

UN CRC	Ratification Date	Care-Related Concluding Observations
	6 April 1993	Country Report
OPSC to CRC	Ratification	Care-Related Concluding Observations
	Date	
	20 Sept 2011	
OPAC to CRC	Ratification	Care-Related Concluding Observations
	Date	
	12 Nov 2001	
ICCPR	Ratification	Care-Related Concluding Observations
	Date	
	28 Dec 1978	
ICESCR	Ratification	Care-Related Concluding Observations
	Date	
	28 Dec 1978	
CEDAW	Ratification	Care-Related Concluding Observations
	Date	
	10 Jan 1985	
CRPD	Ratification	Care-Related Concluding Observations
	Date	
	25 Sep 2008	CRPD/C/NZL/CO/1 31 October 2014
		http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/195/35/PDF/G1419535.pdf?OpenElement



Country Care Review: New Zealand

III. Principal areas of concern and recommendations

B. Specific rights (arts. 5-30)

Children with disabilities (art. 7)

- 17. The Committee is concerned that it is still the case that some children with disabilities, especially Maori children with disabilities, have difficulty in accessing some government services, including health and education services. The Committee notes the recent work undertaken as part of the Disability Action Plan 2014–2018 to make services more accessible.
- 18. The Committee recommends that this work be increased to ensure that all children with disabilities are able to access government and related services, including to receive support to express their views.

Freedom from exploitation, violence and abuse (art. 16)

- 35. The Committee notes the programmes under the Domestic Violence Act 2013 to assist persons with disabilities who suffer violence especially women, girls and boys with disabilities. However, the Committee is concerned that it is unclear whether the Act protects persons with disabilities experiencing abuse in homecare/live-in support situations, and whether the definition of a domestic relationship includes relationships between persons with disabilities and other resident service users, their caregivers, and other support staff.
- 36. The Committee recommends that the State party strengthen these programmes and initiatives to protect persons with disabilities, especially those living in institutions, from violence and harm, and that it ensure that a system is put in place to detect and respond effectively to cases of abuse. It also recommends that the State Party ensure that legislation, policy and practice relating to domestic violence covers persons with disabilities in the domestic situations that they encounter.

Respect for home and the family (art. 23)



Country Care Review: New Zealand

Hague Intercountry Adoption	Accession Date	Link to Country Profile
	27 Jan 2014	http://www.ohchr.org/EN/HRBodies/UPR/Pages/NZSession18.aspx
	Consideration	
UPR	Date of	Link to Page
		48. The Committee recommends that section 8 of the Adoption Act 1955 be repealed and that the statute be amended to ensure that parents with disabilities are treated on an equal basis with other parents with respect to adoption.
		order to be dispensed with if the court is satisfied that the parent or guardian is unfit, by reason of any physical or mental incapacity, to be entrusted with the care and control of the child.
		47. The Committee is concerned that section 8 (1) (b) of the Adoption Act 1955 subjects disabled birth parents to differential treatment based on their disability. This provision enables consent to an adoption
		46. The Committee recommends that these two statutes be re-examined to ensure that children with disabilities have the same safeguards as other children when they are placed in out-of-home care.
		45. The Committee is concerned that sections 141, 142, and 144 (2) of the Children, Young Persons and Their Families Act 1989 appear not to give children with disabilities the same protections as other children when they are placed in out-of-home care. The Committee notes the passage of the Vulnerable Children Act 2014.

Acronyms and Abbreviations:

CEDAW Convention on the Elimination of All Forms of Discrimination against Women CRC Convention on the Rights of the Child/Committee on the Rights of the Child

Better Care Network www.bettercarenetwork.org



Country Care Review: New Zealand

CRPD Convention on the Rights of Persons with Disabilities ICCRP International Covenant on Civil and Political Rights

ICESCR International Covenant on Economic, Social and Cultural Rights

OPAC to CRC Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict

OPSC to CRC Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography

UN United Nations

UPR Universal Periodic Review