



The Circular

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Making a Difference for New Zealand Women

Working together across Parliament for gender equality

By Louisa Wall MP and Jo Hayes MP

The Commonwealth Women Parliamentarians (CWP) New Zealand is a unique forum for women parliamentarians from across the political spectrum to come together and work for gender equality. The CWP NZ Group is part of one of the world's largest international women's organisations. It was founded by women in the Commonwealth Parliamentary Association in 1989 to discuss ways to increase female representation in Parliament and work towards the mainstreaming of gender considerations in all parliaments.

The NZ group is co-chaired by members of the two main parties. In the 51st Parliament this is Jo Hayes MP (National) and Louisa Wall MP (Labour). Poto Williams MP (Labour) also represents NZ on the CWP Pacific Region Steering Committee, which fosters closer relationships between women parliamentarians in NZ, the Pacific Region and the Commonwealth.

While they may be divided across the Chamber floor, women parliamentarians come together in the CWP. The group's role is to promote parliamentary service for women and to represent women parliamentarians' views and concerns. A particular focus for CWP in this parliamentary term is providing opportunities for strategic discussion and cross-party policy and legislative developments. CWP NZ will soon welcome associate male members of parliament, as the fundamental changes require both men and women to be champions.

There are many areas where women parliamentarians find commonality. The first of which is encouraging more women to stand for parliament and to ensure they thrive within demanding party structures and the parliamentary environment. On gender grounds, the representativeness of parliament has increased significantly since the advent of MMP in 1996, but still does not reflect the gender balance in NZ



CWP co-chairs Louisa Wall and Jo Hayes with the NCWNZ blanket in the Women's Room at Parliament

society as a whole. There are 39 women MPs (32.2%) in the 51st Parliament, compared with the record 41 in 2008. Internationally, this level of representation of women in Parliament places NZ in 35th place. There is still a long way to go to reach parity and while members may have diverse views on the solution (for example, mandatory quotas) all agree that, 122 years on from suffrage, it's not good enough to not have achieved full gender equality in the NZ Parliament.

Innovative ways to work across Parliament are being explored—including having multiple members' names on what would have traditionally been a single member's bill and seeking the leave of the House to prioritise bills on the Order Paper. Co-chair Jo Hayes currently has a proposed bill in the ballot: Marriage (Court Consent to Marriage of Minors) Amendment Bill. There is cross-party support spearheaded by CWP to ensure legislative change that ensures the safety of women and girls from violence. CWP sees that violence and economic dependency are inherently linked with the low rates of women's participation in political life.

Continued on page 5...

Index	Page
President's Comment	2
From the Board	3—4
National Office	4
Issues	5—11
History/Treaty	12
International	13
Notices	14

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Enhancing international understanding

I was proud to be part of a strong NZ delegation at the International Council of Women (ICW) General Assembly held in Izmir, Turkey last month. NCWNZ first Vice President Vanisa Dhiru, ICW Vice President Christine Knock, NCW Manukau branch President Judi Goldsworthy, and NCW Wairarapa branch member Wendy Pearce participated fully and made our small nation's voice heard on a number of important issues. I want to publicly acknowledge Christine who has been our representative on the ICW board for the past 12 years and to congratulate her on being re-elected as ICW Vice President. Christine has done an outstanding job on the ICW board and is a highly regarded member of their executive team.



The contributions made by former NZ attendees such as Dame Miriam Dell and Dame Jocelyn Fish were fondly remembered by many of the delegates and the *Circular* was mentioned many times as a wonderful example of how to keep national memberships informed. Being amongst such positive women who are working to improve the lives of women in their countries and internationally was an inspiration. I was especially impressed with the support given by experienced ICW members to the enthusiastic and committed younger members attending the assembly. Our NZ presentations—Vanisa's on violence against women and trafficking and mine on gender and climate change—were warmly received. My speech in support of the fracking remit generated a lot of interest and many questions. We established an ongoing working relationship with NCW Great Britain who are keen to share a programme they are using to educate students on CEDAW. The Councils of Lesotho and the Ukraine would like to join

with NCWNZ to share ideas and training opportunities. It is some years since the NCWNZ board has been able to be represented at the ICW General Assembly so I was pleased that this year we were not only able to attend but were also

able to make worthwhile contributions to the ICW's business. Increased international cooperation and understanding can only enhance the work we do on behalf of NZ women.

The NCWNZ board decided at its February meeting to develop a new strategic plan for the organisation and have established a subcommittee comprising of Rae Duff, Sue McCabe, Vanisa Dhiru, Terese Tunnicliffe and Mary Gavin. The board has co-opted Therese who has a background in business and planning to assist with this process. The subcommittee will meet regularly over the next few months to develop the plan and we will keep you updated.

There are many highlights, celebrations and exciting initiatives happening in our branches and member organisations. Please share them with us and with your friends and networks. There are many women, of all ages, who want to make a difference for other women and are looking for the best way to go about it. They are looking for encouragement, support and a clear way to become involved. Tell them about our virtual branches and corresponding membership, and how they can follow us on Facebook, Twitter and on our website. And let them know NCWNZ is the organisation for them!

