

# Race Relations in 2004



**together we grow** te ranga tahi



Human Rights  
Commission

*Te Kāhui Tika Tangata*



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## Foreword

This report is about race relations in the context of the human rights of all New Zealanders. Human rights are not some foreign imposition on our legal system, or a concept that relates mainly to abuses in other countries. They are about the fundamentals of a free and democratic society. They are not just about marginalised or disadvantaged minorities, but about the rights and responsibilities of all citizens and about mutually respectful relationships between them.

The Human Rights Commission's report *Human Rights in New Zealand Today / Ngā Tika Tangata O Te Motu* was released in September 2004. It was the first ever attempt at a comprehensive survey of the current state of civil, political, economic, social and cultural rights in New Zealand, including issues relating to migrants, refugees, religion and race relations. It followed over a year of research and public consultation, in which more than 5,000 people took part. The report found that overall, New Zealand had a very good record in human rights, but that there were some pressing issues, including particularly the rights of children and disabled people and ethnic inequalities, that needed to be addressed.

The report will be followed in 2005 by the release of the New Zealand Action Plan for Human Rights, *Mana ki te Tangata*, which proposes long term outcomes and priority actions to address both the pressing and longer term issues identified. It includes strategic outcomes and actions for race relations.

One of the findings of *Human Rights in New Zealand Today* was that there needed to be much better research and data collection on our human rights to inform policy development and debate, to monitor progress in the realisation of human rights, and to meet our international reporting obligations under international human rights treaties. *Race Relations in 2004* is a first step towards bringing together such information, and will hopefully stimulate discussion on what information we should be collecting to enable us to measure and monitor our progress in achieving harmonious relations and racial equality. It also provides a record of significant development in race relations in New Zealand in the past year.

Race relations were very much under the spotlight in 2004. When delegates to the first International Round Table of Race Relations Commissioners met in Auckland at the beginning of February 2004, they were international witnesses to the beginnings of the major public debate about the Treaty of Waitangi initiated by a speech given by the Leader of the Opposition, Dr Don Brash, at the Orewa Rotary Club. They also experienced Auckland's Chinese New Year celebrations, attended by an estimated 130,000 people, incidents involving political leaders at Waitangi, and the community Waitangi Day festivals in Waitakere and Manukau Cities. It was evident that as New Zealanders we both took our race relations seriously and celebrated our diversity.

*Race Relations in 2004* provides a record of these and other developments. It also includes a summary of race related complaints made to the Human Rights Commission, and brings together some statistics from a variety of public sources on our demographics, civil and political and economic, social and cultural rights. It provides an overview of race relations research conducted in 2004, and records positive contributions made by individuals and organisations. It is intended to be a resource for policy makers, students and others interested in race relations in New Zealand.

In future years, it is hoped to develop the report to include measures of our progress in achieving harmonious race relations, the realisation of human rights and racial equality. This will require

considerable research and discussion about what measures might be appropriate and available, but the present report will hopefully serve to promote discussion on such an undertaking.

The Human Rights Commission assumed responsibility for race relations in 2002 as a result of the merger of the former Human Rights Commission and the Race Relations Office. Under the amended Human Rights Act 1993, the primary functions of the Human Rights Commission are:

- a) to advocate and promote respect for, and an understanding and appreciation of, human rights in New Zealand society; and
- b) to encourage the maintenance and development of harmonious relations between individuals and among the diverse groups in New Zealand society.

The Commission also has a statutory responsibility to provide a disputes resolution service for people experiencing discrimination on a wide range of grounds contained in the Human Rights Act 1993, including race, colour, and national or ethnic origin.

Providing information to inform public debate and policy development on race relations and racial equality is an important part of meeting these responsibilities. *Race Relations in 2004* is published to coincide with Race Relations Day, the International Day for the Elimination of Racial Discrimination, on March 21, a day of both reflection and celebration, which is marked throughout New Zealand in schools, the media, workplaces, and local communities.

Joris de Bres  
Race Relations Commissioner  
Kaihautu Whakawhanaunga ā Iwi

# 1. The State of Our Human Rights and Race Relations

## 1.1 *Human Rights in New Zealand Today / Ngā Tika Tangata O Te Motu*

The Human Rights Commission released a comprehensive report on *Human Rights in New Zealand Today / Ngā Tika Tangata O Te Motu* in September 2004. What emerges most clearly from this report is that human rights matter, and affect the lives of each and every New Zealander. The report concludes that:

New Zealand meets international human rights standards in many respects, and often surpasses them. Although New Zealand is not flawless, the report shows that we have most of the elements essential for the effective protection, promotion and fulfilment of human rights: democracy, the rule of law and an independent judiciary free of corruption; effective structures of governance; specific processes for human rights and other forms of accountability; recognition of the vulnerability of particular groups and individuals; and active, involved, diversely organised citizens.

Further, as individual New Zealanders we are generally free to say what we think, read what we like, worship where and how we choose, move freely around the country, and feel confident in the laws that protect us from discrimination and the arbitrary abuse of power.

Most New Zealanders today also experience the benefits of the economic, social and cultural rights - education, decent work, good health, and affordable, healthy housing - that underpin a fair and just society and are crucial to the dignity, equality and security of each individual. The interrelationship of these rights (for instance, the linkage between healthy housing and children's education and health) is compellingly illustrated in the report.

The report also identifies where we need to do better. While each chapter identifies specific issues, certain themes emerge across the report as a whole:

- A failure to wholeheartedly accept difference and diversity
- The vulnerability to human rights abuses of those most dependent on others - children, disabled people, and those in detention and institutional care
- The extent to which poverty undermines realisation of the most basic human rights
- The persistence of structural disadvantage and discrimination, even when poverty is not a factor. This is most significant for: disabled people; non-Pakeha New Zealanders in some situations; women, in some areas; and gays, lesbians, transgender and intersex people
- Violence, bullying and harassment represent the most flagrant human rights abuses and are present in too many New Zealand homes, schools, workplaces, playgrounds and playing fields
- A need for explicit recognition of human rights standards at all levels of New Zealand society, and for appropriate data, agreed indicators and measures to assess the extent to which those standards are respected
- The possible fragility of New Zealand's human rights protections in the absence of more comprehensive constitutional and legal provisions
- The challenge of agreeing on the place of the Treaty of Waitangi in New Zealand's present and future.

The most pressing issues to emerge from the report were those relating to the poverty and abuse experienced by a significant number of New Zealand children and young people; the pervasive barriers that prevent disabled people from fully participating in society; the vulnerability to abuse of those in detention and institutional care; the entrenched economic and social inequalities that

continue to divide Māori and Pacific people from other New Zealanders; and the challenge of the place of the Treaty of Waitangi now and in the future.

## **1.2 Where New Zealand does well in race relations**

In terms of race relations the report finds that New Zealand does well in the following areas:

- New Zealanders place a high value on harmonious race relations and, while there are points of friction and disagreement, there is a strong tradition of resolving such issues in a peaceful manner.
- New Zealand has a sound legal and political framework for harmonious race relations, with guarantees of fundamental freedoms including freedom from discrimination and the rights to practice one's language, culture and belief, and a range of channels to address complaints about discrimination.
- There are procedures for addressing grievances in relation to the Treaty of Waitangi, and a range of laws which require government departments to have regard to the Treaty, including consultation with Māori and the protection of Māori cultural interests.
- Programmes have been developed to address inequalities between Māori and Pacific people and other New Zealanders in health, education, employment and other social and economic areas, and there is increasing Māori participation in tourism, fisheries and other commercial enterprises.
- Te Reo Māori is recognised alongside English as an official language of New Zealand, and a substantial investment has been made in the protection and regeneration of Māori language and culture through the Māori Language Commission, Te Puni Kokiri, Māori educational institutions such as kohanga reo, kura kaupapa and wananga, and through support for Māori language broadcasting and for Māori artists and cultural practitioners.
- There has been an immigration policy shift over recent decades to permit greater entry of migrants from the Pacific, Asia and other non-traditional source countries. New Zealand is now ethnically a highly diverse country, with particularly significant communities of people of Pacific and Asian descent.
- Cultural diversity is widely celebrated through local community festivals and events, and there is a high level of diversity in the creative arts and in sport.

## **1.3 Where we need to do better**

In terms of areas for improvement, the report concludes that:

- Racism, racial discrimination, racial harassment and abuse continue to occur. Public perceptions are that it is most commonly experienced by Asian New Zealanders, but other groups are also subject to it.
- The law provides procedures to address racial discrimination, but their effectiveness may be compromised by a lack of public knowledge about the most appropriate avenue for particular complaints, inadequate accessibility by vulnerable groups and a lack of confidence by such groups in their effectiveness.
- Despite considerable investment and some indications of improvement, significant racial inequalities continue to exist in health, housing, employment, education, social services and justice (including a highly disproportionate rate of imprisonment of Māori). There has been considerable public debate about some programmes targeted to particular groups, although such programmes are called for by the International Convention on the Elimination of All Forms of Racial Discrimination.

- While a number of new migrant settlement strategies and plans have been developed jointly by central and local government agencies and community groups, these do not exist in all areas of significant migrant settlement, and their implementation is variable.
- Institutions and services are not equally accessible to all. Central and local government, community and private sector organisations and their services need to be more accessible and responsive to people of all ethnic groups, be sensitive to different cultures, treat people equally, and, in their governance and staffing, be representative of the diversity of the New Zealand population.
- There is no consistent framework for research, data collection and measurement to identify race relations issues and to enable the measurement of progress in achieving racial equality and harmonious relationships. While extensive information is available from the census, administrative data in relation to ethnicity are inconsistent and in some cases not collected.

The New Zealand Action Plan for Human Rights / *Mana ki te Tangata*, will contain a section on race relations seeking to address these issues.



## **2. The 2004 Race Relations Debate**

### **2.1 Introduction**

The last major event of 2004 was the devastating tsunami that struck countries in South Asia on Boxing Day. At the national interfaith tsunami memorial service on January 16, 2005 in Auckland's Holy Trinity Cathedral, Bishop Richard Randerson said, in the presence of the Governor-General, the Prime Minister and representatives of all communities and faiths in Auckland:

“The images of the tsunami that have shocked us these last three weeks have shown us that in Aceh and Phuket, in India, Sri Lanka and Malaysia, the needs and aspirations of people, wherever they may be, are essentially the same: to cherish those closest to us, to be part of a family or whanau which gives us love, to find a place to live with food to eat, health and education for our children, to have work which gives meaning to our lives and offers service to others, to be free from conflict and war.”

The immediate and overwhelming response of New Zealanders to the tsunami appeal crossed the barriers of race, religion, ethnic and national origin, and gave tremendous heart to those communities of New Zealanders who have settled here from the affected countries.

Responding to a natural disaster of such cataclysmic proportions undoubtedly brings out the best in people and has a powerful unifying effect. Such unity is more elusive when we are confronted with the day to day issues of relationships and inequalities between people of different cultures, ethnicities or faiths. Few would be bold enough to repeat the claim of earlier years that New Zealand is a race relations paradise, but greater honesty and preparedness to discuss and address these issues in an increasingly diverse society is in itself a strength.

### **2.2 The public debate**

According to UMR Insight's *Mood of the Nation 2004* report, race relations topped the list of issues that most concerned New Zealanders in 2004. This was both reflected and reinforced in the media, after the Leader of the Opposition, Dr Don Brash, delivered a keynote address on race relations at the Orewa Rotary Club in late January. Dr Brash's speech was entitled "Nationhood" and canvassed a range of issues which he described as follows:

- A drift towards racial separatism and the development of an entrenched Treaty grievance industry.
- The choice between a modern democratic society embodying the essential notion of one rule for all in a single nation state, or a racially divided nation with two sets of laws, and two standards of citizenship.
- A divisive trend to embody racial distinctions into large parts of our legislation, extending recently to local body politics, and government funding influenced not just by need but by the ethnicity of the recipient.
- The inclusion of references to the "principles of the Treaty" in legislation without defining them.
- The proposed foreshore and seabed legislation, and a preferred option of legislation to establish Crown ownership and opposing customary title or Māori involvement in management.
- The anachronism of Māori seats in Parliament.
- The need to accelerate the process of Treaty settlements.

- Funding of kohanga reo, kura kaupapa Māori, wananga and Māori health providers not to confer special rights but to provide a right to choice in education and health.

The ensuing public debate was fuelled by incidents involving both the Prime Minister and the Leader of the Opposition at Te Tii marae at Waitangi, although both at Waitangi and around the country many thousands of Māori and other New Zealanders commemorated Waitangi Day together at marae and community events. The proposed legislation on ownership and customary rights relating to the foreshore and seabed added further passion to the debate.

The *Mood of the Nation* report gives an indication of the duration of the debate as a top public issue through its tracking of the news stories that were most closely followed by New Zealanders during 2004. The “ongoing debate on race issues prompted by the Leader of the Opposition’s Orewa speech” was closely followed by 70 percent of respondents in February, the “ongoing debate on race issues” by 61 percent in March, and “the ongoing debate about race issues” by 53 percent in April. The three listings were among the thirteen most closely followed media stories for the whole of 2004.

