

## Mapping Concluding Observation recommendations to Lead and Supporting agencies

Article	The Committee recommends that the State party:	Lead agency	Supporting agencies
<b>General principles and obligations (arts. 1–4)</b>	6 (a) Develop strategies to strengthen commitment across all government portfolio areas to ensure disability is recognized as a cross-cutting issue, that meaningful partnerships are developed with organizations of persons with disabilities to ensure close consultation and active involvement in legislative and policy processes to implement the Convention, including co-design, co-production and co-evaluation, and that organizations of persons with disabilities are appropriately resourced to build capacity to participate in partnerships across government portfolio areas;	Disability Issues-led  <b>ACCEPT</b>	All Portfolios
<b>General principles and obligations (arts. 1–4)</b>	6 (b) Develop legislative and policy frameworks that reflect the Treaty of Waitangi, the Convention on the Rights of Persons with Disabilities and the United Nations Declaration on the Rights of Indigenous Peoples to ensure that Māori persons with disabilities are closely consulted and actively involved in decision-making processes and that their right to self-determination is recognized.	Disability Issues/Whaikaha  <b>ACCEPT/MODIFICATION</b>	
<b>Equality and non-discrimination (art. 5)</b>	8 (a) Amend the Human Rights Act of 1993 to include an explicit recognition of the denial of reasonable accommodation as a form of discrimination and include a legislative definition of reasonable accommodation consistent with the meaning provided in article 2 of the Convention;	Justice  <b>ACCEPT/MODIFICATION</b>	
<b>Equality and non-discrimination (art. 5)</b>	8 (b) Adopt the legal and other measures necessary to provide for explicit protection from multiple and intersectional forms of discrimination, including discrimination based on the intersection between disability and other identities and life status, such as age, sex, gender, race, indigenous status, lesbian, gay, bisexual, transgender and intersex status, ethnicity, migratory status and national origin;	Justice  <b>ACCEPT/MODIFICATION</b>	
<b>Equality and non-discrimination (art. 5)</b>	8 (c) Provide the New Zealand Human Rights Commission and the Human Rights Review Tribunal with the necessary financial and human resources for timely resolution of discrimination complaints.	Justice  <b>ACCEPT/MODIFICATION</b>	
<b>Women with disabilities (art. 6)</b>	10 (a) Strengthen measures and policy mechanisms, including within the gender impact statement and the disability perspective statement, to ensure that the issues for women and girls with disabilities, including for Māori, Pasifika persons and migrant women and girls with disabilities, are comprehensively addressed within gender and disability legislative and policy areas;	Women  <b>ACCEPT/MODIFICATION</b>	Disability Issues
<b>Women with disabilities (art. 6)</b>	10 (b) Develop strategies and measures, including financial resourcing, to support women and girls with disabilities to develop their own representative organization.	Women  <b>ACCEPT</b>	Disability Issues
<b>Children with disabilities (art. 7)</b>	12 (a) Establish measures and standing mechanisms to ensure that children with disabilities, including Māori children with disabilities, are able to express their views on an equal basis with other children;	MYD  <b>ACCEPT</b>	Child Wellbeing Oranga Tamariki
<b>Children with disabilities (art. 7)</b>	12 (b) Strengthen the collection of comprehensive disaggregated data on children with disabilities, including on Māori children with disabilities, to inform effective early intervention, particularly in the fields of education, care and protection, and youth justice.	Oranga Tamariki  <b>ACCEPT</b>	Statistics

<b>Awareness-raising (art. 8)</b>	14 (a) Adopt and fund a comprehensive national strategy to raise awareness throughout society, particularly among persons with disabilities, their parents and families, professional groups, the media and government officials at all levels, regarding the rights and dignity of persons with disabilities, in order to combat stereotypes, prejudice and harmful practices in all aspects of life and to create sustained and systemic attitudinal change;	Disability Issues <b>ACCEPT</b>	
<b>Awareness-raising (art. 8)</b>	14 (b) Strengthen measures for close consultation and active participation of organizations of persons with disabilities, including underrepresented groups of persons with disabilities in the design, development and delivery of awareness-raising programmes about the rights and dignity of persons with disabilities.	Disability Issues <b>ACCEPT</b>	
<b>Accessibility (art. 9)</b>	16 (a) Expedite implementation of the Building Act of 2004 and commit to targets and time frames for implementation measures;	MBIE <b>ACCEPT/MODIFICATION</b>	HUD