Rae Duff, President

Letter from the Editor:

We are delighted with the efforts members have made to draw out the gender implications and relevance for women in their *Circular* articles. We have had some queries around this and wanted to clarify that any issues that directly affect women in some way can be included as long as the author makes that link clear. Our aim is to promote and support women's voices speaking out on issues

which have a clear impact on gender equality and/or women. General interest stories are welcome as long as they include a statement on why and/or how the story has a particular interest for women and/or has gender implications.

Please keep up the good work in submitting articles for publication. Both Claire Newton and I welcome any queries or assistance that you may need for submitting your article.

Helen Gibson, Circular Editor

2015 Conference: *Picking up the pace—Toward gender equality*

The theme for the 2015 Conference is *Picking up the pace – Toward gender equality*. This reflects that we see it as our job to make sure gender equality progress doesn't just happen—but that it happens quickly. Our current activity—our remits, action items, CEDAW work and our gender equality white paper—all work towards achieving this.

The conference will focus on what is currently being done and what else needs to occur to 'pick up the pace'. We have planned a varied and interesting programme

that will engage attendees. This includes a mixture of speakers, panel discussions, international reports and workshop discussions with a Conference dinner and entertainment on Saturday night.

In keeping with the theme we have top quality external speakers and the expertise within our membership to help us help NZ pick up the pace. We are still finalising the programme but can confirm that Suzanne Snively, ONZM, will speak on Saturday morning. Suzanne was a recipient of a Suffrage Medal in 1993, is

currently Executive Director of Transparency International and holds a number of governance positions. She was named Wellingtonian of the Year in 2013, and has contributed significantly to gender equality in her private, professional and community capacities.

Registration forms have been sent to all branches and National Member Organisations. If you have not received one please contact office@ncwnz.org.nz

Women of Influence Awards 2015

By Dianne Glenn, NCWNZ Vice President

It's time to nominate women who you know are having an influence in shaping NZ for the Women of Influence Awards 2015.

Fairfax and Westpac are partnering up for the third year to present this programme. They seek to recognise and celebrate women from all walks of life who make a difference to everyday New Zealanders. The programme is committed to increasing the visibility of women in leadership and highlighting the important contribution they make.

It is dedicated to uncovering women who have

committed time and energy to help and encourage other women who are working for change every day—be it in the workplace, the community or among their peers.

Nominations opened on 10 June and entries close on Friday 14 August. Finalists are announced on Monday 21 September with an Awards Gala Dinner at SKYCITY Auckland on Wednesday 4 November.

Information about the awards and the 10 categories may be found along with the nomination form on www.womenofinfluence.co.nz. Be pro-active and nominate yourself or a woman who you believe deserves to be recognised.

Recent NCWNZ submission

NCWNZ made the following written submission in June. To read the submission, visit www.ncwnz.org.nz (Members' Area).

Title:	Submitted to:	Date:
Consultation on setting New Zealand's post-2020 climate change target	Ministry for Environment	02-Jun

Ministry for Women priorities for 2015/16

By Jo Cribb, Chief Executive, Ministry for Women

We have recently confirmed our priority work areas for the 2015/16 year and it is exciting to be starting work on these areas.

We want to support more women and girls into education and training. In doing so, our aim is to reduce the number of women on welfare and increase the training and qualifications of women and girls. This is enabling women to grow their skills to inform their career choices.

In our goal to utilise women's skills and grow our economy, we will be working with small and medium enterprises to promote awareness of family-friendly employment processes such as flexible work and paid parental leave.

We know that there are many forms of leadership that women participate in that are not always recognised, such as community and voluntary roles. We want to change the way leadership is defined and talked about. We are currently developing resources to give emerging leaders the support and information to develop their skills and realise their potential in their careers and leadership.

We are very committed to learning more about what keeps women and girls free from violence and contributing to the Government's Better Public Services goals of reducing crime. During this year our focus is on primary prevention, continuing to

understand how we can stop violence occurring in the first place. We have a specific focus on Māori and Pasifika women and working with communities and government agencies on primary prevention initiatives.

We will also continue to report on New Zealand's international obligations for women. We will begin work on New Zealand's eighth periodic report to the United Nations on the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

For the 2015/16 year we have been allocated the same core funding as the 2014/15 year, \$4.616 million. (The Ministry's funding has not been cut, as reported in a recent Circular). During each financial year the Ministry can have minor funding changes to reflect one-off contributions from other departments or transfers between financial years. These funding transfers are reflected in the full accounts, but do not alter our core operating budget.

We recognise that we need to work with many individuals, organisations and communities across New Zealand to achieve these goals and make progress. We particularly acknowledge the support of National Council of Women New Zealand members who are championing many of these issues. We look forward to working with you during the 2015/16 year.

Working together across Parliament for gender equality, cont'd from front page

Co-chair Louisa Wall MP noted: "If we do not improve our status collectively it limits our ability to stand forward as candidates and to be nominated and selected by political parties which is then transferred on to the voting public".