While the public debate at times descended into stereotypes and scant regard for the facts, there were also many thoughtful contributions, well researched background newspaper articles and radio and television programmes. There was a marked upsurge in new books about the Treaty. The public participated in seminars and courses organised by a wide variety of organisations.

The State Services Commission launched a Treaty Information website and provided funding for community organisations to provide Treaty information, including the Human Rights Commission’s programme of symposia and community dialogues on human rights and the Treaty.

A new position of Minister, Coordinating Race Relations was established, with particular responsibility for Treaty information and a review of “race-based” programmes. Later in the year the Government announced the establishment of a special Parliamentary Select Committee to conduct a stocktake of constitutional issues.

### **2.3 Race Relations Day**

The increased public focus on race relations in the early months of the year led to a high level of public participation in Race Relations Day, the International Day for the Elimination of All Forms of Racial Discrimination, on March 21. The theme for 2004 was *Take a Walk in Someone Else’s Shoes: Hikoitia nga tapuwae o te hunga ke*, which formed the basis of school programmes throughout the country. The Federation of Ethnic Councils aligned its affiliates local cultural festivals into a single day of multi-ethnic festivals to coincide with Race Relations Day. Many local councils organised community events, library displays, workshops, competitions and cultural exhibitions, and the event was promoted by a wide range of media. Because the day fell on a Sunday, many churches also commemorated it as a day of reflection as well as celebration.

### **2.4 The Foreshore and Seabed Act 2004**

The Foreshore and Seabed Act 2004 was passed by Parliament in December, after eighteen months of public debate and controversy. Government attempts to engage with iwi were met with almost universal rejection of the proposals, and a Waitangi Tribunal report raised serious issues in relation to human rights and the Treaty of Waitangi. When the legislation was presented to Parliament, it prompted a Māori hikoī from the Far North to Wellington, culminating in the largest demonstration of Māori in front of Parliament for decades. Cabinet Minister Hon Tariana Turia

resigned from the Government and Parliament, and was subsequently returned as a Member of Parliament for the newly formed Māori Party in a by-election not contested by the major parties. A special Parliamentary Select Committee heard public submissions and, following Government negotiations with the New Zealand First Party, a revised Bill was introduced and passed into law. The Government's position was that the Act struck a balance between specifically recognising Māori customary rights in relation to the foreshore and seabed and guaranteeing public access and Crown ownership on behalf of all the people of New Zealand. The formation of the Māori Party means that this issue will be argued through the forthcoming general election in the Māori parliamentary seats in particular, alongside the other issues of Māori economic and social development. Inherent in that debate will be the longstanding question of how an indigenous minority can best engage with a Government that also has its eye on the concerns of the non-indigenous majority, and how indigenous people's rights can best be protected and advanced in such a context.

## **2.5 Inquiry into the New Zealand Constitution**

The Government announced in November that a Parliamentary Select Committee would be established to inquire into the New Zealand constitution. Reasons given for the inquiry were:

New Zealand has unique constitutional arrangements. It is one of only three countries in the world without a full entrenched written constitution. Although New Zealand inherited its constitutional system from Britain, the two systems have evolved quite differently over the last century. The sources of New Zealand's constitution include the prerogative powers of the Queen, various statutes, certain decisions of the courts, and the Treaty of Waitangi. These legal aspects of the constitution are supplemented by unwritten conventions, which dictate how the institutions and relationships actually work.

Due to their complexity, New Zealand's constitutional arrangements are not widely understood. From time to time, interest has been expressed in reforming New Zealand's constitution. It is difficult to assess the need for reform, however, in the absence of a good general understanding of the New Zealand constitution as it is now, and without a clear idea of the processes which might be required if reform were determined to be desirable at some point in the future.

In 2003, in the course of consideration of the Supreme Court Bill, the Justice and Electoral Committee suggested that it would be timely to inquire into New Zealand's constitutional arrangements.

Given that a constitution reflects a country's national identity, this inquiry needs to be approached with care. Any change is likely to require a lot of time, public involvement, education and discussion. The focus of the Committee's review reflects this need for a measured approach.

The Committee's Terms of Reference are to undertake a review of New Zealand's existing constitutional arrangements by identifying and describing New Zealand's constitutional development since 1840, the key elements in New Zealand's constitutional structure, the relationships between those elements, and the sources of New Zealand's constitution. The Committee will also review and report on the processes which other countries have followed in undertaking a range of constitutional reforms and the processes which it would be appropriate for New Zealand to follow if significant constitutional reforms were to be considered in the future.

## 2.6 Review of targeted programmes

The first results of the review of targeted policies and programmes were announced by the Coordinating Minister, Race Relations in December. Seven programmes were reviewed, covering the Ministry of Health, the Ministry for Culture and Heritage, the Ministry of Education and the Education Review Office. The importance of clear evidence and meaningful evaluation of such programmes was emphasised, and the reviews confirmed that in most cases, targeting by ethnicity was appropriate, with good evidence that the targeting was effectively addressing need. However, the system of decile funding in schools and equity funding for community early childhood education services was altered to remove the ethnicity weighting, with additional operating funding to ensure no schools would lose funding. Further research was sought in relation to the review of public service scholarships targeted to ethnic groups and the review of population based funding for district health boards.

Programmes that were found to be effective and justified were:

- Creative New Zealand's funding for Te Waka Toi (the Māori Arts Council) and the Pacific Arts Committee.
- The Education Review Office's partnership with iwi in the Far North and the East Coast, and the collection of information on Māori and Pacific student achievement in mainstream schools.
- The Ministry of Education's Te Hiringa I te Mahara programme for professional development of Māori secondary school teachers and teachers of te reo Māori.
- The Ministry of Health's Pacific Health and Disability Action Plan.
- The Ministry of Health's overview reporting and the New Zealand Health Strategy.

### 3. The Treaty of Waitangi

#### 3.1 Dialogue on the Treaty and Human Rights

The Treaty of Waitangi was the subject of much discussion in 2004. The Human Rights Commission, which has a statutory function to “promote .... a better understanding of the human rights dimensions of the Treaty of Waitangi” organised 15 symposia and 65 facilitated community dialogue workshops in 2004 involving a wide cross section of the New Zealand community. A significant outcome of the discussions was a recognition and understanding of the importance of relationships based on the nation’s “founding document.” There was widespread agreement that the relationship between the Crown and Māori must be sound if the Treaty is to have real significance. While the relationship of Māori and Pakeha have a special place in our Treaty history, other groups such as Pacific, Asian and Middle Eastern New Zealanders have raised the question of their place in the Treaty’s past, present and future. This expressed itself in the concept of the Treaty as a source of a sense of belonging, or *turangawaewae*, for all New Zealanders. Key issues to emerge from the discussions were:

- The right of the Crown to govern;
- The right for Māori to live as Māori;
- The right to citizenship for all;
- The right to equal opportunities and outcomes;
- Indigenous rights and the Treaty; and
- Who are the parties to the Treaty today?

Many other groups also organised meetings, workshops and courses on the Treaty in 2004, including the University of the Third Age, Workers’ Educational Association, church, education and community groups. Television New Zealand screened a national debate on the issue from New Plymouth, and Radio New Zealand also included features on the Treaty in its programming.

#### 3.2 Books on the Treaty

The heightened interest in the Treaty and in New Zealand history produced a ready audience for Michael King’s *Penguin History of New Zealand* published in late 2003, and Anne Salmond’s *The Trial of the Cannibal Dog* on Captain Cook’s early encounters with Māori. Both books received major literary awards. Other books on the Treaty and related issues published in 2004 included: Michael Belgrave et al’s *Waitangi Revisited: Perspectives on the Treaty of Waitangi (2<sup>nd</sup> edition)*; Aroha Harris’ *Hikoī, A Hundred Years of Māori Protest*; Richard Hill’s *Authority and Autonomy: Rangatiratanga and the Crown in New Zealand/Aotearoa*; Michael King’s *Being Pakeha Now* (reissued); Janine Hayward and Nicola Wheen’s *The Waitangi Tribunal: Te Roopu Whakamana I te Tiriti o Waitangi*; Paul Moon and Peter Biggs’ *The Treaty and its Times*; Giselle Byrnes’ *The Waitangi Tribunal and New Zealand History*; Claudia Orange’s *Illustrated History of the Treaty*; David Slack’s *Bullshit, Backlash and Bleeding Hearts, A Confused Person’s Guide to the Great Race Row*; Marcia Stenson’s *The Treaty: Every New Zealanders Guide to the Treaty of Waitangi*; and Ranginui Walker’s revised *Ka Whaiwhai Tonu, Struggle Without End*. The State Services Commission produced a booklet, *Timeline of the Treaty*, drawn from material on its Treaty Information website, [www.treatyofwaitangi.govt.nz](http://www.treatyofwaitangi.govt.nz), which was also launched in 2004.

### 3.3 Claims before the Waitangi Tribunal

The Waitangi Tribunal released reports on three major inquiries into historical grievances covering 90 claims: the Mohaka ki Ahuriri report (Hawke's Bay), Te Raupatu o Tauranga Moana (Tauranga) and Turanga Tangata Turanga Whenua (Gisborne). They represent many years of research and hearings, through a process akin to a truth and reconciliation commission, with tribunals made up of both Māori and non-Māori. The extensive reports provide a rich source of regional historical information as well as providing an official record and acknowledgment of longstanding grievances. The absence of public knowledge of these histories, however, prompted the Tribunal to express frustration in its Turanga report, for example, "that, while the peoples of Gisborne have a rich and sometimes dramatic shared history, there is a lack of local education programmes to ensure local communities are aware of that history". That, it said, "remains a primary obstacle to the process of reconciliation."

The Tribunal also released a report on the Crown's Foreshore and Seabed Policy and the Te Arawa mandate, and convened other urgent hearings in relation to the South Island Landless Natives Act 1906 and sentencing assessment policy. Six major inquiries covering around 200 further claims were actively advanced through research, hearings and report preparation during 2004. These were the inquiries relating to Kaipara, Hauraki, Northern South Island, Wairarapa ki Tararua, Te Urewera and Whanganui lands. The Tribunal has also been working on research and facilitation in the Central North Island, East Coast, Wairoa, and National Park inquiry districts.

### 3.4 Treaty settlements

The Office of Treaty Settlements continued to negotiate historical settlements with claimant groups. The process includes recognition of the mandate of the negotiating team, agreeing on terms of negotiation, substantive negotiations leading to an Agreement in Principle including a proposed financial quantum, detailed negotiations leading to a Deed of Settlement and finally legislation giving effect to the settlement. Milestones in 2004 included:

- Recognition of the mandates of negotiators for Wellington (Taranaki Whanui) claims, Ngati Tuwharetoa, Te Arawa (non-lakes), and Ngati Apa ki Rangitikei.
- Terms of Negotiation were signed with Ngati Manawa, Ngati Whare, Moriori, Wellington (Taranaki Whanui), Ngati Kahu ki Whangaroa and Te Arawa.
- Agreements in principle were signed with Te Aupouri and Te Roroa. Deeds of Settlement were signed for the Te Arawa lakes claim, and initialed with Ngati Mutunga (awaiting ratification).
- Settlement Bills for Ngāti Awa and Ngati Tuwharetoa (Bay of Plenty) were introduced to Parliament in August and November respectively, and the Ngati Awa Claims Settlement Bill was reported back to Parliament in December.

To date \$717.671 million has been committed to final and comprehensive settlements and several part settlements. This includes \$12.622 million paid as claimant funding separate from the negotiated settlement redress. Alongside these compensatory payments, Treaty settlements generally include both a formal apology by the Crown and protocols, cultural redress and arrangements for future interactions between the relevant iwi and the Crown.

The Office of Treaty Settlements also published a condensed bilingual guide to the Treaty of Waitangi claims settlement process, *Healing the Past, Building a Future* in response to increased public interest in the settlement process.

### **3.5 Fisheries and Aquaculture**

Twelve years after the Treaty of Waitangi Fisheries Act was passed in 1992, the Māori Fisheries Act 2004 was finally passed to implement the agreements reached in the 1992 Fisheries Deed of Settlement. The original Deed of Settlement provided for a cash settlement and 20 percent of fishing quotas, managed by the Treaty of Waitangi Fisheries Commission. The Act replaces the Treaty of Waitangi Fisheries Commission with two new organisations, Te Ohu Kaimoana and Aotearoa Fisheries Limited and establishes a framework for the allocation and management of settlement assets. Around half of the settlement assets (which now total around \$750 million compared to the initial settlement sum of \$170 million) are to be allocated and transferred to iwi while the remainder will be under central management. In order to receive the assets, iwi have to meet certain commercial and governance criteria and become a recognised iwi fisheries organisation under the Act.