<b>Accessibility (art. 9)</b>	16 (b) Adopt and implement an accessibility strategy underpinned by the principle of universal design to eliminate existing access barriers, in close consultation with and with the active involvement of organizations of persons with disabilities, including underrepresented groups, such as persons of small stature;	MSD (Disability Policy) <b>ACCEPT/MODIFICATION</b>	Disability Issues
<b>Accessibility (art. 9)</b>	16 (c) Adopt the principle of universal design and commit to a target of 100 per cent accessibility for any newly built public housing and introduce mandatory accessibility requirements for new housing constructed by the private sector;	Housing <b>ACCEPT/MODIFICATION</b>	Building and Construction
<b>Accessibility (art. 9)</b>	16 (d) Establish a co-design and co-production process with organizations of persons with disabilities to address concerns about the Accessibility for New Zealanders bill, following release of the Select Committee's report.	MSD (Disability Policy) <b>ACCEPT/MODIFICATION</b>	Disability Issues
<b>Right to life (art. 10)</b>	18. The Committee recommends that monitoring and review mechanisms for the End of Life Choice Act of 2019 provide publicly available information on the impact on persons with disabilities, including the effectiveness of safeguards to counteract negative perceptions held by medical professionals and to prevent coercion in decision-making.	Health <b>ACCEPT</b>	
<b>Situations of risk and humanitarian emergencies (art. 11)</b>	20. The Committee recommends that the State party closely consult with and actively involve organizations of persons with disabilities in designing and implementing COVID-19 response and recovery measures, informed by the recommendations contained in the report on making disability rights real in a pandemic, prepared by the Independent Monitoring Mechanism in 2021.	DPMC <b>ACCEPT</b>	Health
<b>Equal recognition before the law (art. 12)</b>	22. the Committee recommends that the State party repeal any laws and policies and end practices or customs that have the purpose or effect of denying or diminishing the recognition of any person with disabilities as a person before the law, and implement a nationally consistent supported decision-making framework that respects the autonomy, will and preferences of persons with disabilities.	Disability Issues <b>ACCEPT/MODIFICATION</b>	Justice
<b>Access to Justice (art. 13)</b>	24 (a) Develop a disability justice strategy to address the overrepresentation of persons with disabilities in the care and protection, youth justice and prison populations, including by strengthening age-appropriate procedural accommodations, measures to prevent persons with disabilities coming into contact with the justice system, and training on disability rights in the justice and care and protection systems;	Justice Oranga Tamariki <b>NOTE</b>	

<b>Access to Justice (art. 13)</b>	24 (b) Establish and adequately resource free independent advocacy and increase resources for community legal advice services.	Justice <b>ACCEPT/MODIFICATION</b>	
<b>Liberty and security of person (art. 14)</b>	26. Ensure that new mental health legislation embeds the Convention principles and standards to ensure that there are no provisions that allow for the deprivation of liberty on the basis of impairment or that allow for compulsory treatment, and that the development process actively involves persons with disabilities, particularly persons with psychosocial disabilities.	Health <b>ACCEPT/MODIFICATION</b>	Oranga Tamariki
<b>Liberty and security of person (art. 14)</b>	28 (a) Repeal all provisions that allow for the deprivation of liberty on the basis of impairment, including the Substance Addiction (Assessment and Treatment) Act of 2017;	Health <b>ACCEPT/MODIFICATION</b>	Whaikaha
<b>Liberty and security of person (art. 14)</b>	28 (b) Repeal provisions within the Intellectual Disability (Compulsory Care and Rehabilitation) Act of 2003 that allow for persons with disabilities to be detained for periods of time exceeding the maximum length of the sentence they would be liable to in the criminal justice system.	Health <b>ACCEPT/MODIFICATION</b>	Whaikaha
<b>Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)</b>	30. The Committee recommends that the State party take immediate action to eliminate the use of solitary confinement, seclusion, physical and chemical restraints and other restrictive practices in places of detention.	Whaikaha <b>ACCEPT/MODIFICATION</b>	Corrections Oranga Tamariki
<b>Freedom from exploitation, violence and abuse (art. 16)</b>	32 (a) Develop measures to address the high rates of violence experienced by persons with disabilities and to combat all forms of gender-based violence for inclusion within outcome area 4 of the New Zealand Disability Strategy;	Te Puna Aonui <b>ACCEPT</b>	