CWP is building relationships with leaders outside parliament. Earlier this year the group was briefed by Equal Employment Opportunities Commissioner Dr Jackie Blue. Dr Blue had been an inaugural co-chair of CWP NZ, and with NCWNZ, was the champion of the eradication of child brides in NZ through the proposed members' bill now in Jo Hayes' name. The meeting with Dr Blue was an opportunity for members to discuss priorities for the group in the 51st Parliament, from promoting the ratification and implementation of CEDAW in the Pacific Region to a Code of Conduct for the NZ Parliament.

In June, the Group met with Sue McCabe and Beryl Anderson of the National Council of Women. The draft NCWNZ white paper was tabled and discussed, with members particularly interested in how NCWNZ has engaged in the CEDAW shadow report processes and holding successive governments to account for recommendations. Co-chair Jo Hayes said, "I am pleased to hear that the NCWNZ is refreshing relationships with PACIFICA, Maori Women's Welfare League, Business & Professional Women and others. We look forward to establishing regular exchange between the CWP and NCWNZ".

NZ members also work closely with Australian and Pacific CWP members, sharing knowledge and capacity building across the regions. In parliaments where women can be alone, or one of very few, coming together in regular forums bolsters connections and expertise.

Education happenings

By Suzanne Manning, Education Standing Committee Convener

The month of May saw the delivery of the government's annual budget. As usual, there were a lot of large numbers being thrown around—for example, there will be "\$442.9 million of operating funding and \$243.8 million of capital funding for new initiatives in Vote Education over the next four years". I understand the costs involved in managing my own household, but I don't usually use the word 'million'. This makes it hard to relate to these figures, and doesn't give much of a reference point. Unfortunately, you won't get that analysis from me either. I'm just highlighting the politics: talking about big numbers without reference can sound impressive yet doesn't necessarily mean good things.

That said, there are not major changes in the budget for Education. The general feeling appears to be that the new initiatives are welcome, with criticisms being focused on "it's not enough". Early childhood education gets more funding set aside to pay for the expected growth in attendance, but no extra money per child. Childcare assistance for eligible families is to increase, an example of the targeted approach. In the schooling sector, there is a small 1% increase in funding, and money is set aside for new schools and new classrooms—which includes two new charter schools, despite their less-than-spectacular results to date. The big winners are the families of children with special needs, as increased funding will enable more children to access specialist services. In tertiary

education, there is an increase in tuition subsidises for tertiary institutions targeted to science, technology, engineering and mathematics (STEM) subjects. There is also an increase in the student allowance for those students with children (more targeting). This is something I think that NCWNZ would wholeheartedly support.

Also in May, the Ministry of Education issued updated guidelines for sexuality education in schools, which now includes advice on introducing issues of consent and coercion. This is a welcome move, and fits well with our resolution from last year's conference. Sexuality education is a compulsory part of the health curriculum, but to decide exactly what is taught and how, schools must consult with their communities every two years—that is, schools that are required to implement the NZ curriculum (not charter schools, for example).

Early June saw the announcement of the council members for the new teacher's professional body, EDUCANZ. The process has been controversial, not least because the council members were to be Minister-appointed, not elected by the teachers themselves. However, it is pleasing to see that the Minister has appointed six women to the nine member council; that the chairperson is a woman; that six of the members are registered teachers; and that they all appear to have suitable educational backgrounds. There is perhaps less secondary school expertise than desirable, probably as a result of the PPTA boycotting the nominations. A catch-22 situation: is it better to try and force change by making a stand, or is it better to join in and try and create change from the inside?

PPTA on boycotting the Education Council nominations

The new Education Council of Aotearoa New Zealand has been "set up to fail", says Angela Roberts, President of PPTA, the secondary teachers' union.

"This has created a dangerous situation for New Zealand children. Education Minister, Hekia Parata, has positioned the new Council as having the responsibility to champion new ideas and excellent teaching practice and provide inspirational education leadership, and this is reflected in its legislative functions."

"This risks the council embarking on an ambitious "leadership" agenda rather than focusing on what should be its core function, carefully managing entry to and exit from the teaching profession, to ensure that only those teachers who are safe and competent to work with children are allowed to be

in classrooms," says Ms Roberts.

PPTA balloted its members earlier this year, and a huge majority supported boycotting the nomination process for the council and not participating in its consultation processes. They see the legislation as flawed, and that however well-meaning council members might be, the functions they are required to operate within create a dangerous situation.

Despite well considered submissions from 1800 teachers and other educational groups, only minor amendments were made to the Education Amendment Bill before it became law early in 2015. PPTA members are particularly outraged by the loss of the ability to elect members of their registration body. All other professions in New Zealand have that right.

Continued on page 8...