The Māori Commercial Aquaculture Claims Settlement Act was passed in December 2004. It provides a full and final settlement of Māori commercial aquaculture interests since the Fisheries Deed of Settlement in 1992, and commits the Crown to provide a Māori Commercial Aquaculture Settlement Trust with the equivalent of 20 percent of existing (since 1992) and new aquaculture space. Claims to aquaculture space allocated before 1992 will continue to be addressed through the Treaty claims process. The Act sets a 10 year goal for the Crown to complete the settlement, and iwi will be required to establish iwi aquaculture organisations under the same criteria as in the Māori Fisheries Act.

### **3.6 Te Reo Māori**

The Waitangi Tribunal reported on the Te Reo Māori claim in 1986, and this led to the Māori Language Act in 1987, which recognised te reo as an official language of New Zealand and established the Māori Language Commission. High Court action in relation to the transfer of radio and television assets to State Owned Enterprises led the Government to give an undertaking in 1991 to develop special purpose Māori television. The Crown accepted that “the principles of the Treaty impose a continuing obligation on the Crown to take such active steps as are reasonable to assist in the preservation of the Māori language by the use of both radio and television broadcasting”. Since then, the government has established Te Mangai Paho, a funding agency for Māori broadcasting, and a network of over 30 Māori radio stations now operates. In March 2004, Māori Television finally went to air, and has attracted an audience of both Māori and Pakeha.

## **4. National Identity and Cultural Diversity**

### **4.1 National Identity**

The increasingly diverse composition of New Zealand society, a growing sense of independence from the colonial past and the quest for competitive advantage in the globalised market was reflected in a range of developments relating to national identity. A businessman launched a major campaign for a new national flag to reflect New Zealand's national identity and to distinguish it from the Australian flag, and a new New Zealand Supreme Court replaced the Privy Council. The Tourism Board initiated a major promotion of Māori tourism operators with the mass distribution of a *Rough Guide To Māori New Zealand* to households in the United Kingdom. The Māori words of the national anthem became more firmly entrenched at major sporting and other events, and New Zealand's diversity in sport was demonstrated by Tana Umaga becoming the first New Zealand Samoan captain of the All Blacks, and compatriot Beatrice Faumuina carrying the New Zealand flag at the opening ceremony of the Olympics.

Cultural festivals such as the Chinese New Year, the Pasifika festival, St Patrick's Day, Matariki and Diwali attracted hundreds of thousands of New Zealanders of all ethnic backgrounds in an increasing number of centres. Partnerships of local government, foreign embassies, bilateral business associations and ethnic communities, which account for the success of many of these festivals, have also emerged for the celebration of national days for Japan, Thailand, Korea and other countries with migrant communities in New Zealand. There has been significant growth in the number of cultural events, performances and exhibitions in the arts. Creative New Zealand adopted a new strategic plan which foresees as one of its key outcomes the development of a cultural diversity strategy. The Ministry for Culture and Heritage completed the first stage of its on-line encyclopedia, Te Ara, focusing on the stories of New Zealand's diverse peoples, which was publicly launched on 8 February 2005.

### **4.2 The New Zealand Diversity Action Programme**

The New Zealand Diversity Action Programme was adopted by a citizens' forum at Parliament in August.

The desecration of two Jewish cemeteries in Wellington in July and August led the New Zealand Parliament to take the unprecedented action of unanimously passing a resolution deploring these acts, recalling the terrible history of anti-Semitism culminating in the Holocaust, and expressing unequivocal condemnation of anti-Semitism and all forms of racial and ethnic hatred, persecution and discrimination.

A statement signed by Māori, Pakeha, Pacific, Asian and other ethnic community leaders, religious leaders, mayors and councillors, business and trade union leaders and community groups was tabled in the House supporting the resolution.

The Speaker also invited community representatives to a forum at Parliament on the way forward for racial harmony. The forum of 250 people heard the ideas that had been put forward by participants beforehand, raised further suggestions, and unanimously adopted the outline of the New Zealand Diversity Action Programme. The programme has ten steps, as follows:

1. Develop a network of people and organisations that share a vision and a concern for harmonious relationships in a diverse and inclusive New Zealand.



2. Establish a forum through the Internet, with information pages and a web-portal to new and existing sites about New Zealand's diverse communities.
3. Create a centre for the study and promotion of cultural diversity that is able to lead research, inform debate, and connect people in different institutions and organisations.
4. Conduct a public conversation about our constitutional, legislative and institutional framework to protect human rights including diversity.
5. Focus on education and youth through a review and reform of the school curriculum to ensure that civics, values, languages, histories and cultures are part of the core curriculum and that there are high quality resources to support it.
6. Foster diversity in the media so that they reflect and promote the diversity of our society, both through greater diversity in the mainstream media and through the strengthening of Māori, Pacific and other ethnic media to give voice to all New Zealanders.
7. Support the successful settlement of refugees and migrants, through the development of migrant settlement plans for every local area by local authorities in conjunction with iwi, migrant, community and business groups, as well as health, education, police and other government service providers.
8. Celebrate diversity through cultural festivals and diversity in the arts, with increased central and local government support for communities, artists and performers.
9. Provide connections to our heritage through the involvement of all ethnic communities in historic, cultural and natural conservation and telling the diverse stories about our land and our histories.
10. Promote dialogue and exchange between people of different views, cultures and faiths.

The Diversity Action Programme is being facilitated by the Race Relations Commissioner and a wide range of organisations are being approached to become partners and to donate a project that will contribute to its achievement. The ten steps will also be included in the New Zealand Action Plan for Human Rights. Initial partners are the Asia New Zealand Foundation, the Bahá'í community, Caritas Aotearoa New Zealand, the Centre for Citizenship Education, Creative New Zealand, the Global Education Centre, the Ministry for Culture and Heritage, the New Zealand Federation of Ethnic Councils, the New Zealand Futures Trust, the New Zealand National Commission for UNESCO, the Office of Ethnic Affairs, the Victoria University Centre for Applied Cross-Cultural Studies, and the Victoria University Religious Studies Programme.

### **4.3 Immigration and settlement**

#### **Changes in immigration policy**

Significant changes took place in immigration policy in July 2003, with the closing of the General Skills Category, the introduction of an Interim General Skills Category, and then a new skilled immigration policy – the Skilled Migrant Category, which came into effect in December 2003. The new policy includes a process of expressions of interest instead of residence applications, and invitations to apply to those who meet more stringent criteria including a higher level of English language competency and an offer of employment. The result in the first six months of 2004 was a

dramatic fall in the overall number of residence approvals from 48,538 to 39,017, and a significant change in the top ten source countries compared to 2002/03. The total number of residence approvals from Great Britain increased from 16 percent to 21 percent, while the numbers from India decreased from 16 percent to 8 percent and from China from 16 percent to 12 percent. Numbers also dropped from Malaysia and the Philippines, while numbers increased from the United States, South Africa and Zimbabwe. As a result of changes to criteria for Pacific Island countries, there were increases in approvals from Tonga (3 percent to 5 percent), Samoa (3 percent to 6 percent) and Fiji (5 percent to 6 percent).

### **New Zealand Settlement Strategy**

A national settlement strategy for migrants, refugees and their families was adopted by the Government in 2003, and initial funding for the strategy was announced in the 2004 budget. It gave long-overdue recognition to the fact that migration is only the start of the settlement process, and that post-migration support is vital to achieve successful integration into New Zealand society.

The Strategy's six goals for migrants and refugees are that they:

1. obtain employment appropriate to their qualifications and skills;
2. are confident using English in a New Zealand setting, or can access appropriate language support to bridge the gap;
3. are able to access appropriate information and responsive services that are available to the wider community (for example housing, education, and services for children);
4. form supportive social networks and establish a sustainable community identity;
5. feel safe expressing their ethnic identity and are accepted by, and are part of, the wider host community; and
6. participate in civic, community and social activities.

The 2004 Budget saw a focus on the first three goals, with increased funding of \$62 million over four years for a range of strategies including English for children in schools, funding for resettlement of refugees, the development of a network of migrant resource services, and careers advice and support for unemployed former migrants.

### **Auckland Regional Settlement Strategy**

The Auckland Regional Settlement Strategy was close to completion at the end of 2004. The strategy is a signature project in the Auckland Sustainable Cities Programme, which is a partnership between central government agencies and Auckland local authorities for a more sustainable built environment, better transport, a more skilled workforce, good housing conditions and strategies to settle migrants and refugees. The strategy aims to achieve sustainable settlement outcomes which contribute to social cohesion in the Auckland Region and to establish appropriate support for migrants and refugees to find suitable permanent employment, a stable living environment and good health, and to achieve integration into New Zealand society.

The strategy is an inter-agency project, with central, local government and NGOs working together with communities. It takes into account social, economic, environmental and cultural outcomes and builds on the foundations of work already undertaken on settlement, with the aim of co-ordinating and progressing this more effectively and efficiently. The Strategy will give recommendations on effective practice, roles and responsibilities for policy and service development, co-ordination and funding.

## **Samoaan citizenship**

The Government Administration Select Committee released its report on a petition to repeal the Citizenship (Western Samoa) Act 1982, after an extensive hearing process. The 1982 Act was passed to negate a Privy Council decision in the *Lesa* case which ruled that many Samoan citizens retained New Zealand citizenship status after Samoan independence in 1962. The petition, signed by 10,000 people, was presented to Parliament in March 2003 accompanied by an unprecedented demonstration of 2,000 members of the Samoan community. The Committee found:

- That the Act was consistent with international and human rights law.
- That the Act's consequences were to put Samoans in the same position as inhabitant in other League of Nations mandated territories that have become independent, and that Samoa was never a colony of New Zealand.
- That repeal of the law would be inappropriate from an international law perspective.

However the Committee also recognised the sense of grievance of Samoan New Zealanders going back to incidents during New Zealand's administration of Western Samoa and the overstayer issues of the 1970s. It therefore also recommended as a positive way forward that the New Zealand and Samoan governments together 'revisit, review and renew' the 1962 Treaty of Friendship. The recommendation was accepted by the Government and at a meeting between the Prime Ministers of New Zealand and Samoa it was agreed that the two countries explore and develop a series of initiatives in education, culture, sports and inter-governmental cooperation. The initiatives include:

- Regular consultations at official and ministerial levels;
- Staff exchanges in foreign affairs and other ministries;
- Sharing Samoan language educational resources;
- Exploring the development of a teacher exchange programme;
- An annual Prime Ministerial fellowship;
- Post-graduate research scholarships in New Zealand-Samoan relations;
- Cultural exchange programmes such as an artist-in-residence programme;
- A sports development fund to train referees and coaches.

Agreement was also reached to improve the operation of the current Samoan immigration quota to assist in matching Samoan quota applicants to job opportunities to address the concern that the annual quota was not being filled.

## **The Citizenship Act**

The Citizenship Act 1977 was amended through the Identity (Citizenship and Travel Documents) Bill, which increased the standard period of residence in New Zealand before a person becomes eligible for citizenship from 3 to 5 years, and removed the provision for automatic citizenship of children born in New Zealand to non-residents.

## **International students**

Large numbers of international students are a relatively recent phenomenon in New Zealand, with numbers growing spectacularly from a base of around 28,000 in 1998 and 1999, to 52,000 in 2001, 82,000 in 2002 and 118,000 in 2003. The vast majority of these students came from Asia (in particular China, Japan and Korea) and alongside increased Asian migration and tourism in the

1990s, resulted in a marked and visible increase in the Asian presence in New Zealand, particularly in the major metropolitan centres, where language schools tended to be concentrated in the central business district. There were several major collapses of private language schools in 2003, along with concerns about the pastoral care of students and impact on host communities. A revised Pastoral Care Code was introduced by the Ministry of Education in 2003, provisions for fee protection for students upgraded, and attention was paid by the New Zealand Qualifications Authority to improving the quality of private language schools in particular. There were no major institutional failures in 2004, but the impact of earlier publicity about the treatment of international students triggered a fall in numbers to 101,000 in 2004. Numbers remained relatively steady for students attending university (22,500), polytechnics (8,000), private training establishments (5,000) and schools (14,500). The major drop was in students attending private English language schools.

The dramatic rise in student numbers over a very short period was the likely cause of some of the unease, harassment and abuse that occurred. There were signs in 2004 that the level of public concern about international students was diminishing as numbers steadied and measures were put in place to manage what had mushroomed in only five years to become a major export industry.

#### **4.4 Language learning and retention**

##### **Language retention**

Statistics New Zealand issued a report in November 2004 on language retention, *Concerning Language*, to inform public discussion on language retention issues in New Zealand and make statistical information on this topic more readily available to interested groups. The report examines the ability of 15 ethnic groups in New Zealand to speak their first languages, and investigates the relationship between language retention and selected factors (such as age, birthplace, years since arrival in New Zealand and religious affiliation), using data from the 2001 Census. It notes that young people aged 0–24 years are less likely than their older counterparts to speak their ethnic 'first language', and that some ethnic groups are at greater risk of not maintaining their first languages than others. Among those, Niuean is one of the most at-risk languages. The Korean group has a relatively high proportion of people (81 percent) speaking a first language in New Zealand, with 78 percent of Koreans aged 0–24 years able to have a conversation in Korean about everyday things.