<b>Freedom from exploitation, violence and abuse (art. 16)</b>	32 (b) Incorporate gender-specific measures for the disability focus within the National Strategy to Eliminate Family Violence and Sexual Violence and ensure specific issues for women and girls with disabilities are mainstreamed throughout the Strategy.	Te Puna Aonui <b>ACCEPT</b>	
<b>Freedom from exploitation, violence and abuse (art. 16)</b>	34. The Committee recommends that urgent action be taken to amend legislative and policy frameworks that facilitate violence, abuse and neglect in institutions, to remove persons with disabilities from institutional settings with adequate support for living in the community, to investigate and sanction institutions and perpetrators and to provide victim and recovery support services and redress.	Oranga Tamariki Whaikaha <b>ACCEPT/MODIFICATION</b>	Justice Corrections Te Puna Aonui Health Education
<b>Protecting the integrity of the person (art. 17)</b>	36 (a) Immediately place a moratorium on sterilization, contraception and abortion procedures performed without personal consent, and take urgent action to adopt uniform legislation prohibiting such procedures on women and girls with disabilities;	Health <b>ACCEPT/MODIFICATION</b>	
<b>Protecting the integrity of the person (art. 17)</b>	36 (b) Adopt clear legislative provisions that explicitly prohibit the performance of unnecessary, invasive and irreversible medical interventions, including surgical, hormonal or other medical procedures on intersex children before an age at which they can provide informed consent;	Health <b>ACCEPT/MODIFICATION</b>	
<b>Protecting the integrity of the person (art. 17)</b>	36 (c) Recalling previous recommendations made by the Committee on the Rights of the Child, develop and implement a child rights-based health-care protocol for intersex children, setting the procedures and steps to be followed by health teams, ensuring that no one is subjected to unnecessary medical or surgical treatment during infancy or childhood, guaranteeing the rights of children to bodily integrity, autonomy and self-determination, and provide families with intersex children with adequate counselling and support;	Health <b>ACCEPT/MODIFICATION</b>	

<b>Protecting the integrity of the person (art. 17)</b>	36 (d) Adopt legislative provisions to prohibit growth attenuation treatment (Ashley Treatment), including a prohibition on procedures sought outside New Zealand;	Health <b>ACCEPT/MODIFICATION</b>	
<b>Protecting the integrity of the person (art. 17)</b>	36 (e) Adopt legal provisions to provide legal remedies and holistic redress to victims of medical interventions performed without personal consent, including access to support and recovery services and adequate compensation;	ACC <b>NOTE</b>	Health
<b>Protecting the integrity of the person (art. 17)</b>	36 (f) Develop measures to ensure reporting and data collection on sterilization, contraception and abortion procedures performed without personal consent, on non-urgent medical interventions performed on intersex children and on growth attenuation treatment.	Health <b>ACCEPT/MODIFICATION</b>	
<b>Liberty of movement and nationality (art. 18)</b>	38 (a) Review and amend its immigration and asylum legislation and administrative rules, in close consultation with and with the active involvement of organizations of persons with disabilities and migrants and refugees, to ensure that persons with disabilities do not face discrimination in any of the formalities and procedures relating to immigration and asylum, in particular as a result of the application of the acceptable standard of health requirements;	Immigration <b>NOTE</b>	
<b>Liberty of movement and nationality (art. 18)</b>	38 (b) Reverse the ineligibility under the acceptable standard of health medical waiver policy of persons with disabilities whose impairment requires full-time care;	Immigration <b>NOTE</b>	
<b>Liberty of movement and nationality (art. 18)</b>	38 (c) Repeal section 392, paragraphs (2) and (3), of the Immigration Act of 2009, which prohibits the lodging of immigration-related complaints to the Human Rights Commission.	Immigration <b>NOTE</b>	
<b>Living independently and being included in the community (art. 19)</b>	40 (a) Expedite the national rollout of the Enabling Good Lives programme and ensure that all persons with disabilities, including people with foetal alcohol syndrome disorder, are eligible;	Whaikaha <b>ACCEPT/MODIFICATIONS</b>	
<b>Living independently and being included in the community (art. 19)</b>	40 (b) Develop a comprehensive deinstitutionalization strategy, with specific time frames and adequate budgets, to close all residential institutions, including group homes and residential specialist schools, to provide community supports for persons with disabilities to live independently in the community;	Whaikaha <b>ACCEPT/MODIFICATIONS</b>	Health Education Oranga Tamariki
