follows on from the second periodic report submitted in 2000. It should be read in light of this document, and New Zealand's constructive dialogue with the Committee in September 2003.

This report sets out the substantial and comprehensive range of measures - including legislative, judicial, and administrative - adopted during the review period to give effect to the provisions and underlying principles of the United Nations Convention on the Rights of the Child (UNCROC). The report also addresses the recommendations made following consideration of New Zealand's second report [CRC/C/15/Add.216].

Given that this report covers an eight-year reporting period, the approach taken is not to provide an exact historical record of each and every activity initiated during this time. Rather, it focuses on the most relevant and/or current initiatives being undertaken to improve outcomes for children and young people living in New Zealand.

Importantly, descriptions of all relevant steps taken to progress the lifting of New Zealand's three reservations to UNCROC are provided.

The framework for implementing the recommendations of the Committee on the Rights of the Child was provided by a 'UNCROC five-year work programme 2004-2008', adopted by government in 2004. Although not all matters identified in the New Zealand work programme have been achieved, good progress has been made.

The UNCROC work programme has also provided a focus for engagement with New Zealanders, in particular the non-government sector, and also directly with children and young people themselves. Embedded in this report are the comments and voices of children and young people who, over the last eight years, have contributed to policy development, or participated, locally in youth councils, nationally in the Youth Parliament, or internationally in the United Nations General Assembly.

New Zealand looks forward to being able to address, in detail, any of the matters canvassed in this report during its presentation to the Committee on the Rights of the Child.

## **DEVELOPMENT OF THIS REPORT**

This report closely follows the form and structure specified in the Committee's most recent guidelines [CRC/C/58/Rev.1, Nov 2005]. It has been prepared by the Ministry of Youth Development, the Ministry responsible for co-ordinating UNCROC-related activity. The Ministry's roles include all reporting, providing expert advice, maintaining relationships with individuals, national and international organisations with an interest in children's rights and being a portal for the dissemination of information on UNCROC.

Initial preparation for this report began following receipt of the Committee's observations and 26 recommendations in October 2003. An audit was conducted, identifying where current and new government activity would respond to, or align with, the recommendations. In addition initiatives not

specifically responding to recommendations, but of relevance to monitoring implementation of UNCROC, were also identified. Throughout the reporting period, the government has been committed to facilitating a clear and transparent programme of activity that would enable interested parties to better understand what was being done, facilitate participation and monitor progress.

Following the audit in 2004, the government approved an over-arching 'UNCROC five-year work programme 2004-2008', which contained 28 work programme items with corresponding milestones. The work programme (along with other key UNCROC documents) was put on the Ministry of Youth Development's websites ([www.myd.govt.nz](http://www.myd.govt.nz) and [www.uncroc.govt.nz](http://www.uncroc.govt.nz)). Annual reporting was required under the UNCROC work programme and this allowed for progress to be noted and milestones changed. The final UNCROC five-year work programme 2004-2008 had 29 work programme items, and had been reported on four times. A significant number of milestones were set and achieved.

An UNCROC Forum was held in mid-2006 to provide information to non-government agencies on UNCROC work programme items. Twenty government departments either participated in an 'expo' or presented up-to-date information on relevant initiatives in education, health, and care and protection. Over 65 non-government organisations with an interest in aspects of child and youth well-being and rights attended. Alongside this, there was a youth stream on UNCROC. The Forum was successful, with all participants increasing their understanding of UNCROC.

The Ministry of Youth Development has also facilitated dialogue on UNCROC with a group of non-government and statutory agencies with an interest in children's rights. The UNCROC Advisory Group consists of the Office of the Children's Commissioner, the Human Rights Commission, UNICEF, Save the Children, Youthlaw, and members of Action for Children and Youth Aotearoa Incorporated (ACYA), a coalition of non-government organisations and individuals interested in children's rights in New Zealand. ACYA co-ordinated the non-government report to the Committee in 2003, and have started preparing the non-government report for this reporting period.

Over the last five years, the Advisory Group has met at least twice a year and more often when required, providing advice and assisting in the development of all UNCROC-related activity, including reporting. For instance, it collaborated on the design of the UNCROC Forum as well as actively participating in the event. It has had opportunities to provide input on all the processes associated with preparing this report, including information gathering processes, consultation design and comment on preliminary drafts in April and July. Its input and feedback has been invaluable and is welcomed. The relationship has grown over the last five years and a 'no surprises' policy is a key element of the relationship. This has enabled free and frank discussions leading to improved information flow both ways.

The public launch of this report was announced in November 2007, at the UNCROC 18th birthday celebration, jointly hosted by UNICEF and Wellington City Council as a member of Child-Friendly Cities and Communities. Since early 2008, government and relevant statutory agencies have supplied information to the Ministry of Youth Development, which has co-ordinated all aspects of the report. Ministers considered a draft report prior to release for targeted consultation in September. At the same time, the Children and Young People: Indicators of Wellbeing 2008 report, which provided supporting statistical information, was released (high level summary in appendix 2).

Preparation for public consultation included placing information in key relevant newsletters on the consultation time frames. This provided an opportunity for interested individuals and organisations to register their interest to receive information, once released. This was done utilising both government and the non-government networks. In addition, networks of children and young people have been

used to do the same – this includes links into all schools, various youth-targeted health and social service networks, and local youth councils.

The report was open for public consultation for a four-week period over September and October. During this time, it was made available on the Ministry of Youth Development website, with hard copies available on request. An on-line submission form was available for use to supplement written submissions. In addition, it was acknowledged that information received through the consultation process would be supplied where relevant to ACYA, as they prepare the non-government report. Overall, the draft UNCROC report was well received as a comprehensive overview of government activity undertaken during the reporting period.

Submissions provided valuable feedback, which has been incorporated into the report where relevant. Many submitters used the process to highlight and raise their concerns in regard to the nature and extent of government activity. Key areas of focus were the reservations to UNCROC and the incorporation of UNCROC into domestic legislation. Many provided alternative policy options, with a focus on setting firmer targets for the reduction of poverty and health and education outcomes for Māori, Pacific and disabled children and young people. Additionally, submitters wanted a different emphasis to be given to initiatives in the report, in particular, increased attention on the fact that New Zealand has removed reasonable force as a defence for a parent/guardian correcting or disciplining a child. As many of these concerns are more appropriately addressed in the non-government report, the relevant submissions have been provided to ACYA to incorporate into their process. There was some concern expressed that the period of public consultation was insufficient, although it was also recognised that organisations are able to submit their own alternative reports to the Committee itself. This procedural suggestion will be factored into the preparation of New Zealand's next periodic report.

Although children and young people's networks had opportunities to comment on the draft report, none have been received. Children and young people did, however, contribute to some organisational submissions. The Auckland Region of the United Nations Youth Association of New Zealand, with the support of ACYA, submitted a comprehensive report, Youth Declaration 2008, to the Minister of Youth Affairs in April 2008, which was accepted as an early submission. Additionally, a separate consultation process is planned which seeks the views of a wide range of children and young people on their rights. The details of this process are yet to be finalised but will be jointly supported by members of the UNCROC Advisory Group and the Ministry of Youth Development for submission to the Committee along with the non-government report.

Going forward, dialogue will continue with the UNCROC Advisory Group and the submissions received will provide an opportunity to dialogue with a wider group of interested individuals. This will be important as in designing a revitalised UNCROC work programme, there will be opportunities to look for joint work with the sector and to extend this, where possible, to include children and young people.