##### **Acceptance of other languages**

The use of languages other than English in the workplace led to a number of incidents during the year where employers sought to impose an "English only" policy. Well publicised examples were a South Auckland medical laboratory which threatened employees with dismissal if they spoke other languages, and a Wellington rest home where a Samoan language occupational health and safety poster was removed by the manager. Both incidents were satisfactorily resolved after informal intervention by the Human Rights Commission.

##### **Te Reo Māori**

The Māori Language Commission has continued to promote te reo through a wide variety of programmes, boosted by a government cross-sector Māori Language Strategy to monitor and promote Māori language revitalisation initiated in 2003. A partnership with Te Puni Kokiri and the Human Rights Commission led to a highly successful Māori Language Week in July 2004 focused on encouraging all New Zealanders to "Give it a Go: Korero Māori". Hundreds of organisations participated, and there was a noticeable increase in support for te reo in the private sector. The

inaugural Māori Language Awards in September recognised the best contributions in Māori Language Week. Television New Zealand won the supreme award and other awards included the Gisborne Herald and Pacific Island radio station Niu FM.

## **Pacific Languages**

The 2001 census revealed that the proportion of Pacific peoples speaking their first language ranged from 62 percent for Samoans to 17 percent for Cook Islanders. The percentage for Tongans was 54 percent, for Niueans and Fijians 26 percent, and Tokelauans 40 percent. Since the majority of Cook Islanders, Niueans and Tokelauans live in New Zealand, this is a potentially alarming situation in terms of the preservation of these languages. In the case of Niue, the number of Niueans living outside of Niue is 93 percent of the total population. At the celebration of Niue's thirtieth anniversary as an independent nation in free association with New Zealand in 2004, the New Zealand Prime Minister made a commitment to assist Niue in maintaining its distinct culture and language. The Ministry of Pacific Island Affairs is now developing a pilot programme for preserving the Niuean language in New Zealand, which is intended to provide a platform for a larger programme which will seek to preserve the Niue, Tokelau and Cook Island Māori languages among New Zealand communities. A national *Taoga Niue* Committee has been established, and regional committees are planned for Auckland, Wellington and Christchurch.

Niu FM, a pilot national Pacific radio network funded via the Ministry for Culture and Heritage and with reserved radio frequencies, approached the end of its third year of operation. Capital Samoan Radio in Wellington and 531pi, a pan-Pacific radio station in the greater Auckland region, were funded by New Zealand on Air.

## **Language Line**

The Office of Ethnic Affairs launched *Language Line*, a pilot telephone interpreting service for six participating government agencies, in 2003. In 2004, the Government decided that the service should become permanent. The number of languages available was increased to 37, and operating hours were extended to 9am - 6 pm Monday to Friday. The service has also been extended to include further government agencies as well as the offices of all Members of Parliament.

## **Language policy**

One of the issues raised in consultation on the New Zealand Action Plan for Human Rights in 2004 was the need for a national languages policy to address the wide range of issues relating to language in New Zealand. Responsibility for language learning and retention and language services is scattered over a wide range of government agencies, including the Māori Language Commission and Te Puni Kokiri, the Ministry of Pacific Island Affairs, the Office of Ethnic Affairs, the Ministry of Education, the Tertiary Education Commission, the Ministry for Culture and Heritage, the Ministry of Social Development and the Immigration Service. The issue of a national languages policy covering the full range of language issues was raised over a decade ago in a Ministry of Education report, *Aotearoa*, but developments since that time, while positive, have been ad hoc and uncoordinated.

## **4.5 Religion**

The growth of non-Christian religions in New Zealand has challenged employers, government agencies, schools and the community to accommodate religious diversity. There was considerable public and media attention in 2004 to a court case in Auckland where the defence objected to two

Muslim women wearing the burqa (covering their faces except for their eyes) whilst giving evidence as Crown witnesses. The judge called for submissions on the matter and ultimately decided to allow screens to be used to ensure that only the judge, counsel and female court staff were able to observe the witness' face. There was also controversy about a Christchurch secondary school which provided a purpose-built prayer room for Muslim students.

Following the first national interfaith forum held at Parliament in 2003, interfaith initiatives continued to grow. There was a high level of cooperation between the Jewish and Muslim communities, as well as other faith groups, in response to the desecration of Jewish cemeteries in July and August, and the hate mail sent to Muslim families in September. The Government sponsored a delegation of twelve New Zealanders to a regional dialogue on interfaith cooperation in the reduction of conflict in Indonesia in December. Recommendations from the delegation included the establishment of both a regional and national framework for multi-faith cooperation, a mechanism for the Government to liaise with multi-faith groups, and the development of a national statement on religious tolerance.

The challenge of multiculturalism in faith communities was not just a matter for Christian churches, but also for other religions. The Mt Roskill mosque in Auckland, for example, reported that it had 32 different nationalities amongst its members, making it perhaps the most multicultural local religious community in New Zealand.

#### **4.6 Other milestones**

##### **Establishment of the Chinese Heritage Trust**

In February the Government announced the outcome of a consultation process facilitated by the Office of Ethnic Affairs on an appropriate reconciliation package for the Chinese community. This followed the Government apology in 2002 to the early Chinese settlers and their descendants who faced statutory discrimination in New Zealand, particularly through the Poll Tax. The package comprised a \$5m seeding grant for a government-administered community trust, new school resources which tell the stories of Chinese settlers in New Zealand and the preservation of a significant Chinese heritage site in Central Otago.

It is envisaged that the community trust will fund projects to boost the study of Chinese New Zealand history, encourage cultural and language maintenance, promote greater public awareness of ethnic diversity, and support projects that strengthen the unique identity of Chinese New Zealanders.

##### **Asia New Zealand Foundation**

The Asia 2000 Foundation, established in 1994 as a non-profit private-public partnership to strengthen links with the Asian region, marked its tenth anniversary with a change of name to the Asia New Zealand Foundation. It also adopted a new strategic direction following widespread consultation in 2003 on its *Seriously Asia* project. The Foundation works to develop New Zealanders' knowledge and understanding of the countries and peoples of Asia, help New Zealanders acquire the right skills to work effectively with Asian counterparts, build New Zealand's links with Asia, and promote and assist New Zealanders' participation in regional activities. It also promotes Asian culture in New Zealand, and was the initiator of the now well-established Chinese Lantern and Indian Diwali festivals, which are now attended by hundreds of thousands of New Zealanders. It published a comprehensive directory of Asian community organisations in New Zealand in 2004.

The Foundation also published the following two reports:

1) *Government Strategic Directions: identifying pathways for collaboration* outlines the New Zealand government's responsiveness to Asian communities. The paper argues that while government agencies are taking action in reply to demographic changes there is a broader need to ensure that New Zealanders themselves have opportunities to develop intercultural skills.

2) *Seriously Asia Action Report December 2003 - 2004* provides a progress report on the 2003 *Seriously Asia* project designed to strengthen New Zealand's relationships with the countries of Asia.

### **Pacific Cooperation Foundation**

A new public-private partnership, the Pacific Cooperation Foundation, also received Government support of \$675,000 in the 2004 budget. The Foundation's mission is to benefit the peoples of the Pacific Islands and New Zealand by increasing cooperation and understanding between them. Private sector sponsors of the Foundation include Air New Zealand, Fonterra, Brother, the Pacific Forum Line and Reef Shipping.

### **Completion of Fale Pasifika at Auckland University**

A ten year vision, driven by Samoan academic and writer Professor Albert Wendt, became a reality when the magnificent new Fale Pasifika was opened at the University of Auckland. The 12 metre high fale, based on the traditional Samoan meeting house, is the second largest in the Southern Hemisphere, with seating for 300 people. It will be used by the Centre for Pacific Studies, other academics, and the Pacific Island communities of Auckland. At the opening by the Prime Minister, Centre Director Dr Melanie Anae said the fale realised a dream of Pacific migrants over 50 years ago. She said that her parents like many other migrants worked on factory floors, but they had dreams for their children, that New Zealand would be a better place for successive generations.

### **Statistics about New Zealand's Diversity**

|  |   |
|--|---|
| <p><b>Ethnic composition of the population</b></p> | <p>Ethnic distribution of the population:</p> <p>In 2001, Māori made up 14.7% of the usually resident population, 6.6% said they belonged to an Asian ethnic group, 6.5% to a Pacific peoples ethnic group and 80.0% to a European ethnic group. By 2021, the Māori share of the population is projected to be 17%, the Pacific share 9%, and the Asian share 13%.</p> <p>Source: Statistics New Zealand, 2001 census, national summary, Table 8; cited in Ministry of Social Development, Social Report 2004</p> |
| <p><b>People born overseas</b></p>                 | <p>The 2001 Census showed that almost 1 in 5 New Zealand residents were born overseas. The main countries of overseas birthplace were (in descending order): England, Australia, Samoa, China and Scotland.</p> <p>Source: Statistics New Zealand, Census Snapshot: Cultural Diversity, March 2002</p>  |
| <p><b>Multilingual people</b></p>                  | <p>The 2001 Census showed that the number of multilingual people increased by 20% from the 1996 Census to 562,113 or nearly 1 in 6. English is the predominant language spoken. Excluding</p>   |

|                                |   |
|--------------------------------|---|
|                                | <p>children under 5 years of age, 1 in 50 people do not speak English. The languages most widely spoken after English were (in descending order): Māori, Samoan, French, Yue (Cantonese) and German.</p> <p>Source: Statistics New Zealand, Census Snapshot: Cultural Diversity, March 2002</p>   |
| <b>Māori language speakers</b> | <p>The 2001 Census showed that 4.5% of the total population, and 25% of Māori could hold a conversation in Māori. After Māori, Pacific peoples had the highest proportion who could speak Māori (5.8%), followed by Europeans (1.7%) and Asians (0.8%).</p> <p>Source: Statistics New Zealand, 2001 census; cited in Ministry of Social Development, Social Report 2004</p>   |
| <b>Religious affiliation</b>   | <p>The 2001 Census showed that over two million people are Christian. There has also been an increase in people whose religion is non-Christian: 39,798 declared their religion to be Hindu, 41,634 Buddhist, 23,631 Islam and 16,062 Spiritualism.</p> <p>Source: Statistics New Zealand, Census Snapshot: Cultural Diversity, March 2002</p>  |
| <b>Refugee status claims</b>   | <p>In 2003/2004, 362 successful refugee claimants were approved for residence.</p> <p>Source: New Zealand Immigration Service <i>Migration Trends 2003/3004</i> <a href="http://www.immigration.govt.nz">www.immigration.govt.nz</a></p>  |
| <b>Refugee quota</b>           | <p>In 2003/2004, 865 people were accepted for resettlement to New Zealand through the Refugee Quota Programme. The largest source country of these refugees was Afghanistan (58%) – a result of the family reunification exercise to reunite <i>Tampa</i> refugees with their families and spouses.</p> <p>Source: New Zealand Immigration Service <i>Migration Trends 2003/3004</i> <a href="http://www.immigration.govt.nz">www.immigration.govt.nz</a></p> |
| <b>Residence decisions</b>     | <p>A total of 39,017 people in 20,631 applications were approved for residence in 2003/2004. This number was 87% of the 2003/2004 New Zealand Immigration Programme, which was set with an approval limit of 45,000 by the Government.</p> <p>Source: New Zealand Immigration Service <i>Migration Trends 2003/3004</i> <a href="http://www.immigration.govt.nz">www.immigration.govt.nz</a></p>  |



## 5. Inequalities in the Enjoyment of Human Rights

### 5.1 Measuring inequalities

The Ministry of Social Development's *Social Report* for 2004 illustrated continuing inequalities between Māori, Pacific and other New Zealanders. The Ministry also reports regularly to Cabinet on the effectiveness of government programmes to reduce inequalities. A report to Cabinet in June 2004 advised as follows:

- “1. Importantly, disadvantage has declined across different groups within the community. Across many of the indicators of disadvantage, there have been improvements in absolute terms for Māori, Pacific, and (where we have data) other key groups within the population. For example, compared to the mid 1990s, Māori and Pacific people are living longer, are less likely to be unemployed, have higher average incomes, and have higher rates of participation in early childhood and tertiary education.
2. The extent to which there is greater equality of opportunity across our society is less clear. Based on the analysis of indicators for the Māori and Pacific populations, it is clear that while absolute levels of disadvantage have often declined, there are still differences between population groups. Officials have measured changes in equality of opportunity based on the extent to which there are changes in the relative difference in outcomes for groups within the population. This approach reveals a mixed picture for Māori and Pacific peoples.
3. (The following) table sets out a summary of indicators across different outcome areas. It is based on a review of indicator trends for the total, Māori and Pacific populations by the Ministry of Social Development. In the time available, it has not been possible to include an analysis of indicator trends for a wider range of sub-groups. This will be expanded in the future. For example, the ethnic sector accounted for 10 percent of the population in 2001 and is projected to grow to 18 percent by 2021, and will account for even a bigger proportion of young people and those in the workforce. Any future work needs to assess outcomes for ethnic sector groups, and address the lack of quality information available. “