Employment issues

By Margaret Ledgerton, Employment Standing Committee Convener

Convention to Eliminate All Forms of Discrimination Against Women (CEDAW)

Employment issues are part of NCWNZ's work around CEDAW this year. CEDAW was adopted in 1979 by the United Nations' General Assembly and is often referred to as an international bill of rights for women. Countries (referred to as State parties) that accept the CEDAW commit to undertake measures to end discrimination against women in all its forms. New Zealand is a State party. As such, the NZ Government is obliged to submit regular progress reports to the CEDAW monitoring committee. Alongside the Government's report, a parallel report from non-governmental organisations (NGOs) is prepared by NCWNZ and a number of community organisations contribute to that. After considering both the State party's report and the NGOs' report, the monitoring committee identifies any concerns and makes recommendations in the form of 'concluding observations'.

Work is now underway on the next report to CEDAW which is due in 2016. This includes how the last CEDAW concluding observations around employment (2012) are being addressed by the Government. Those concluding observations focused on enacting legislation and other measures that guarantee and enforce policies around equal pay for work of equal value, paid parental leave and occupational segregation. They also expressed concern at the proposed legislative changes to collective bargaining (in the Employment Relations Amendment Bill, now law) and recommended that the State party carry out '..... an independent evaluation of the gendered impact of the reform of collective bargaining and ensure that it does not negatively affect women's employment and trade union rights.' The full text of the 2012 CEDAW Concluding Observations around Employment can be found in Section 32 of <http://www.converge.org.nz/pma/CEDAW-C-NZL-CO-7.pdf>

Business and Professional Women and NCWNZ will be providing the employment section of the NGO report to CEDAW. The *Circular* will include updates on that work later in the year and NCWNZ's current position on the above issues can be found in related submissions available on: <http://www.ncwnz.org.nz/members>

Pay Equity

NCWNZ continues its support for the Pay Equity Challenge Coalition (PECC) and in particular for the current equal pay case taken against Terranova Homes by the Service and Food Workers' Union on behalf of Kristine Bartlett (see the *Circular*, March 2015). Following decisions in favour of the claimant in both the Employment Court and the Court of Appeal, the case is back before the Employment Court. That Court has called for the development of principles to resolve the case within the context of current equal pay legislation and work on these is underway. If successful, and legal experts involved are optimistic, the case is likely to have a domino effect on other low paid women-dominated occupations. Further news on progress is expected later in June.

Seminar: *Achieving Pay Equity – What Needs to Happen?*

This recent seminar, held by the Centre for Labour, Employment and Work, Victoria University of Wellington, drew a large audience. It provided both the historical and industrial context, as well as an analysis of recent legal developments around pay equity. Key points from the seminar included:

- A reaffirmation of the importance of a comprehensive approach to addressing the issue of pay equity including legislation and policies around: the minimum/living wage; flexible working hours; paid parental leave; collective bargaining; and access to affordable, good quality early childhood education and out-of-school care.
- A comprehensive approach must include ensuring that human resource management practices are as gender-neutral as possible including: recruitment processes, starting rates, access to training and promotion and performance appraisal. This highlights the need to refer to both pay and employment equity. The former Department of Labour's Pay and Employment Equity Unit used that approach.
- An individual-based approach to addressing pay inequity is problematic. An industry-based approach is needed to achieve more comprehensive and speedier change.
- The focus of the current, historic equal pay case is still on whether the work (aged care) is actually undervalued when to many it clearly is. In some respects, this seems unconscionable.
- The need to understand and question the range of data on the gender pay gap (GPG)

and how it is used. For example, the PECC uses the mean (average) measure of the GPG, while the Ministry for Women uses the median (the half-way point). The former measure indicates a wider gap than the latter. This is due to the median being influenced by the higher incomes (mostly male) skewing the data to the right. See Prue Hyman's seminar presentation on an economic perspective of the GPG which provides more information on measures and trends in data. It also provides analysis of how much the GPG is due to discrimination and how the gap can be narrowed. Presentations from the seminar can be found on <http://www.victoria.ac.nz/som/clew/seminars-and-workshops>

Paid Parental Leave

Labour MP Sue Moroney's member's Bill proposing an extension of paid parental leave (PPL) to 26 weeks has been through a long and arduous process in Parliament, with it being defeated by a 60-60 vote earlier this year. Following the Northland by-election and the subsequent change in political party numbers, the MP has re-submitted the Bill into the members' ballot believing that, if drawn again, it is likely to pass. An item from the *International Business Times* provides a backgrounder on the Bill and its current political context. <http://www.ibtimes.com.au/new-zealands-labour-push-parental-leave-26-weeks-hopes-rekindle-new-bill-after-winston-peters>

The duration of PPL was extended to 16 weeks on 1 April this year, and will be extended to 18 weeks on 1 April 2016. NZ compares poorly with most other OECD countries in this regard, however, and countries with which we often compare ourselves provide more enlightened policy: the United Kingdom provides 12 months; Canada 50 weeks; Germany 14 months; and Sweden 16 months with various levels of eligibility and payment.