<b>Living independently and being included in the community (art. 19)</b>	40 (c) Develop measures to remove barriers for persons with disabilities to choose where and with whom they live, including by committing to increase the supply of affordable and accessible housing and by reforming programmes, such as the Disability Community Residential Support Services Strategy to prevent congregate living arrangements linked with shared support;	Whaikaha <b>ACCEPT/MODIFICATIONS</b>	Housing Oranga Tamariki
<b>Living independently and being included in the community (art. 19)</b>	40 (d) Take measures to cease investment in residential specialist schools for children with disabilities and establish a deinstitutionalization process that ensures adequate support is provided for children with disabilities to return to their families and exercise their right to an inclusive education.	Education <b>NOTE</b>	Oranga Tamariki
<b>Personal mobility (art. 20)</b>	42. The Committee recommends that the State party take measures to ensure the affordability of necessary assistive devices, modification services and mobility aids, including assistive technology for persons with disabilities.	Health <b>ACCEPT</b>	ACC
<b>Freedom of expression and opinion, and access to information (art. 21)</b>	44 (a) Strengthen implementation of the Accessibility Charter by expanding its coverage to local authorities and district health boards, and increasing funding and capacity for the provision of accessible information and communication formats and technologies;	MSD <b>ACCEPT/MODIFICATION</b>	Local Government Health

<b>Freedom of expression and opinion, and access to information (art. 21)</b>	44 (b) Implement incentives and increase funding for the training and employment of sign language interpreters, including trilingual interpreters who can interpret between New Zealand Sign Language, English and Te Reo Māori, and adopt a national standardized accreditation framework for sign language;	Disability Issues <b>ACCEPT/MODIFICATION</b>	Education
<b>Freedom of expression and opinion, and access to information (art. 21)</b>	44 (c) Adopt legislation to ensure captioning and audio description is provided on television channels with funding security;	Culture and Heritage <b>ACCEPT/MODIFICATION</b>	Broadcasting
<b>Freedom of expression and opinion, and access to information (art. 21)</b>	44 (d) Develop specific initiatives to increase the provision of culturally appropriate, accessible information and communications for Māori persons with disabilities.	TPK <b>ACCEPT</b>	MSD
<b>Respect for Privacy (art. 22)</b>	None		
<b>Respect for home and the family (art. 23)</b>	46 (a) Repeal section 8 of the Adoption Act of 1955 and amend the statute to ensure that parents with disabilities are treated on an equal basis with other parents with respect to adoption;	Justice <b>ACCEPT/MODIFICATION</b>	Oranga Tamariki
<b>Respect for home and the family (art. 23)</b>	46 (b) Implement strategies to increase family placements for children with disabilities and to ensure that siblings can remain together in these placements;	Oranga Tamariki <b>ACCEPT</b>	Education Health MSD
<b>Respect for home and the family (art. 23)</b>	46 (c) Significantly increase and resource comprehensive information, services and supports for children with disabilities and their families to prevent out-of-home placements and placements in institutions, including residential specialist schools;	Whaikaha <b>ACCEPT</b>	Education Oranga Tamariki
<b>Respect for home and the family (art. 23)</b>	46 (d) Take immediate action within Oranga Tamariki (Ministry for Children) to implement the recommendations from the 2020 Ombudsman report, entitled "A matter of urgency", and increase disability, gender and culturally appropriate expertise, policies and guidelines that adhere to the Convention in order to ensure that newborn babies and children are not removed from parents with disabilities, particularly parents with intellectual disabilities and Māori parents with disabilities, on the basis of impairment.	Oranga Tamariki <b>ACCEPT</b>	
<b>Education (art. 24)</b>	48 (a) Develop an inclusive education strategy that includes measures for the devolution of segregated education settings into a mainstream inclusive education system, to transition funding and resources from specialist education to inclusive education, to prioritize inclusive education in teacher training, to establish uniform, inclusive education policies and guidelines, to develop an inclusive education curriculum and to promote and raise community awareness;	Education <b>ACCEPT/MODIFICATION</b>	
<b>Education (art. 24)</b>	48 (b) Withdraw the proposal to change entry requirements for enrolment in residential specialist schools and redirect funding and resources into an inclusive education system;	Education <b>NOTE</b>	