## Changes in reducing inequalities outcomes

Source: Ministry for Social Development report to Cabinet, June 2004

| <i>Outcome</i>  | <i>Outcomes for the total population</i>  | <i>Outcomes for Māori and Pacific populations</i>  |
|---|---|--|
| Better health and reduced inequalities in health  | For the whole population there have been improvements in outcomes related to life expectancy, infant mortality, avoidable mortality, smoking, and suicide rates. Indicators where the data show no improvement include motor vehicle deaths, workplace injuries, and ambulatory hospitalisations.   | Māori life expectancy has improved in absolute and relative terms in recent years. For smoking, Māori and Pacific peoples rates have shown no change whereas European rates have declined slightly. Road traffic deaths have shown improvement in both absolute and relative terms for Māori and Pacific peoples. Avoidable mortality has improved in absolute terms for Māori and Pacific peoples. Avoidable hospitalisations have worsened for Māori and Pacific peoples in absolute and relative terms.   |
| Positive parenting and a reduced incidence of abuse and neglect   | The overall incidence of children assessed as abused or neglected shows no clear trend.   | Measured abuse and neglect of Māori children has reduced in absolute and relative terms.   |
| High levels of participation in education and improved educational achievement  | Participation in early childhood and tertiary education has improved. Qualification rates of school leavers have recently declined slightly. There has been an increase in completions of tertiary qualifications below Bachelor's level but no change at Bachelor's level and above. Educational attainment of the adult population has improved for those with at least School Certificate and at Bachelor's level and above. | Participation in early childhood and tertiary education is increasing with Māori rates in tertiary now exceeding non-Māori rates. Age 10 mathematics achievement has improved in absolute terms for Māori. In line with the total population qualification rates of school leavers have recently declined slightly. There has been an absolute and relative increase in qualifications below Bachelor's level, however, tertiary qualification completions at Bachelor's level and above have worsened for Māori. The educational attainment of the adult population with at least School Certificate has improved for Māori and Pacific peoples at an absolute and relative level |
| Improved labour market participation, greater access to sustainable employment opportunities and reduced unemployment | Over the last five years there has been a significant reduction in unemployment.  | Over the last five years there has been a significant reduction in unemployment for Māori and Pacific peoples.   |

|  |  |  |
|--|--|--|
| Higher overall living standards and reduced poverty across the community | Median hourly earnings have increased over recent years. There has been a decline in the percentage of the population receiving a core benefit. Trends for other indicators of poverty are less clear, or time series data is not available. | Differences between Māori, Pacific peoples and European incomes have remained unchanged. Median hourly earnings have improved in absolute and relative terms for both Māori and Pacific peoples. |
| Affordable housing of an adequate standard                               | Household affordability is showing no sign of improvement although crowded households are declining.   | Over the long term Māori and Pacific peoples have done less well than Europeans in terms of household affordability but shown relative improvements for household crowding.                      |
| Reduced criminal victimisation and violence                              | Indicators are not conclusive in this area.  | Indicators are not conclusive in this area.  |
| Cultural and ethnic identities are valued                                | Indicators are not conclusive in this area.  | There are positive gains being made in the acquisition of Māori language.  |
| Greater social capital and reduced social isolation                      | Indicators are not conclusive in this area.  | Indicators are not conclusive in this area.  |

Clearly, there continue to be significant disparities between ethnic groups in New Zealand. There is therefore a continuing need for policy development to actively consider impact on disadvantage and where appropriate special measures to achieve equality, as provided for in the International Convention on the Elimination of All Forms of Racial Discrimination and in the New Zealand Bill of Rights Act 1990.

## 5.2 Statistics on civil, political, economic and social rights

### Background

In New Zealand, the government regularly collects and publishes a range of statistical data, including economic and social indicators, which provide information about different ethnic groups in New Zealand. Such information can be found, for example, in the Ministry of Social Development's Social Report, the New Zealand Census of Population and Dwellings (carried out five-yearly by Statistics New Zealand), and statistics collected by the Department of Labour, the Ministry of Education, Te Puni Kokiri and local authorities, amongst others. Many complaints bodies such as the Human Rights Commission, the Employment Relations Service, the Broadcasting Standards Authority and the Advertising Standards Authority also deal with complaints relating to 'race' issues.

An indicators framework or report that provides comprehensive information on human rights and race relations has not yet been developed. The tables that follow do not constitute an indicators report, or purport to measure the health of race relations in New Zealand or the extent to which different ethnic groups in New Zealand enjoy human rights. They are rather a point of reference for people wanting to investigate race relations issues further. Hopefully they will stimulate further debate on how we can develop appropriate indicators and collect appropriate data in order to measure progress towards racial equality, the realisation of human rights and harmonious race relations. There is still a lot of work which needs to be done in order to produce a report which is able to achieve this. Working through this process will also help identify where gaps in current data collection exist.

### Ethnic identity

In order to gather statistical information on various ethnic groups and to measure inequalities between ethnic groups, data must, of course, be disaggregated by ethnicity. The Human Rights Commission's report *Human Rights in New Zealand Today* noted that the definition of ethnicity, particularly for the purpose of the collection of ethnicity data in the five-yearly census by Statistics New Zealand, is a matter of continuing debate and review. One of the outcomes of Statistics New Zealand's *Review of the Measurement of Ethnicity* was that prioritisation of multiple ethnic responses to one group is discontinued as the standard output for ethnicity data in official statistics. The standard way of outputting ethnicity data is now either single/combination output or total response output.

### The difficulty in measuring race relations and human rights

*Human Rights in New Zealand Today* noted that there was no consistent framework for research, data collection and measurement to identify race relations issues and to enable the measurement of progress in achieving racial equality and harmonious relationships. The report also acknowledged the difficulty in developing indicators as a basis for reporting areas of compliance with human rights obligations, including the extent of discrimination – both extremely relevant when trying to gauge the health of race relations in New Zealand. Although a review of New Zealand's reports to international human rights treaty bodies over the last twenty years demonstrate that there has been some development of indicators as a basis for reporting areas of compliance, at present there is no clearly established framework for reporting across the range of human rights standards. *Human Rights in New Zealand Today* also identified the need for government agencies to gather, report and use human rights data that can be disaggregated in accordance with the reporting requirements under international human rights obligations, and that mechanisms need to

be developed for better collection and coordination of data on complaints of discrimination. Currently the extent of discrimination is difficult to gauge, as there is no complete national record of who complains, where they complain, and how they elect to deal with concerns about discrimination.

### **Data sources and limitations**

The following tables use predominantly central and local government sources of information, including in particular the *Social Report 2004*. The *Social Report* is a publication by the Ministry of Social Development on social wellbeing in New Zealand. The report is structured around ten distinct 'outcome domains' that together try and capture those aspects of life that are important for New Zealanders for quality of life and wellbeing. The outcome domains are as follows: health; knowledge and skills; paid work; economic standard of living; civil and political rights; cultural identity; leisure and recreation; physical environment; safety and social connectedness. Each outcome domain comprises a set of indicators that measure key trends. The report provides information on how social wellbeing is changing over time, how wellbeing in New Zealand compares with other OECD countries, and how different population sub-groups are faring – where possible, the report provides disaggregations by age, sex, ethnicity, socio-economic status and region.

Information drawn from the *Social Report 2004* has been recategorised in the following tables under 'civil and political rights' and 'economic, social and cultural rights'. Any technical information relating to definitions or formulae used, or limitations of data, is not listed in this report. The source of the information recorded should be referred to for any enquiries in this regard.

## CIVIL AND POLITICAL RIGHTS<sup>1</sup>

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Civil and political rights are generally embodied in the *International Covenant on Civil and Political Rights* and include the right to liberty and security of the person. The *Universal Declaration of Human Rights* also refers to the right to take part (directly or indirectly) in government and other rights in order to ensure that people are able to take part in public and political life. The International Convention on the Elimination of All Forms of Racial Discrimination specifically encourages respect for fundamental freedoms without distinction as to race.

*Human Rights in New Zealand Today* noted that the right to security of the person is relevant in a variety of contexts in which the State is required to keep its citizens safe, ranging from the threat of terrorism to domestic violence. The right to individual security includes how the State protects the physical integrity of its citizens from abuse by other citizens. Accordingly, 'safety' has been included in this section.

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| <b>Discrimination</b>  |   |
|--|---|
| <p><b>Perceived discrimination</b><br/>           Definition: The proportion of people aged 18 and over who perceived selected groups as being the target of some or a great deal of discrimination.</p> | <p>Proportion (%) of survey respondents who perceived selected groups as being subject to some, or a great deal of discrimination, December 2000-January 2004:</p> <p>In January 2004, 78% of respondents from the Human Rights Commission survey thought that Asian people were subject to a great deal or some discrimination. This was followed by recent immigrants (72%) and refugees (70%).</p> <p>Source: Human Rights Commission (2004) Omnibus Results, www.hrc.co.nz; cited in Ministry of Social Development, Social Report 2004</p>   |
| <b>Representation</b>  |   |
| <p><b>Composition of city councils and community boards</b></p>  | <p>The membership of councils in New Zealand is predominantly European/Pakeha, towards middle age and male. However since reform in 1989, the membership of councils has reflected greater ethnic and gender diversity with the median age gradually falling. The proportion of women in local government has stabilised at approximately 30%. Although this figure is high by international standards, and women candidates have a greater chance of being elected than males, women in general are less likely to be candidates, especially in rural councils. The proportion of elected members who identified as Māori has increased from under 2% in 1992 to nearly 6% in 1998, a figure that has remained relatively stable. Other ethnic groups make up less than 2% of elected members. Middle sized councils, such as Porirua, seem to be the most successful at achieving diverse representation.</p> <p>Source: Local Government New Zealand</p> |

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<sup>1</sup> Please note: these tables do not purport to measure progress towards the realisation of human rights.

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| <p><b>Composition of school boards of trustees</b></p>  | <p>The ethnicity of those elected onto boards of trustees in the 2004 elections as parent representatives by and large reflects the ethnicity of those standing for election as candidates. The percentage of those elected onto boards in 2004 identified as NZ European/Pakeha (76.1%) was slightly higher than the percentage standing for election (74.1%). Māori made up 17.6% of those elected as parent representatives and 18.8% of candidates, Pasifika people 3.8% of those elected and 5.0% of candidates, and people of Asian ethnicity accounted for 0.8% of elected representatives and 1.5% of candidates. The final 1.7% of elected parent representatives and 0.6% of candidates identified with another ethnicity (such as South American or African).</p> <p>The data show a decrease in the proportion of NZ European / Pakeha candidates, parent elected representatives and all trustees between 2001 and 2004, and a corresponding increase in the proportion of Māori candidates, parent elected representatives, and all trustees. The data also show a discernable increase in the proportion of Pasifika candidates, parent elected representatives and all trustees.</p> <p>Source: Ministry of Education <i>Boards of Trustees Elections Analysis 2004</i><br/> <a href="http://www.minedu.govt.nz">www.minedu.govt.nz</a></p> |
| <p><b>Composition of Parliament</b></p>   | <p>At the end of 2004 there were 120 Members of Parliament, of whom 95 were Pakeha, 19 Māori, 3 Pasifika and 3 Asian.</p> <p>Source: New Zealand Parliamentary Service, <a href="http://www.ps.parliament.govt.nz">www.ps.parliament.govt.nz</a></p>  |
| <p><b>Participation</b></p>   |   |
| <p><b>Community involvement in council decision-making</b></p> <p>Resident's rating of satisfaction with the way their council involves the public in the decisions it makes (2002)</p> | <p>There were large ethnic differences in terms of satisfaction. Pacific Islands (54%) and Asian/Indian (50%) respondents were more likely, compared to other ethnic groups (30%), to be satisfied or very satisfied with involvement in decision-making.</p> <p>European respondents were more likely to state that councils had their own agenda and did not listen to public opinion, compared with other ethnic groups. Māori respondents suggested the lack of information and publicity was a cause for dissatisfaction.</p> <p>Source: Eight Cities Quality of Life Survey 2002; cited in Quality of Life 2004 Report</p>  |
| <p>Resident's satisfaction of the extent of public influence on council decision-making (2002)</p>  | <p>Over two-thirds of respondents believed that voting in council elections provided residents with a chance to influence decisions about their community. Europeans were much more likely to disagree (23%) that voting influenced council decisions. Pacific Islands and Asian/Indian respondents were much more positive about the role of voting (with 79% and 72%) respectively.</p> <p>Source: Eight Cities Quality of Life Survey 2002; cited in Quality of Life 2004 Report</p>   |