Modernising Paid Parental Leave

In November 2014, NCWNZ made a submission on the Ministry of Business, Innovation and Employment's discussion paper *Modernising Parental Leave*. The paper's proposals focused on

extending the right to paid parental leave to contract and other groups of workers – not on any extension to the period of leave. Latest information is that the Government will introduce a Bill based on the paper's proposals around the middle of the year with any changes intended to take effect from 2016.

Insecure Employment

Remits to the next NCWNZ Annual Conference in November include at least one on the issue of insecure employment (also referred to as 'precarious' employment). This can be defined as:

Casual, temporary, fixed-term and zero-hour employment that can be characterised by low and/or fluctuating pay, uncertain duration, and with limited or no access to training, career progression and employment rights and benefits such as sick leave and holiday pay.

Some forms of non-standard employment (non-permanent, flexible, part-time) can be desirable for both workers and employers. That includes self-employed and part-time workers who are more likely to have reasonable incomes, job stability, workplace autonomy and employment rights. The remits on insecure employment focus on the vulnerable end of the workforce continuum well-illustrated in the media recently through coverage of zero hour contract work. Both NZ and overseas studies find that the service sector has by far the highest proportion of insecure workers. Those workers are more likely to be women, young, migrant, an ethnic minority and the less skilled. However, insecure work is also a reality across the public sector. NZ ranks fourth in the OECD scale of countries with the least employment protection laws for insecure workers. <http://www.oecd-ilibrary.org/content/working-paper/223334316804>

It is recognised that a comprehensive approach to insecure work is needed. Such an approach would involve both economic and social policy changes including better income support mechanisms and governments, as major employers, reducing the amount of contracting and insecure work they create.

PPTA on boycotting the Education Council nominations, cont'd from page 6

They are also angry that the legislation removes their aspirational Code of Ethics, valued highly by teachers, and will replace it with a Code of Conduct to set a minimum standard for teachers.

"Teaching is a complex activity requiring constant decision-making about difficult ethical issues. To think that the Code of Ethics can be replaced by a Code of Conduct is absurd," says Ms Roberts.

The right to know eventually, maybe, sometimes: how politicians and government departments can undermine the purpose of the Official Information Act 1982

By Eva Hartshorn-Sanders, Justice and Law Reform Standing Committee Convener

Open government is important for our democracy by ensuring that the public know the reasons and basis for Government decisions. One way of achieving this transparency is by making a request for information under the Official Information Act 1982. This article covers how the Act is being used in practice through two examples – one request to Treasury relating to identifying gender implications of policy decisions and one request to Police for background information relating to the Policing (Cost Recovery) Amendment Bill (NCWNZ members recently discussed the issues with this Bill and made a submission on it to the Law and Order Select Committee).

The Official Information Act 1982—or the OIA—is one of the key pieces of legislation that helps to keep politicians honest and accountable by making government decisions transparent. In theory, at least.

But the reality can be somewhat different when politicians and officials become lax with the requirements and the accountability mechanisms, like the Office of the Ombudsman, are both overworked and inadequately resourced.

That's the reality we are facing at the moment. In September 2012, the Chief Ombudsman Dame Beverley Wakem noted that:

“...the Office of the Ombudsman continues to be under acute pressure as it grapples with an increasing number of complaints. The Office ended the 2011/2012 year with 10,636 complaints and other contacts received, up 22% on the previous year. Cases on hand at any time have grown from an average of 800 to over 1700.”

The Ombudsman's Annual Report for 2013-2014 record that this case-load pressure is escalating, and notes that in that year the Office of the Ombudsman received:

“11,044 complaints and other work, the second highest amount ever received, and 13% higher than the average amount of work received over the past 10 years.” (pg.6)

The impact of having too much work and not enough staff to do it is that legitimate concerns become lost in the system. Requests for information from government departments or Ministers that are time dependent can be ignored and information is provided after the point that it would actually be useful, if at all.

As a public lawyer, this is something that I have experienced on a first-hand basis. Two recent examples include:

- A request to NZ Police for a copy of all emails between NZ Police and the Ministry of Education or the NZ Teachers Council relating to cost recovery for police vetting services, and copies of any other documents relating to cost recovery for police vetting services; and
- A request to Treasury for a list of all briefings relating to the compulsory education sector and those that had identified gender implications of policy proposals.

After conversations with both departments, I narrowed the scope of the requests to assist with searching and time constraints. Both departments sought extensions of time to consider the requests and both departments exceeded those timeframes.

Many members will remember discussing the Policing (Cost Recovery) Amendment Bill in meetings this year. I wrote the submission on this Bill for NCWNZ and, as part of this, also read through the submissions made to the Law and Order Select Committee made by other interested organisations. There was universal opposition to imposing a charge on charities and public servants, like teachers (who would currently have to pay it themselves through registration fees).

The Regulatory Impact Statement on the Bill also revealed that other government agencies had concerns about the proposed charges. In particular, the Ministry of Education, the New Zealand Teachers Council and CYFS were opposed to the changes and, amongst other things, pointed out that it was inconsistent with the Government's vulnerable children policy and moves to encourage police vetting of people working with children where it was not already a legal requirement.

