

Final Remits for NCWNZ Conference 2015

Remit	Proposer
1. Equality for Women in Parliament	Rosemary Du Plessis & Judith Sutherland, Public Issues Co-Conveners
2. Long Term Strategy for Elimination of Violence Against Women	BPWNZ
3. Insecure work	Margaret Ledgerton, Employment Convener
4. Maternal Mental Health Services	NCW Auckland
5. Animal Abuse and Family Violence	BPWNZ
6. Total Ban on Sale and Supply of Legal Highs	BPWNZ

1. Equality for Women in Parliament

That NCWNZ urges Parliament and all political parties to increase women's representation in Parliament through changes to processes of candidate selection and the electoral system.

If this remit is passed, consideration should be given to retiring the following existing NCWNZ resolutions: 2.14.2, 2.14.4 and 2.14.5.

Proposers: Rosemary Du Plessis and Judith Sutherland, Co-Conveners, Public Issues Standing Committee

Rationale:

Equal participation of women and men in political life is one of the foundations of democracy. The proportion of women in Parliament is a key indicator of progress towards women's political equality.

While New Zealand was recently ranked 29 out of 138 countries with respect to women's representation in national parliaments, women were only 31.4% of MPs following the 2014 General Election - not the 40 – 60% that might be expected when women are slightly over 50% of the population. The proportion of women in Parliament after the 2014 General Election was actually slightly less than the percentage of women in 2011 (32.2%). New strategies are needed if women are to be equally involved in national decision-making.

A recent NCWNZ submission to the Justice and Electoral Select Committee on the 2014 general election highlighted a number of strategies to improve women's representation. They included better representation of women on selection committees for electoral seats and party lists; gender and family friendly parliamentary processes and environments; training, mentoring and support groups for prospective or existing women parliamentarians and gender quota systems relevant to the New Zealand electoral system.

In Sweden women are 45% of parliamentarians. Rates of women's representation are highest in Scandinavia generally where most states have voluntary party quotas and forms of proportional representation. Some EU countries have dramatically improved women's representation through the use of legislated quotas and 'zippered-list' systems that alternate male and female candidates on party lists. (This ensures that women are not just on the lists, but distributed evenly with men in positions that could lead to their election).

On balance, contributors to this submission did not think that legal and administrative processes associated with the 2014 General Election actively and overtly discriminated against women. They were nevertheless concerned about the unequal outcome of these processes and procedures. This is consistent with international recognition that formal legal equality is often not sufficient to achieve women's de facto equality with men, or substantive equality. The pursuit of substantive equality may involve actions that create an enabling environment that facilitates equality of results. The Committee on the Elimination of Discrimination against Women has stated that: "Under certain circumstances, non-identical treatment of women and men will be required in

order to address such differences. Pursuit of the goal of substantive equality also calls for an effective strategy aimed at overcoming under-representation of women and a redistribution of resources and power between men and women”.

This remit is directed at political parties and Parliament using a range of strategies to achieve substantive political equality for women in New Zealand.

Objectives:

1. To encourage political parties to use a wider range of strategies to increase the proportion of women candidates and their position on party lists, as well as women’s representation in party structures responsible for nomination of candidates for elections;
2. To focus attention on strategies associated with women’s improved representation in other countries, including the use of zippered electoral gender quotas for party lists in proportional representation electoral systems.

Action plan:

Once the Remit becomes NCWNZ policy, the Action Plan would primarily take the form of NCWNZ writing to political parties to encourage them to increase the proportion of women in safe electoral seats, the proportion and position of women on party lists, and the involvement of women in selection processes for candidates. There should be a letter to the Electoral Commission (if considered appropriate,) also letters to the Justice and Electoral Sub-Committee of Parliament that highlight initiatives in other countries relating to electoral systems (especially the EU and Scandinavia) that encourage substantive political equality, including voluntary and compulsory zippered-list systems.

The above letters should include suggestions for action such as voluntary gender quotas on party lists, voluntary zippered-list systems (alternating male and female candidates for particular parties ordered in terms of their levels of expertise, experience, demonstrated competence), and the pros and cons of legislated gender quotas on party lists.

Letters should also be sent to the Minister of Women and other Ministers that NCWNZ, as an organisation, deems appropriate. The same applies to NGOs who work with NCWNZ on actions advancing the equality of women and girls.

Cost to NCWNZ: Volunteer hours and minimal administration

2. Long Term Strategy for Elimination of Violence Against Women

That NCWNZ urges Parliament to develop a well-resourced long-term cross-party, cross department strategy to change social norms and eliminate violence against women.