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| <b>Imprisonment</b>  |   |
| <b>Prison inmates</b>  | <p>51% of prison inmates are Māori, 36% European, 10% are Pacific peoples, 2% Asian and 1% are of 'other' ethnicity.</p> <p>Source: Department of Corrections <i>Annual Report 2004</i> www.corrections.govt.nz</p>   |
| <b>Safety</b>  |   |
| <p><b>Child abuse and neglect</b></p> <p>Definition: The number of children assessed as abused (physically, emotionally, sexually) or neglected following a notification to the Department of Child, Youth and Family Services, as a proportion (per 1,000) of all children under 17 years of age.</p> | <p>Substantiated cases of child abuse or neglect, Māori and non-Māori ethnicity, year ended 30 June, 2003:</p> <p>In 2003, the rate of child abuse or neglect per 1,000 11.9 for Māori and 5.9 for non-Māori.</p> <p>Source: Ministry of Social Development, CYRAS, note: 2001 and 2002 rates have been revised; cited in Ministry of Social Development, Social Report 2004</p>  |
| <p><b>Criminal victimisation</b></p> <p>Definition: The proportion of the population aged 15 and over who have been the victims of one or more incidents of criminal offending as measured by the 2001 National Survey of Crime Victims.</p>   | <p>Criminal victimisation rate by major offence type and ethnicity 2000:</p> <p>In 2000, 41% of Māori respondents had experienced criminal victimization compared with 29% of Europeans, 28% of Pacific peoples and 26% of 'other' ethnicities.</p> <p>Source: Morris, A., Reilly J., Berry, S. and Ransom, R. (2003) <i>New Zealand National Survey of Crime Victims 2001</i>. Ministry of Justice: Wellington, Table 2.14; cited in Ministry of Social Development, Social Report 2004</p>  |
| <p><b>Perceptions of safety</b></p> <p>Definition: The proportion of the people who reported that they felt unsafe walking alone in their neighbourhood at night. People who said they did not walk alone at night were asked how they thought they would feel.</p>                                    | <p>Proportion of adults aged 15 and over who felt unsafe walking alone in their neighbourhood after dark by ethnicity, 2001:</p> <p>38% of Pacific people report feeling unsafe about walking alone in their neighbourhood after dark compared with 22% of Māori, 29% of European and 30% of the 'Other' ethnic group.</p> <p>Source: Morris, A., Reilly J., Berry, S. and Ransom, R. (2003) <i>New Zealand National Survey of Crime Victims 2001</i>. Ministry of Justice: Wellington; cited in Ministry of Social Development, Social Report 2004</p> |
| <p><b>Road Casualties</b></p> <p>Definition: The number of people killed or injured in motor vehicle crashes as a proportion (per 100,000) of the total population.</p>  | <p>Motor vehicle death rates by ethnicity:</p> <p>The age-standardised death rate for Māori in 1999 was 19 per 100,000 compared with 12 per 100,000 for the European/Other ethnic groups and 8 per 100,000 for Pacific peoples.</p> <p>Source: New Zealand Health Information Service, cited in Ministry of Health 2000, Table 1; unpublished data for 1998, 1999 from NZHIS; cited in Ministry of Social Development, Social Report 2004</p>   |



## ECONOMIC AND SOCIAL RIGHTS<sup>2</sup>

The International Covenant on Economic, Social and Cultural Rights is the primary international document which contains economic and social rights. Economic and social rights include:

- The right to the enjoyment of the highest attainable standard of physical and mental health.
- The right to education.
- The right to work.
- The right to an adequate standard of living.

| <b>Health</b>   |  |
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| <p><b>Health expectancy</b><br/>Definition: The number of years a person could expect to live in good health. The particular measure of health expectancy used here is the number of years a person could expect to live independently, ie without any functional limitation (disability) requiring the assistance of another person or complex assistive device. Hence it is also described as independent life expectancy at birth.</p> | <p>Independent life expectancy, Māori, non-Māori by sex:</p> <p>Revised estimates for 2001 indicate that a newborn Māori male had a partial (0-85 years) independent life expectancy of 58.0 years, compared to 65.2 years for a non-Māori male. A Māori female born in 2001 could expect to have a partial independent life expectancy of 59.0 years compared with 68.2 years for non-Māori females.</p> <p>Source: Ministry of Health, revised data, note: these Māori, non-Māori comparisons in independent life expectancy are based on estimates for the 0-85 year age group because of the small number of Māori over 85 years of age; cited in Ministry of Social Development, Social Report 2004</p> |
| <p><b>Life expectancy</b><br/>Definition: Life expectancy at birth indicates the total number of years a person could expect to live, based on the mortality rates of the population at each age in a given year.</p>   | <p>Life expectancy at birth, by ethnic group and sex:</p> <p>In 2000-2002, male life expectancy at birth was 77.2 years for non-Māori and 69.0 years for Māori. Female life expectancy at birth was 81.9 for non-Māori and 73.2 years for Māori.</p> <p>Source: Statistics New Zealand/Ministry of Health, note: figures for 1981-1996 have been adjusted for undercount, using Statistics New Zealand estimates for 1996; cited in Ministry of Social Development, Social Report 2004</p>   |
| <p><b>Suicide</b><br/>Definition: The number of suicide deaths per 100,000 population.</p>  | <p>Age-standardised suicide rates and number of suicide deaths, Māori and non-Māori:</p> <p>In 2001, the age-standardised rate of suicide death was 13.4 per 100,000 for Māori, compared to 11.2 for non-Māori. The suicide rate for Māori youth in 2001 was 28.0 per 100,000 compared with the non-Māori rate of 18.1 per 100,000. Because of small numbers, trends in Māori suicide rates should be treated with caution.</p> <p>Source: Ministry of Health, New Zealand Health Information Service, note: 2000 and 2001 figures are provisional. Age standardised to Segi's world population; cited in Ministry of Social Development, Social Report 2004</p>   |
| <p><b>Prevalence of cigarette</b></p>   | <p>Age standardised prevalence of smoking by sex and ethnicity,</p>  |

<sup>2</sup> Please note: these tables do not purport to measure progress towards the realisation of human rights.

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| <p><b>smoking</b></p> <p>Definition: The proportion of the population aged 15 and over who currently smoke cigarettes.</p>   | <p>2002:</p> <p>Māori women have the highest smoking prevalence (52%), followed by Māori men (39%). Among Pacific peoples, smoking is more prevalent among men (35%) than among women (29%). Among the European/Other ethnic group, smoking is more prevalent among men (23.8%) than among women (20.6%).</p> <p>Source: Ministry of Health (2003) <i>Tobacco Facts 2003</i>. Ministry of Health: Wellington, Table 1; cited in Ministry of Social Development, Social Report 2004</p>  |
| <p><b>Obesity</b></p> <p>Definition: The proportion of the population aged 15 and over who are obese. Obesity is defined as having a Body Mass Index (BMI) greater than 30 for New Zealand European / Other, or greater than 32 for Māori and Pacific people.<sup>3</sup> For the population under 15, the measure is the proportion of children aged 5-14 years whose BMI met an international definition of obesity in the 2002 National Children's Nutrition Survey.<sup>4</sup></p>  | <p>Proportion of the population aged 15+ who are obese, by sex &amp; ethnic group, 1997, and proportion of the population aged 5-14 who are obese, by sex &amp; ethnic group, 2002:</p> <p>Among adults in 1997, 28% of Māori females and 27% of Māori males were obese. For Pacific adults, the figures were 47% for females and 26% for males. This compares with 17% for European/Other females and 13% for European/Other males. Among children aged 5-14 in 2002, there was a similar pattern (Pacific children: 31% and 26% for females and males respectively; Māori children: 17%, 16%; European/Other: 6%, 5%).</p> <p>Source: Ministry of Health (1999) <i>NZ Food, NZ People: Key Results of the 1997 National Nutrition Survey</i>. Ministry of Health Wellington, p171; cited in Ministry of Social Development, Social Report 2004</p> <p>Source: Ministry of Health (1997) <i>National Nutrition Survey</i>. Ministry of Health: Wellington and Russell, D. and Wilson, N. (1991) <i>Life in New Zealand, Volume 1, Executive Overview</i>. University of Otago: Dunedin, note: rates are age-standardised using the WHO world population; cited in Ministry of Social Development, Social Report 2004</p> |
| <b>Knowledge &amp; Skills</b>  |   |
| <p><b>Participation in early childhood education</b></p> <p>Definition: The number of enrolments of children aged three and four years in early childhood centres or home-based education programmes as a proportion of all 3-and 4-year-olds. The measure includes all forms of organised and sustained centre and home-based programmes designed to foster learning and emotional and social development in children. The measure overestimates participation because children enrolled in more than one early childhood centre will be double-counted. Information from an alternative measure which avoids</p> | <p>Early childhood education attendance by Year One students, by ethnic group:</p> <p>The proportion of Year One students who had attended an early childhood education service as at 1 July 2003 was 93.5%. 97.4% of European students had attended compared with 88.4% of Māori, 83.4% of Pacific peoples, 92.4% of Asians and 88.9% of the 'Other' ethnic group.</p> <p>Source: Ministry of Education, note: these figures exclude cases for which attendance was unknown and differ from those published in The Social Report 2003; cited in Ministry of Social Development, Social Report 2004</p>   |

<sup>3</sup> The use of different cut points for ethnic groups is currently under review by the Ministry of Health.

<sup>4</sup> Cole, T.J., Bellizzi, M.C., Flegal, K.M., and Dietz, W.H. (2000) *British Medical Journal* May 6; 320 (7244): 1240.

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| <p>double counting, showing the proportion of Year One students who participated in early childhood education, is also included.</p>   |  |
| <p><b>School leavers with higher qualifications</b><br/> Definition: The proportion of secondary school leavers who leave school with Sixth Form Certificate in at least one subject, or with a higher qualification.</p>  | <p>Proportion (%) of school leavers with higher qualifications by ethnic group:</p> <p>In 2002, 39% of Māori school leavers and 54% of Pacific school leavers attained Sixth Form Certificate or a higher qualification. This compares with 68% of European students and 84% of Asian students. In 2001, 4% of Māori and Pacific school leavers gained an A or B Bursary or National Certificate at Level 3 or above, compared with 22% of European and 41% of Asian school leavers.</p> <p>Source: Ministry of Education, cited in Ministry of Social Development, Social Report 2004</p>   |
| <p><b>Educational attainment of the adult population</b><br/> Definition: The proportion of adults aged 25-64 years with educational attainment of at least upper secondary school level.</p>  | <p>Proportion (%) of population aged 25-64 with higher qualifications by ethnic group:</p> <p>In the year ended June 2003, 62% of Māori and 52% of Pacific adults aged 25-64 held upper secondary qualifications, compared to 78% of Europeans and 68% of the 'Other' ethnic group. Similarly, just 6% of Māori and 7% of Pacific adults held a tertiary qualification at bachelor's degree level or above, compared to 15% of Europeans and 32% of the 'Other' ethnic group.</p> <p>Source: Statistics New Zealand, Household Labour Force Survey, cited in Ministry of Social Development, Social Report 2004</p>  |
| <p><b>Adult literacy skills in English</b><br/> Definition: The proportion of the population aged 16-65 with literacy skills in English (defined as prose, document and quantitative skills at Level 3 or above), as measured in the 1996 Adult Literacy Survey (IALS). International Level 3 is a 'suitable minimum for coping with the demands of everyday life and work in a complex, advanced society. It denotes roughly the skill level required for successful secondary school completion and college entry'.<sup>5</sup> Prose literacy is the ability to understand and use information from texts including editorials, news stories, brochures and instruction materials. Document literacy is the ability to locate and use information</p> | <p>Proportion of adults aged 16-65 years with higher level literacy skills (Level 3 or above), 1996:</p> <p>Across all three domains of prose literacy, document literacy and quantitative literacy, over half of all Europeans had literacy skills at Level 3 or above. Pacific peoples consistently had the smallest proportions at this level (less than a third in each domain). Māori had a larger proportion than other non-European ethnic groups in prose literacy at Level 3 or above but a smaller proportion in the document and quantitative literacy domains.</p> <p>Source: Ministry of Education (2001) <i>More Than Words: The New Zealand Adult Literacy Strategy</i>. Ministry of Education: Wellington; cited in Ministry of Social Development, Social Report 2004</p> |

<sup>5</sup> Ministry of Education (2001) *More Than Words: The New Zealand Adult Literacy Strategy*. Ministry of Education: Wellington.