Despite agreeing to narrow the scope of the OIA request and being provided with an assurance from officials at NZ Police that the information would be provided prior to making an oral submission, it was not provided in time—in fact it was weeks afterwards and following a complaint to the Ombudsman.

The officials at NZ Police had not seen an issue with releasing the information. It was held up by the Minister in the Minister's office. This was a political decision and meant that the information

was provided after the date that it would be most useful in participating in the democratic process. Holding back policy information because it is unpopular is not consistent with the purpose of open government or the legal requirements in the OIA. In fact, it's a tort.

In response to a request made to Treasury, officials responded that none of its briefings relating to secondary education had identified gender implications (a problem in itself) and refused to release the titles of briefings that were still being considered by the Minister of Finance on the basis that the constitutional conventions relating to the free and frank provision of advice applied.

Refusing this information was effectively a political decision. The Ombudsman has very clear guidance that:

"Section 9(2)(f)(iv) provides good reason to withhold information if, and only if:

- withholding the information is necessary to "[m]aintain the constitutional conventions for the time being which protect ... [t]he confidentiality of advice tendered by Ministers of the Crown and officials"; and
- the need to withhold is not "outweighed by other considerations which render it desirable, in the public interest, to make that information available".[1]

In general terms, this section is often relevant where there is concern that release will prejudice the ability of decision-makers to consider advice. It will often arise where a decision-maker has an expectation that advice which has been tendered for consideration will remain confidential for a certain period of time."

The guidance elaborates that the following is

relevant for considering whether it is necessary to withhold the requested information in order to maintain the convention:

"Advice that is purely factual in nature or comprises bare options, as opposed to opinions offered or recommendations made as to future action, can often be disclosed without pre-empting the ability of Ministers or Cabinet to deliberate on the advice received and decide how to proceed. In other words, not all advice may need to be withheld, even though it is still under consideration."

Time to take a step back and remember that the request related solely to the titles of briefings and whether those briefings had identified gender implications, copies of the briefings themselves was not part of the request. Whether titles can be considered advice is certainly arguable. And then whether it can be held that releasing the titles would undermine the constitutional conventions is frankly ridiculous.

I challenged this decision, pointing out the Ombudsman's guidance, first with Treasury itself and then by making a complaint to the Ombudsman. That was in August last year. I am still waiting for a response.

Our democracy relies on being able to understand the basis for government policy and having effective mechanisms for participation and challenging poor decisions. This is not happening at the moment. The Government should be investing more in the Ombudsman to ensure that New Zealanders continue to have their right to know.

WILPF—Visit by Secretary General, Madeleine Rees

By Joan Macdonald

Women's International League for Peace and Freedom (WILPF) Aotearoa felt fortunate to be able to host Madeleine Rees in Auckland for two days at the beginning of June. She had also been visiting the Australian Section and it is the first time she has been to this part of the world.

Madeleine became the WILPF Secretary General in 2010, following on from her distinguished work as a lawyer specialising in discrimination law in the 1990s, during which time she worked on behalf of the UK Commission for Racial Equality and the Equal Opportunities Commission, and took cases to the European Court of Human Rights and The European Court in Luxembourg.

In 1998, she began working for the Office of the High Commissioner for Human Rights as the gender expert and Head of Office in Bosnia and Herzegovina, and was a member of the expert coordination group of the trafficking task force of

the Stability Pact (then known as the Alliance against Trafficking). Within this role, she also worked on the rule of law, gender and post-conflict, transitional justice and the protection of social and economic rights.

From September 2006 to April 2010, Madeleine served as the Head of the Women's Rights and Gender Unit for the Office of the High Commissioner for Human Rights.

During her visit, she spoke to WILPF members about the WILPF programme of work for the next three years, and about the new WILPF Manifesto which was agreed at the centennial Congress at The Hague in April this year. She was an inspirational and motivating speaker and we felt reinvigorated in our work as a result of her visit.

She also met with members of other women's groups and together we were able to tell her about the specific concerns we have for indigenous women and women of the Pacific.

Environment—Annual Green Ribbon Awards

By Elizabeth Lee, Environment Standing Committee Convener

On Thursday 4th June, the day before World Environment Day, the Annual Green Ribbon Awards were hosted at Parliament by the Hon Dr Nick Smith, Minister for the Environment, and the Hon Maggie Barry, Minister of Conservation. The Awards recognise outstanding contributions made by individuals, businesses, organisations and communities to protecting and enhancing New Zealand's environment and the creatures in it. This year's ceremony was a rather special occasion as it marked 25 years since it was inaugurated.

Award categories this year included: philanthropy and partnership; leadership in communication and education; community leadership; business leadership; public sector leadership; protecting our biodiversity; caring for our water; minimising our waste; reducing our greenhouse gas emissions and protecting our oceans and coasts – ten altogether, with two or three finalists for each. Notable is that the most nominated category in 2015 was community leadership.