Proposer: BPW New Zealand

Secunder: Women's International League for Peace and Freedom Aotearoa (WILPF)

Rationale:

Despite having robust domestic violence legislation, violence against women in New Zealand continues to be a serious issue and a violation of their human rights. A long term multi-faceted and well-funded approach is needed to change social norms. Gender equity is not possible without this issue being sustainably addressed.

Sexual violence continues to be of major concern despite the efforts of individuals and organisations such as Rape Crisis and Women's Refuge to get changes made to the way sexual violence is dealt with. Still only one in a hundred cases are prosecuted, and women and girls are put off laying a complaint by current processes.

Dr Jackie Blue, the Equal Opportunities Commissioner with the Human Rights Commission, has asked all women's organisations to work for a long term multi-pronged solution to violence against women. Dr Blue rejected piece-meal policy that changed with changes in government and asked for strong advocacy for a long term cross party accord on this issue. A whole of government and a whole of society approach is needed to eliminate violence against women.

It is to be noted that Dr Kim McGregor, previously of Rape Prevention Education, believes that the best way forward is for the whole issues of sexual violence to be under the control of the Office of the Prime Minister and Cabinet.

In New Zealand a multi-pronged approach could include:

- Increased funding to specialist social service agencies as per the recommendations of the Social Services Select Committee report on sexual social service funding
- Training for young people on respectful relationships and what consent means such as the Sophie Elliott Foundation, Loves Me Not programme (which is a relationship workshop for Year 12 students).
- Age appropriate sexuality education in all schools as part of the health curriculum
- Encouragement for all to be courageous and call out abuse when we see it
- Alternative routes for victims to seek help that are culturally appropriate
- Easy access to contraception and sexual health services for women
- Focus on perpetrator

- Training of judiciary and all who work in this area
- Listening to stories of victims and critiquing and reviewing services
- Establishment of a National Database of all Stakeholders by the Ministry for Women

Action Plan:

NCWNZ to:

1. Write letters to the Leaders of all parties and relevant Ministers;
2. Prepare media releases as opportunities arise;
3. Encourage branches and Individual members to contact their local MPs;
4. Work collaboratively on this issue with the Human Rights Commission and other women's organisations.

Cost to NCWNZ: Volunteer hours and minimal administration

3. Insecure Work

That NCWNZ urges the Government to enact legislation and implement policies that protect and promote the rights of workers engaged in insecure employment, including the right to collective bargaining. Insecure employment is defined as including: 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.

Proposer: Margaret Ledgerton, Convener, Employment Committee

Secunder: BPW New Zealand

Notes:

Some forms of non-standard work (non-permanent, flexible, part-time) are desirable for both workers and employers. The 'higher end' of the non-standard work continuum includes self-employed and part-time workers who are more likely to have reasonable incomes, job stability and workplace autonomy.

This remit focuses on insecure or 'precarious' work as a sub-set of non-standard work as defined above. It has been said that a new divide has opened in the workforce. One that is no longer between the blue-collar and white-collar worker, but one that is between those in the 'core' of the workforce and those on the 'periphery' – that is, those in insecure work. (Brian Howe, Chair of ACTU Independent Inquiry into Insecure Work)

It is recognised that a comprehensive approach to insecure work is required, involving 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. That is not the focus of this current remit.

Rationale:

There is a large and growing body of literature and research expressing concern about the expansion of insecure employment. It is an international issue. (a small number of papers are cited below).

The context for this has included the implementation of neo-liberal policies such as deregulation, privatisation, the cutting of government expenditure on social services and intensified global competition.

Both NZ and overseas studies find that the service sector has by far the highest proportion of insecure workers. Insecure workers, or those at risk of precariousness, are more likely to be women, young, migrant, an ethnic minority and the less skilled. However, insecure work is also a reality in the public sector.

NZ has international obligations in this regard including NZ's commitment to realise workers' rights under the International Covenant on Economic, Social and Cultural Rights (ICESCR) – part of the

International Bill of Human Rights. The NZ Government has committed to progressive realisation of article 2(1) of ICESCR : ‘...including particularly the adoption of legislative measures’.

The International Labour Organisation (ILO) has stated that ratification and implementation of existing ILO standards by governments would be a major contribution to reducing insecure employment. NZ has not yet ratified a range of ILO Conventions dealing with insecure work including those related to migrant workers, workers with family responsibilities, part-time work, termination of employment and a recommendation on social protection floors.