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| <p>contained in formats, including maps, tables and job application forms. Quantitative literacy is the ability to apply arithmetic operations to numbers embedded in printed materials, such as balancing a chequebook or completing an order form.</p>   |   |
| <p><b>Participation in tertiary education</b><br/> Definition: The proportion of the population aged 15 and over enrolled on 31 July in formal tertiary education leading to a recognised New Zealand qualification. Tertiary education providers include public institutions (universities, polytechnics, colleges of education, wananga), and private tertiary education providers receiving government funding or approval, or registered with the New Zealand Qualifications Authority. Qualifications range from certificates and diplomas to bachelor and post graduate degrees.</p> | <p>Tertiary participation rates (%) by age and sex, Māori, non-Māori, 2003:</p> <p>In 2003, 17.5% of Māori participated in tertiary education compared with 9.8% of non-Māori. Māori participation in tertiary education is higher than non-Māori participation among those under 18 and over 25, but considerably lower than non-Māori participation at the core tertiary education ages of 18-24 years.</p> <p>Source: Ministry of Education; Ministry of Social Development; cited in Ministry of Social Development, Social Report 2004</p> |
| <p><b>Paid Work</b></p>  |   |
| <p><b>Unemployment</b><br/> Definition: The official unemployment rate is the number of people aged 15 and over who are not employed and are actively seeking and available for paid work, expressed as a percentage of the total labour force. The labour force is designed as the population aged 15 and over who are either employed or unemployed (not employed but actively seeking and available for paid work).</p>   | <p>Unemployment rate by ethnic group in 2003:</p> <p>In 2003, the unemployment rate of Māori was 10.2% compared with 7.7% for Pacific peoples, 3.5% for people of European ethnicity and 7.2% for the 'Other' ethnic group category (which comprises predominantly people of Asian ethnicity and includes many recent migrants).</p> <p>Source: Statistics New Zealand, Household Labour Force Survey, note: average age for December years; cited in Ministry of Social Development, Social Report 2004</p>                                    |

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| <p><b>Employment</b><br/> Definition: The proportion of the population aged 15-64 years who are in paid employment for at least one hour per week.</p>   | <p>Employment rate by ethnic group, 2003:</p> <p>In 2003, the employment rate of the European only group was 77.5% compared with 61.7% for Māori and 59.9% for Pacific peoples. The employment rate for the 'Other' ethnic category has fallen from being the second highest in the late 1980s to the lowest since the mid-1990s, reflecting in part the difficulties experienced by some newer migrants integrating into the New Zealand labour market.</p> <p>Source: Statistics New Zealand, Household Labour Force Survey, note: based on population aged 15-64; cited in Ministry of Social Development, Social Report 2004</p> |
| <p><b>Average earnings from wage and salary jobs</b><br/> Definition: Average hourly earnings from all wages and salaries for employees earning income from wage and salary jobs, as measured by the New Zealand Income Survey.</p>  | <p>Māori in wage and salary jobs earned \$15.44 and hour on average in June 2003. This was less than European / Pakeha (\$18.44 an hour) and more than Pacific people (\$13.85 an hour). Wage and salary earners from other ethnic groups earned on average \$17.65 an hour.</p> <p>Source: Statistics New Zealand Income Supplement; cited in Ministry of Social Development, Social Report 2004</p>  |
| <p><b>Workplace injury claims</b><br/> Definition: The number of workplace accident insurance claims reported to the Accident Compensation Corporation per 1,000 full-time equivalent employees, excluding those employees who received accident and emergency treatment only.</p> | <p>New workplace injury claims, by ethnicity, 2002:</p> <p>Workplace injury claim rates for Māori in 2002 were 175 per 1,000 FTEs compared with 129 per 1,000 FTEs for Europeans, 125 per 1,000 FTEs for Pacific peoples and 103 per 1,000 FTEs for the 'Other' ethnic group.</p> <p>Source: Statistics new Zealand (2003) <i>Injury Statistics 2001/2002: Work-related injuries</i>. Statistics new Zealand: Wellington; cited in Ministry of Social Development, Social Report 2004</p>  |
| <p><b>Satisfaction with work / life balance</b><br/> Definition: The proportion of employed people who are 'satisfied' or 'very satisfied' with their work/life balance, as reported in the Social Wellbeing Survey 2004.<sup>6</sup></p>  | <p>Levels of satisfaction with work / life balance by ethnicity, 2004:</p> <p>65% of Pacific peoples reported they were either satisfied or very satisfied with their work / life balance compared with 63% of people of European ethnicity, 55% of Māori and 56% of Other ethnicities.</p> <p>Source: Ministry of Social Development (2004) <i>Social Wellbeing Survey</i>. <a href="http://www.socialreport.govt.nz">www.socialreport.govt.nz</a>; cited in Ministry of Social Development, Social Report 2004</p>   |

<sup>6</sup> The Ministry of Social Development Commissioned the Social Wellbeing Survey in early 2004 in order to be able to report on a number of the new indicators used in the Social Report 2004. The methodology, results and data from the survey are available at the Social Report website: [www.socialreport.msd.govt.nz](http://www.socialreport.msd.govt.nz).

| <b>Economic Standard of Living</b>   |   |
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| <p><b>Population with low incomes</b></p> <p>Definition: The proportion of the population in economic family units with equivalent income net of housing cost below three thresholds (low, medium, and high). The measures take account of incomes, housing costs and family size and are adjusted for inflation and taxes. The thresholds are 40%, 50%, and 60% of 1998 median equivalent net-of-housing-cost family incomes.</p> | <p>Proportion of population with net-of-housing-cost incomes below the 60% line (benchmarked to 1998 median)</p> <p>Sub-heading: Economic families (based on ethnicity):</p> <p>In 2000, 32.0% of economic families with any Māori adult lived with net-of-housing-cost incomes below the 60% line compared with 40.0% for economic families with any Pacific adult, 35.6% with any 'Other' ethnic group adult and 18.7% with any European / Pakeha adult.</p> <p>Source: Derived from Statistics New Zealand Household Economic Survey, by Ministry of Social Development; cited in Ministry of Social Development, Social Report 2004</p>   |
| <p><b>Population with low living standards</b></p> <p>Definition: The proportion of the population with a 'somewhat restricted', 'restricted', and 'very restricted' standard of living: Levels 1-3 of the Economic Living Standard Index.</p>   | <p>Proportion of population and economic families with lower living standards (ELSI Levels 1-3), 2000</p> <p>Sub-heading: Economic families (based on ethnicity):</p> <p>In 2000, 39% of economic families with any Māori members had lower living standards compared with 42% of economic families with any Pacific members, 15% with any European / Pakeha members and 22% with any 'Other' ethnic group members.</p> <p>Source: Krishnan, V., Jensen, J. and Ballantyne, S. (2002) <i>New Zealand Living Standards 2000</i> Centre for Social Research and Evaluation, Ministry of Social Development: Wellington; cited in Ministry of Social Development, Social Report 2004</p> |
| <p><b>Housing affordability</b></p> <p>Definition: The proportion of households and the proportion of people within households spending more than 30% of their income on housing.</p>  | <p>Proportion of households with housing cost outgoings-to-income ratio greater than 30%, by ethnic group:</p> <p>For households with at least one Māori adult, the proportion of housing costs in excess of 30% was 32% in 2001 and 43% for households with at least one Pacific adult.</p> <p>Source: Statistics New Zealand Household Economic Survey, Ministry of Social Development, note: the weightings of the records in the sample have been revised for all years since The Social Report 2001; cited in Ministry of Social Development, Social Report 2004</p>   |
| <p><b>Household crowding</b></p> <p>Definition: The proportion of the population living in crowded housing (ie requiring one or more additional bedrooms, as defined by the Canadian Crowding Index).</p>  | <p>Proportion of population living in households requiring additional bedrooms, by ethnic group, 2001:</p> <p>In 2001, a total of 43% of Pacific peoples lived in households requiring extra bedrooms compared with 25% of other ethnic groups, 23% of Māori, 20% of Asians and 5% of European New Zealanders.</p> <p>Source: Statistics New Zealand (1998) <i>New Zealand Now: Young New Zealanders</i>. Statistics New Zealand: Wellington; cited in Ministry of Social Development, Social Report 2004</p>   |

## 6. Racial Harassment, Abuse and Discrimination

Anecdotal evidence and newspaper reports continue to indicate that some ethnic groups suffer harassment and abuse in the streets and elsewhere, ranging from derogatory remarks to verbal and physical abuse. Among reported incidents in 2004 were:

- Asian students being attacked in Christchurch (*Christchurch Press*, 3 April).
- Skinheads taunting and attacking a group of Somali youth in Wellington (*Dominion Post*, 12 May).
- Security guards threatening groups of Māori youth with trespass notices in a Hamilton mall (*Waiakto Times*, 18 May).
- Attacks on migrants in Palmerston North by suspected National Front members (*Manawatu Standard*, 30 June).
- Desecration of Jewish graves in the Bolton Street and Makara cemeteries in Wellington and in Wanganui (July/August).
- Racist taunts against a Fijian Indian owner driver by staff at a rail depot in Hamilton (*Waiakto Times*, 7 August).
- Letters including pieces of pork sent to Muslim families in Wellington (September).
- An attack on three Asian students in New Plymouth and on the Māori community leader who sought to intervene (*Taranaki Daily News*, 1 October).
- An attack on Asian students at Mission Bay in Auckland (*East Bays Courier*, 6 October).

The emergence of a small National Front group in Christchurch and Wellington led to pro-harmony demonstrations by ethnic groups and other concerned citizens in Christchurch in May and Wellington in September. Police made an arrest in the case of the hate mail to Muslim families and the attack on Somali youth, but many other incidents were either not formally reported to the Police or investigations have been unsuccessful. The Police do not keep separate statistics relating to ethnicity for reported racial offences, treating them as complaints alongside others relating to offences under the Summary Offences and Crimes Acts.

### 6.1 Police Ethnic Strategy

During 2004 the Police consulted with ethnic communities on a strategy for working together with ethnic communities, to complement existing strategies for working with Māori – *Haere Whakamua: Moving Forward* and Pacific peoples, the *Police Pacific Peoples Responsiveness Strategy*. The strategy foresees improved relationships, increased ethnic recruitment, training for police and focused policing to deter offences of inciting racial disharmony and other race relations offences. Its desired outcomes are that police have the capability and capacity to engage with ethnic communities and that culturally appropriate strategies are implemented with ethnic communities that increase community safety, prevent and reduce crime, road trauma and victimisation. The strategy identifies the need to identify and understand ethnic related victimisation issues, and to improve Police knowledge and skills to deter violence motivated by racism, racial discrimination and related intolerance.

### 6.2 Holocaust Revisionist David Irving

There was considerable controversy over whether British holocaust revisionist David Irving should be allowed to enter New Zealand to address the National Press Club. The debate centered on issues of freedom of expression versus the widespread unacceptability of his views. In the event, the Immigration Service determined in August that he would not be allowed entry to New Zealand

on the technical grounds that he had been deported from another country, namely Canada, and he was prevented from boarding a flight to New Zealand in Los Angeles.

### **6.3 Inquiry into Hate Speech**

In August, the Government Administration Select Committee announced it would hold an inquiry into 'hate speech'. The terms of reference for the inquiry are to consider:

- Whether or not further legislation to prohibit or restrain hate speech is warranted.
- Whether censorship of material that vilifies certain groups would be a justified limitation on the rights and freedoms affirmed by the New Zealand Bill of Rights Act 1990.
- An appropriate threshold test for prohibition or restraint of hate speech.
- Whether any prohibition or restraint of hate speech or hateful expressions would be a justified limitation on the rights and freedoms outlined in the New Zealand Bill of Rights Act 1990.
- The steps taken by the international community to control hate speech and hateful expressions.

Submissions closed in October and hearings will be conducted in 2005.

### **6.4 Complaints about racial discrimination and related issues**

New Zealand ratified the International Convention on the Elimination of All Forms of Racial Discrimination in 1972. The Convention requires signatories to have an effective mechanism for addressing instances of racism and racial discrimination<sup>7</sup>. In New Zealand this obligation was dealt with by introducing the Race Relations Act 1971.

Under the Race Relations Act 1971 complaints of discrimination on the grounds of race, colour or ethnic or national origin were resolved through conciliation provided by the Office of the Race Relations Conciliator. When the Human Rights Commission Act 1977 was passed a number of changes were also made to the Race Relations Act 1971. These included making the Conciliator a member of the Human Rights Commission, which allowed him to take civil proceedings to the Equal Opportunities Tribunal.

In 1993 both Acts were replaced by a single Human Rights Act. Complaints about race continued to be administered by the Conciliator, but rather than conciliation the process for dealing with complaints now involved investigation followed by referral to an internal Complaints Division. The Complaints Division consisted of three Commissioners and the Race Relations Conciliator and formed an opinion on whether the complaints had substance. If the Complaints Division was of the opinion the matter had substance, an attempt was made to settle the complaint. If either party was dissatisfied with the outcome, they could take the matter to the Complaints Review Tribunal.