<b>Education (art. 24)</b>	48 (c) Develop specific culturally appropriate strategies to address the high proportion of Māori children with disabilities in residential specialist schools, including the provision of supports to remain with whānau (extended family networks) in their local communities.	Education <b>NOTE</b>	Oranga Tamariki

<b>Health (art. 25)</b>	50. The Committee recommends that the State party progress development of the Health of Disabled People Strategy and strengthen and expedite measures within the New Zealand Disability Strategy, the Health Services and Outcomes Kaupapa Inquiry and the Pathways to Pacific Health and Well-being Strategy, to increase access to health services and improve health outcomes for persons with disabilities.	Health <b>ACCEPT</b>	Disability Issues
<b>Habilitation and rehabilitation (art. 26)</b>	None		
<b>Work and employment (art. 27)</b>	52 (a) Expedite the development of the Disability Employment Action Plan in close consultation with and with the active involvement of persons with disabilities, including women with disabilities, Māori with disabilities and Pasifika persons with disabilities;	Social Development and Employment <b>ACCEPT</b>	
<b>Work and employment (art. 27)</b>	52 (b) Incorporate concrete measures in the Disability Employment Action Plan, with resources, time frames and monitoring mechanisms that ensure the transition from segregated employment to the open labour market;	Social Development and Employment <b>ACCEPT</b>	
<b>Work and employment (art. 27)</b>	52 (c) Repeal section 8 of the Minimum Wage Act of 1983 and ensure that persons with disabilities are paid on the principle of equal pay for work of equal value.	Social Development and Employment <b>ACCEPT/MODIFICATION</b>	
<b>Adequate standard of living and social protection (art. 28)</b>	54 (a) Expedite implementation of the recommendations of the report from the Welfare Expert Advisory Group to address the inequity and complexity within the social security system for persons with disabilities;	Social Development and Employment <b>ACCEPT/MODIFICATION</b>	
<b>Adequate standard of living and social protection (art. 28)</b>	54 (b) Urgently address the fragmentation of the support system for persons with disabilities through a co-design and co-production process to address the inequity between Accident Compensation Corporation recipients and other persons with disabilities, including considering an integrated model of support to ensure uniform standards for all persons with disabilities.	ACC <b>ACCEPT/MODIFICATION</b>	Health Disability Issues
<b>Adequate standard of living and social protection (art. 28)</b>	54 (c) Ensure people with foetal alcohol syndrome disorder, chronic fatigue syndrome and other chronic and rare conditions have access to the disability support system and are included in disability policies and programmes.	Whaikaha <b>ACCEPT/MODIFICATIONS</b>	Health Oranga Tamariki
<b>Participation in political and public life (art. 29)</b>	56. The Committee recommends that the State party develop strategies and measures, including financial resources to support persons with disabilities to form sustainable representative organizations, including to support the development of organizations of Māori persons with disabilities, Pasifika persons with disabilities, lesbian, gay, bisexual, transgender and intersex persons with disabilities, children with disabilities, and women and girls with disabilities.	Disability Issues <b>ACCEPT</b>	
<b>Statistics and data collection (art. 31)</b>	58. The Committee recommends that the State party, in conjunction with Statistics New Zealand, develop a national disability data framework to ensure appropriate, nationally consistent measures for the collection and public reporting of disaggregated data on the full range of obligations contained in the Convention, especially with regard to Māori persons with disabilities, Pasifika persons with disabilities, lesbian, gay, bisexual, transgender and intersex persons with disabilities, children with disabilities and women and girls with disabilities.	Statistics <b>ACCEPT</b>	Disability Issues

<b>National implementation and monitoring (art. 33)</b>	60 (a) Strengthen its accountability processes and its partnership with the Independent Monitoring Mechanism to track and publicly report on the outcomes and implementation of the recommendations contained in the reports of the Mechanism;	Disability Issues <b>ACCEPT</b>	
<b>National implementation and monitoring (art. 33)</b>	60 (b) Allocate adequate resources, including financial support to the Disabled People's Organisations Coalition, to enable it to effectively fulfil its mandate as a partner of the Independent Monitoring Mechanism.	Disability Issues <b>ACCEPT/MODIFICATION</b>	