NZ ranks fourth in the OECD scale of countries with the least employment protection laws for insecure workers. <http://www.oecd-ilibrary.org/content/workingpaper/223334316804>

The ILO also states that legislative regulations need to be complemented by collective bargaining agreements. Experience shows that without workplace empowerment through trade unions and collective representation, legal provisions and regulations often do not materialise in practice. ILO Conventions recognised as fundamental include ‘freedom of association and the effective recognition of the right to collective bargaining.’

<http://www.ilo.org/declaration/thedeclaration/textdeclaration/lang--en/index.htm>

<http://www.ilo.org/global/topics/collective-bargaining-labour-relations/lang--en/index.htm>

‘High levels of unionisation and centralised bargaining are strongly associated in cross-country comparisons with a lower gender pay gap and lower differentials generally, with collective coverage improving the situation of lower-paid workers’. (Whitehouse, G (1992) cited in Hyman P).

Objectives:

1. Raise awareness and generate discussion on the issue of insecure work;
2. Establish NCWNZ policy on insecure work;
3. Establish NCWNZ policy on collective bargaining.

Financial implications:

It is not currently possible to identify and quantify the financial implications. Legislation protecting and promoting the rights of insecure workers would have an impact on a range of both private and public sector employers.

Action Plan:

1. Communication plan involving media releases, Circular article/s, interviews with NCWNZ officers;
2. Reference to, and promotion of, NCWNZ policy in submissions, employment related initiatives and responses to government policy papers.

Cost to NCWNZ: Volunteer hours and minimal administration

References:

- Australian Council of Trade Unions (2012) *Report of the Independent Inquiry into Insecure Work in Australia* (2012)
- Department of Labour, Labour Market Policy Gp(2002) 'Precarious /Non-Standard Employment – A Review of the Literature'
- Hyman, Prue (2015) 'Is Active Intervention Still Needed to Improve the Position of Women in the NZ Labour Market? If so, what can be done?' *Policy Quarterly*, Vol 11, Issue 1, Feb 2015.
- ILO (2012) 'From Precarious Work to Decent Work, Outcome Document to the Workers' Symposium on Policies and Regulations to Combat Precarious Employment'
- ILO (2014) 'Collective Bargaining and Labour Relations'.
[http://www.ilo.org/global/topics/collective-bargaining-labour-relations/lang--en/index.htm](http://www.ilo.org/global/topics/collective-bargaining-labour-relations/lang-en/index.htm)
- New Zealand Council of Trade Unions (2013) *Under Pressure: Insecure Work in NZ*
<http://union.org.nz/underpressure>
- Venn, Danielle (2009) 'Legislation, Collective Bargaining and Enforcement: Updating the OECD Employment Protection Indicators', cited in Wilson 2013.
- Wilson Margaret (2013) 'Perspectives: Precarious Work: The Need for a New Policy Framework', Whitlam Institute, University of Sydney

4. Increase Funding for Maternal Mental Health Services

That NCWNZ supports:

- increased access to existing maternal mental health services in New Zealand and
- increased and ongoing sustained funding for provision and evaluation of maternal mental health services.

Proposer: NCW Auckland Branch

Rationale:

Maternal mental health is an umbrella term covering issues as varied as depression, anxiety, psychosis.

The current environment of mental health provision is constantly evolving. Public education campaigns around mental health issues (such as Like Minds, Like Mine) can have significant benefits for individuals and society as a whole.

Access to maternal mental health options is inconsistent throughout New Zealand. It is dependent on DHB funding choices and provision by not-for-profit groups. These groups are not funded consistently which can effect service provision.

We think that the current provision for maternal mental health in New Zealand is leaving women and families at risk. There are barriers to access of existing services, including:

- Cultural- are the services offered appropriate?
- Geographic- are rural women able to access services as required?
- Social- do women feel that they can engage with a service without being judged?
- Awareness- both on the part of the women affected and their medical practitioners?

The consequences of unsupported and untreated mental health issues can be serious and far reaching for a woman and her family. These issues can negatively impact on relationships, child development and safety.

Objectives:

1. Increase access to existing maternal mental health services in New Zealand
2. Increase ongoing sustained funding for provision and evaluation of maternal mental health services

Action Plan:

1. Lobby Government to target more of the health budget to this area.

2. Work with other organisations seeking change in this area, such as the Mental Health Foundation, Mothers Matter, Womens Health Action Trust, Plunket
3. Implementation by Branches with their local DHB.

Cost to NCWNZ: Volunteer hours and minimal administration.

5. Animal Abuse and Family Violence

That NCWNZ urges Parliament to amend the Domestic Violence Act 1995 to explicitly allow protection orders to include the protection of animals.