All the entrants had done interesting things, while some had developed really clever and innovative methods of tackling their problem – with a project called CarpN Neutral, Dr Bruno David from the Waikato Regional Council and winner of the "caring for our water" award, really had it in for the invasive Koi carp that are spoiling the water in the Waikato area. He adapted and installed a pilot invasive fish trap and digester that selectively removes pest fish species from Lake Waikare. The captive fish are killed and presented to thermophilic bacteria that digest them into a granular, nutrient-rich material which can be used as fertiliser for plants, and compressed into baits, with added poisons, for terrestrial pests such as rats.



Supreme award winner was Project Janszoon in Abel Tasman National Park, an ecological restoration project that has been designed in three phases: phase one will secure the ecology of the park with wide-ranging pest and weed control; phase two will see the return of species such as kaka, robins, tuatara, pateke, rata and mistletoe; and phase three will future-proof the work done through education and community involvement.

Guest speaker for the evening was Dr Ruud Kleinpaast, well known as a contributor to the Maggie Barry Garden Programme some years ago. Dr Kleinpaast noted that what he would like to see in all schools is nature time, just as there is maths time, reading and so on, so that all children learn in a consistent way about the wonderful world of nature that surrounds and supports us. That fitted in with what was noticeable about many of the projects nominated for the awards; they had as part of their programmes an educational component, and often paired with schools to involve children and teach them about the importance of understanding the complex networks of interdependence of human beings and the natural world around them.

It was also good to see that in the environmental and conservation world, there appears to be gender equality. Girls and boys, women and men, all worked together on their projects, and when it came to thanking those who participated, each speaker acknowledged the contribution of their co-workers equally. The printing firm that gained the award for reducing greenhouse gas emissions has been run by one family, the Soars, for three generations, with two sisters and one brother now managing it; ECOstore is run by the Rands, a husband and wife team; boys and girls from Fiordland College at Te Anau were involved in the Kids Restore the Kepler project run by the Fiordland Conservation Trust.

Treaty: How can a document signed in 1840 have relevance today?

Just because something is old, doesn't mean it isn't relevant – some of our New Zealand laws are based on the Magna Carta first signed in 1215. The Treaty has been described as a living document whose basic principles can be applied to any age.

In the 1987 Māori Council court case against the Crown, the five (Pākehā) Court of Appeal judges talked for the first time about positive approaches to the Treaty for today's world. The parties to the Treaty, the Crown and Māori tribes, entered into a solemn commitment based on justice and the recognition of Māori as the prior inhabitants of this country. History shows that this commitment has not been honoured by the Crown.

In 1975 the Waitangi Tribunal was established. Although it seems to have been established principally to allay rising Māori protest of the time, it has had a key role in applying the Treaty to what is happening in the country today. In the Muriwhenua Fishing Report of June 1988, the Tribunal spoke of the practical application of the Treaty for the modern world: "Any impracticality today results not from the Treaty, but from our failure to heed its terms.

The important point is that there was, and still is, room for an agreement to be made". Had the Treaty been honoured from the time it was signed, this country would be a very different

place today.

Until recently non-Māori have not had to face the implications of the Treaty. Most did not know about the Treaty of Waitangi until television brought the accusations of the young Māori activists of Ngā Tamatoa and others directly to us in the 1970s. It is said of the Treaty that while Māori never forgot, non-Māori never knew. In the past 30 years or so we have been challenged also to view our colonial history from a Māori perspective, and re-examine the idea that New Zealand ever had "the best race relations in the world". Some non-Māori are fearful of this change in perception, wrongly believing that they may incur losses personally. Others are working to honour the Treaty in positive ways, believing that it is the putting right of injustices that will bring a unified future.

Many NGOs that have made a commitment to foster practical Treaty relationships, have found both Māori and non-Māori have gained from the process.

Source: *The Treaty of Waitangi: Questions and Answers published by Network Waitangi, 2015 edition. Reproduced by Creative Commons License: Can be accessed at www.nwo.org.nz*

Next Circular: Is Māori concern about the failure to honour the Treaty something new?

Historical snippet—The tyranny of distance

By Mary Gavin, NCWNZ Board member

The lively social media posts and online reports from NCWNZ's delegation at the 2015 ICW Assembly in Turkey triggers reflections on the women who have gone before them. NCWNZ joined ICW in 1899 and the two delegates to the 1904 Berlin Conference were the vanguard for many more. Travelling conditions were rather different than the experiences of our 2015 team but the topics discussed and the pressures on delegates are depressingly similar.

Funding travel half way round the world has always posed challenges. Despite active correspondence and extensive report writing, the influence of NCWNZ representation at ICW is highly valued. In 1922, NCWNZ representatives were asked to each pay one shilling annually to our ICW travel fund in recognition of the importance of building international interaction among women. When the NCW Presidents from Czechoslovakia, Romania, the Netherlands and Poland all died in prison or concentration camps in World War II, the grief was

shared by many ICW colleagues.