Proposer: BPW New Zealand

Seconder: Rural Women New Zealand

Rationale:

Animal abuse needs to be viewed within a broader context of criminal offending and its potential negative effect impacts on society cannot be underestimated. Animal abuse can be a marker of domestic violence and animal abuse often co-occurs in this context.

New Zealand research shows that the desire to protect animals currently exists as a significant barrier that causes many victims of domestic violence to avoid leaving their abuser. Namely, victims are concerned that the perpetrator could demand access to animals, on the basis of ownership, and the Domestic Violence Act lacks clarity as to whether animals can be included in protection orders.

In its concluding observations on New Zealand's seventh periodic report the CEDAW Monitoring Committee recommended in paragraph 24 that measures be taken to reduce violence against women and that increased reporting of violence be encouraged. This remit works to that end and will help protect women and help towards the goal of gender equity.

Amending the Domestic Violence Act to have protection orders explicitly include animals will contribute in a meaningful way to the reduction of violence in society.

Useful Publications:

- "The Mistreatment of Animals in Domestic Violence Situations" [2014] New Zealand Law Journal 71.
- "Animal abuse and Family Violence: Survey on the recognition of animal abuse by veterinarians in New Zealand and their understanding of the correlation between animal abuse and human violence", (New Zealand Veterinary Journal (2008) 56(1), 21-28).
- 2012, Pets as Pawns: The Co-Existence of Animal Cruelty and Family Violence, Research commissioned by the New Zealand Women's Refuge and the Royal New Zealand Society for the Prevention of Cruelty to Animals.

Objectives:

The Domestic Violence Act 1995 amended.

Action Plan:

NCWNZ to:

1. Send letters to the relevant ministers and ministries,
2. Encourage branches and Individual members to contact their local MPs,
3. Widen the issue by asking branches to contact councils, local authorities and the SPCA encouraging them to work on this issue.

Cost to NCWNZ: Volunteer hours and minimal administration.

6. Total Ban on Sale and Supply of “Legal Highs”

That NCWNZ supports a total ban on the sale and supply of “legal highs” and psychoactive substances in New Zealand.

Proposer: BPW New Zealand

Rationale:

The current situation is that Central Government has legislated that “legal highs” are now able to be sold to the public if they meet the approved testing regime. Local government bodies only have the ability to restrict the location of licensed outlets from which they can be sold. (Note that this remit uses the definition of psychoactive substance as per the Psychoactive Substances Act 2013).

A total ban on such sales is a vital step in preventing drug-related violence and abuse of women and girls. A total ban is also essential in reducing potentially permanent physical and emotional related harm. Substance misuse is also associated with increased numbers of sexual partners and unprotected sex, leading to higher rates of sexually transmitted infections, pregnancy and abortions. Preventing drug-related violence and abuse is a key part of building gender equity in our communities.

If the sale and supply of legal highs and psychoactive substances continues we will see dramatic increases in mental health issues which will particularly affect our youth. In the 2012/13 New Zealand Health Survey, one in six New Zealand adults (16%, or an estimated 582,000 adults) had been diagnosed with a common mental disorder at some time in their lives (including depression, bipolar disorder and/or anxiety disorder). Women were around 1.6 times more likely to have been diagnosed with a common mental disorder (20%) than men (13%). These figures are likely to increase unless psychotic substances are banned given the link between use of psychotic substances and mental health disorders.

The validity of the purpose of the current legislation (Psychoactive Substances Act 2013) cannot be accepted and the current principles are impossible to regulate. We should not allow laws that normalise the taking of substances that may be considered low risk to some individuals but high risk for others.

- The purpose of this Act is to regulate the availability of psychoactive substances in New Zealand to protect the health of, and minimise harm to, individuals who use psychoactive substances
- The principles of the act is such that a psychoactive product that is approved for use by individuals should pose no more than a low risk of harm to those individuals who use it.

The websites that members can visit for additional information include:

www.legalhighs.co.nz

www.health.govt.nz

Objectives:

Legislation changed to prevent the sale of psychoactive substances known as “legal highs”

Action Plan:

That NCWNZ:

1. Write to the Minister of Internal Affairs to instigate a change in the law to prevent the sale of psychoactive substances known as ‘legal highs’;
2. Encourage members to lobby their local Councils and Mayors to support a national law change for New Zealand;
3. Branches to investigate their local council by-laws;
4. Communicate with and support other organisations working for a ban particularly those with informative programmes in schools or communities for young people.

Cost to NCWNZ: Volunteer hours and minimal administration.