In 1960 Janie Searle was the first NCWNZ President to have her fare fully paid when she went to the ICW Conference—which, by coincidence, was held in Turkey. The indefatigable Doreen Grant, NCWNZ President 1962-66, negotiated a £500 government grant (equivalent worth today is approx \$20,000) towards the NCWNZ delegation to the 1963 ICW Conference. This government support fluctuated but continued for over 40 years and assisted with enabling very influential NCWNZ women to take leadership roles and to make substantial contributions to the work of ICW both internationally and in the Asia—Pacific region. Outstanding among these was Dame Miriam Dell, ICW President 1979-1986. Regrettably, in the past decade funding has become much more difficult and resourcing future NCWNZ representation at ICW is one of the challenges for the current Board.

Sources: Devaliant, J. (1992) *Kate Sheppard*; Holt, B. (1980) *Women in Council*; Page, D (1996) *The National Council of Women a centennial history*

ICW-CIF: Transforming Society through the Empowerment of Women

By Vanisa Dhiru, International Secretary

New Zealand was well represented at the 34th General Assembly for International Council of Women—Conseil International des Femmes (ICW-CIF) this year. During 30 May to 5 June, five New Zealanders were in Izmir, Turkey for this global women's event.

The adopted theme for the next ICW-CIF triennial is "Transforming Society through the Empowerment of Women". The new theme demonstrates a vision for ICW to empower women throughout wider aspects of society—economic, social and environmental change.

The newly elected President, Jung-Sook Kim from Korea urges us to use our power differently, and transform society.

As well as attending the General Assembly, we attended a day session with the Asia Pacific Regional Council (APRC). Rae presented a great presentation on climate change, and I presented some of New Zealand's best practice initiatives combating violence against women. Both presentations were warmly received by our Asia-Pacific sisters.

The seven remits printed in the June 2015 Circular were all accepted as proposed. This included the New Zealand remit on fracking, which was passed as a resolution for ourselves in 2014. The ICW-CIF remits passed covered a variety of areas—the humanitarian impact of nuclear weapons; corruption; women and palliative care/lack of access to controlled medicines for relief of pain; gender equality in sanitation; gender pay gap - discrimination against women in the workplace; working for sound regulations on fracking technology; the rights of asylum seeking women and children. Have a look on the new page in the NCWNZ 'Members' Area' of our website for the full resolution wording and rationales.

I would like to thank and congratulate our very own Christine Knock – a thanks for her briefing to me before I headed off to my first ICW-CIF meeting, and on behalf of the NCWNZ Board a big congratulations for being voted in again as an ICW-CIF Vice President. Christine has been a great link to ICW for NCWNZ for many years, and we wish her well for her final three year term with the ICW-CIF Board.

The Circular No. 584 July 2015



NCWNZ's Vanisa Dhiru and Rae Duff with newly elected ICW –CIF President Jung-Sook Kim, ICW-CIF past President Cosima Schenk and ICW-CIF Vice President Christine Knock

More about ICW-ICF

During the second half of the 19th century, social movements within the industrial society grew rapidly. The tragic economic situation of the workers led some American Protestant and highly educated women to realise the social injustices. Several women's organisations were founded at the time, in order to promote peace internationally, general well-being and the right for women to vote. ICW was founded in 1888 in Washington, as well as the National Council of Women of USA. After moving the secretariat several times, in respect with the nationality of its presidents, they finally established themselves in Paris in 1954, hence the French version of their name—Conseil International des Femmes.

ICW is a federation or an umbrella organisation of National Councils of Women, and only one national council is admitted per country. It is managed by three distinct bodies: the General Assembly, the Executive Committee and the Board.



Calendar

July

- 12 Malala Yousafzai Day
- 17 World Day for International Justice
- 30 International Day of Friendship

August

- 01 - 07 World Breastfeeding Week
- 12 Youth Day
- 29—30 NCWNZ Board meeting

September

- 10 International Gynae Awareness Day
- 19 Suffrage Day
- 21 International Day of Peace

September cont'd

- 25 NCWNZ Board meeting
- 26 - 27 NCWNZ Conference 2015
- 26 World Contraception Day

October

- 01 - 31 Breast Cancer Awareness Month
- 02 International Day of Non-Violence
- 15 International Day of Rural Women
- 17 International Day for the Eradication of Poverty

November

- 13 World Kindness Day
- 16 International Day for Tolerance
- 20 Universal Children's Day

November cont'd

- 25 International Day for the Elimination of Violence against Women
- 28 - 30 NCWNZ Board meeting

December

- 03 International Day of Persons with Disabilities
- 05 International Volunteer Day
- 10 Human Rights Day

February

- 01 World Hijab Day
- 06 Waitangi Day/
International Day of Zero Tolerance for Female Genital Mutilation

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The deadline for material for the August Circular is Wednesday 15 July 2015.

If you would like to contribute to the Circular, please contact the Editor via NCWNZ National Office to discuss what you can do.

Email: claire.newton@ncwnz.org.nz Phone: 04 473 7623

Disclaimer: The views expressed in this Circular are not necessarily those of the National Council of Women of New Zealand.

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