The Human Rights Amendment Act 2001 amalgamated the Race Relations Office and the Human Rights Commission and introduced the New Zealand Bill of Rights Act standard of compliance for the public sector. The role of Race Relations Conciliator ceased to exist and the position of Race Relations Commissioner was created. Complainants now have the right to take their complaint to the Human Rights Review Tribunal but almost without exception complainants choose to use the Commission's Dispute Resolution Service in an attempt to resolve their complaint. The Commission's Dispute Resolution Service provides an alternative disputes system similar to that provided by the Employment Relations Service. Options for resolving disputes include self-help,

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<sup>7</sup> Art.2 of ICERD also requires ratifying states to provide for special measures to ensure "the development and protection of certain racial groups or individuals belonging to them for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms".



provision of information, informal intervention and mediation. Settlement of disputes is usually confidential and restricted to those involved. When complaints cannot be resolved through the disputes process, complainants can take the matter to the Director of the Office of Human Rights Proceedings. The Director can consider the matter further in an attempt to settle it or decide whether to issue proceedings in the Human Rights Review Tribunal.

The Commission also provides an Infoline service, which acts as a sounding board and provides information for people concerned about matters relating to human rights. The inquiries generated through Infoline inform the Commission's education function and provide an indication of the level of public concern in particular areas. The issues that generated the most interest over this period included the debate over the foreshore and seabed, targeted programmes and comment by talkback hosts and controversial political figures.

During 2004 the Commission recorded 1,222 complaints relating to the 13 grounds of discrimination. 304 were classified as race complaints, i.e. attributable to race, colour or ethnic or national origin.<sup>8</sup> The Director of Human Rights Proceedings was asked to consider providing representation in 17 cases relating to race, of which four are still being assessed. Although no complaints were lodged by the Director with the Human Rights Review Tribunal during 2004, the Tribunal considered an application to strike out a complaint related to race initiated by a complainant: Bissett v Peters, concerning a pamphlet issued by the New Zealand First Party.

This data is not a complete record of discrimination over this period. There are a number of other agencies which have responsibility for dealing with complaints that overlap with the Commission's function. The most obvious is the Employment Relations Service which deals with employment matters, but the Tenancy Tribunal deals with complaints relating to accommodation, Youth Law with complaints from young people and the Ombudsman deals with some of the issues raised by prison inmates. There are also limitations in the Commission's own data. For example, it is not possible to obtain disaggregated data across complainants and complaint types as the information is either not provided or cannot be obtained, making it difficult to identify who are the main ethnic groups complaining and any patterns emerging. *Human Rights in New Zealand Today* identified the need for developing an evaluative framework for the available data that would allow a coherent national picture to be obtained. Hopefully, this report is a first step towards achieving that.

## Employment

Of the 304 complaints, 64 or 16 percent related to employment and pre-employment. The remainder were complaints about racial harassment. A number of these complaints were significant enough for the recipients to take industrial action, or in two cases, resign. At least one complainant gave victimisation as a reason for not continuing with his complaint. Although research<sup>9</sup> and evidence from Infoline suggests that new migrants and refugees experience difficulty in obtaining employment this is not reflected in the complaints data. There are a number of possibilities for why this is so, including that the review of the complaints coincided with a period of relatively low unemployment, the possibility of accessing other complaints mechanisms and, at least among refugees, lack of awareness of the mechanisms for complaining, language difficulties

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<sup>8</sup> Some complaints received by the Commission involve more than one ground of discrimination in the Human Rights Act and can create disparities in complaints figures.

<sup>9</sup> *Migrants' experiences – Longitudinal Survey* DOL (2000); *Employment Experiences of Sri Lankan Migrants in New Zealand* A Basayake (1999); P Spoonley *The Labour Market Incorporation of Immigrants in Post-Welfare New Zealand* (2003); *Human Rights in New Zealand Today*, Human Rights Commission (2004)

or because of a belief that lodging a complaint may affect their residency status or ability to sponsor family members<sup>10</sup>.

### **Racial harassment**

There were 60 complaints (15 percent) relating to racial harassment. Complaints of racial harassment can be difficult to sustain since the material or comment complained of must not only be hurtful or offensive but repeated, or of such significance, that it has a detrimental effect on the person it is directed at. Racial harassment in the workplace made up 37 percent of the complaints of racial harassment and was often unprovoked and related to stereotypes. One complaint resulted in a payment of \$12,000 as compensation for the humiliation suffered by the complainant.

### **Goods and Services**

There were 52 complaints (13 percent) involving the provision of goods and services. A number of complaints against business organisations were based on people's perception that they were treated in a discriminatory manner when purchasing goods or seeking a service. Most were resolved by low level intervention, bringing the parties together to demonstrate how their behaviour was perceived by the other. Two of the complaints were from people wearing moko who were refused admittance to a bar or restaurant. In one case the complainant was turned away because the publican considered that his tattoo would intimidate other customers.

### **Language related complaints**

There were 17 complaints (4.3 percent) involving language. These ranged from employers disciplining employees for using the greeting *kia ora* or preventing employees from speaking languages other than English, concern about the use of the words "pom" or Pakeha, to language difficulties experienced by new migrants. Two complaints related to the complainants' belief that although an official language, the use of Māori was not recognised in practice. For example, the refusal to honour a cheque written in Māori.

### **Accommodation**

There were six complaints (1.5 percent) concerning accommodation. This is unlikely to reflect the true extent of discrimination in this area. There is evidence that some vulnerable groups continue to suffer discrimination in accessing suitable accommodation.<sup>11</sup> Although it could not be substantiated, one of the complainants believed that her race and status as a single mother were held against her in obtaining accommodation. Two complaints related to Indian people being refused motel accommodation because the owners thought that they might cook curry in their room.

### **Education**

There were seven complaints (1.7 percent) about education facilities. Of the seven, two involved the suspension of Pacific Island students following fights in the playground between groups of students. In both cases, it was alleged that only the Pacific students were suspended while the Pakeha students were permitted to continue attending school. The complaints were discontinued

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<sup>10</sup> L Chile *The Imported Underclass: Poverty and Social Exclusion of Black African Refugees in Aotearoa New Zealand* (2002)

<sup>11</sup> *Human Rights in New Zealand Today*, 239; *Refugee Voices: A Journey towards Resettlement* (DOL) 122, *Racism & Rental Accommodation* Race Relations Office (1991); *No Longer Available: A Study of Racial Discrimination in Private Rental Accommodation* Race Relations Office (1986)

because of lack of corroboration. *Human Rights in New Zealand Today*<sup>12</sup> identified the need to redress the higher stand-down, suspension, exclusion and expulsion rates of Māori and Pacific students.

### **Disputes between individuals (neighbourhood harassment)**

There were 20 complaints (5 percent) relating to incidents of harassment by neighbours or passers by. Disputes such as this which involve taunts and racial invective can be difficult to deal with since the complaints usually don't fall within an area covered by the Human Rights Act 1993. If such complaints are particularly hurtful to the complainant, the matter is referred to a community constable.

### **Exciting racial disharmony**

There were 46 complaints (11 percent) relating to exciting racial disharmony. There are always a significant number of these complaints. During 2004 none were pursued through the formal complaints process although other options were suggested in some cases or alternatives made available to complainants. During this period, none of the complaints to the Broadcasting Standards Authority and the Advertising Standards Authority were upheld and only one was pursued by the Press Council.

The Human Rights Commission also made a submission to the Human Rights Review Tribunal on the relevant provision, section 61: Bissett v Peters. The case involved a pamphlet that had been distributed by New Zealand First which the complainant considered to breach section 61.

### **Special Measures**

There were nine complaints (2.8 percent) about special measures. A further 30 complaints related to a WINZ programme and were classified as falling within Part 1A. Most of the complaints related to the perception that Māori were unfairly privileged in the provision of services delivered by government agencies but as most of the programmes were designed to redress demonstrated inequalities, they could be justified as a reasonable limitation under s.5 of the New Zealand Bill of Rights Act 1990.

### **Stereotypes**

There were ten complaints (2.5 percent) about stereotypes. During the consultation for *Human Rights in New Zealand Today* the incidence of racism, racial discrimination and racial stereotyping was identified as a significant issue.<sup>13</sup> Among the complaints that could be attributed to negative stereotypic assumptions, those that stood out included the two complaints by Indian families refused accommodation because it was assumed that they would cook curry in their rooms; the Indian supermarket customers who were thought to be purchasing goods on special to "on sell" at corner dairies; a complaint by a young Muslim that he had been taunted at work about being a terrorist; and a Māori woman who was asked at an interview how much time she would take off work to attend tangi.

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<sup>12</sup> At 279

<sup>13</sup> At 334

## Part 1A complaints against public sector agencies

There were 83 complaints (21 percent) against public agencies. Of these, 30 related to a scheme in which a bonus for WINZ employees was calculated by allocating three points for placing Māori in work, two for placing Pacific people and one for Pakeha. Ten complaints involved allegations of mistreatment by the police which complainants believed could be attributed to their race or ethnicity. There were also four complaints by prison inmates, three of which were referred to the Department of Corrections because they involved issues relating to the administration of the prison, and one about the behaviour of individual police officers which was referred to the Police Complaints Authority.

There were seven complaints about the abatement of NZ superannuation as a result of the recipients' receipt of an overseas pension.<sup>14</sup> A small number of complaints related to the Foreshore and Seabed legislation although complainants were advised that their complaints would not succeed as the Bill had not been enacted.

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<sup>14</sup> This is an ongoing issue despite the inability of the Commission to pursue such matters as complaints: Tetley-Jones v Chief Executive of WINZ CIV 2004-485-1005

## Conclusion

*By Joris de Bres, Race Relations Commissioner*

When we look back over the past year, it is hard to look beyond the controversy surrounding the foreshore and seabed and aspects of the race relations debate. As this report notes, these issues will no doubt be revisited in the forthcoming general election, both in the Māori seats and in the general seats, alongside the issues of Māori economic and social development. Inherent in that debate will be the longstanding question of how the indigenous minority can best engage with a government that also has its eye on the concerns of the non-Māori majority, and how indigenous people's rights can best be protected and advanced in such a context.

In speaking of the forthcoming election, the President of the New Zealand Federation of Ethnic Councils recently said that when he gets up at 6.30 in the morning he always sees himself in the mirror. This year, he is going to get up three minutes earlier, before he is fully awake, so that he can see himself as he is, because when he looks in the mirror at 6.30 he expects to see a political football. We can only hope that all people's dignity and identity, their mana, will be respected in the election campaign.

As *Race Relations in 2004* demonstrates, there were many other significant developments, apart from the general debate on the foreshore and seabed and race relations, over the past year:

- The Human Rights Commission completed a year long research and consultation project with the publication of a landmark report on *Human Rights in New Zealand Today: Nga Tika Tangata O Te Motu*, which surveys New Zealand's performance in the fields of both human rights and race relations. It will be followed shortly by the release of a New Zealand Action Plan for Human Rights: *Mana ki te Tangata*.
- There were at least 14 books published on the Treaty and related issues, and there were many workshops and educational programmes on the Treaty.
- The Waitangi Tribunal issued reports on three major inquiries covering 90 claims: on Mohaka ki Ahuriri (Hawkes Bay), Te Raupatu o Tauranga Moana (Tauranga) and Turanga Tangata Turanga Whenua (Gisborne). The Tribunal also progressed six other major inquiries covering a further 200 claims, as well as reporting on urgent inquiries including the foreshore and seabed proposals.
- The Office of Treaty Settlements recognised four negotiating mandates, agreed on six terms of negotiation, signed two agreements in principle (Te Aupouri and Te Roroa) and two Deeds of Settlement (Te Arawa Lakes and Ngati Mutunga). Two settlement Bills (Ngati Awa and Ngati Tuwharetoa ki Kawerau) were introduced to Parliament.
- Parliament approved the Māori Fisheries Act and the Māori Commercial Aquaculture Claims Settlement Act.
- Māori Television went to air, addressing one of the outstanding issues arising from the Te Reo Māori claim in 1987.
- There were developments in terms of language policy, including a highly successful Māori Language Week, a new initiative to stem and reverse the flow of Pacific language loss in New

Zealand, increased funding for English for speakers of other languages, and an expanded Language Line telephone interpreter service.

- The Government provided significant funding for a New Zealand Settlement Strategy to assist new migrants to settle and integrate more successfully into New Zealand society.
- The Government agreed to revisit, review and renew the 1962 New Zealand Samoa Treaty of Friendship to address concerns raised in a petition to Parliament signed by 10,000 Samoans.
- There were developments in relation to national identity and cultural diversity, including the establishment of a Select Committee to undertake a stocktake on New Zealand's constitutional arrangements, the establishment of a Chinese Heritage Trust, and the building of the Fale Pasifika at Auckland University.
- Following the desecration of Jewish cemeteries in July and August, community leaders met at Parliament and adopted the New Zealand Diversity Action Programme.

*Race Relations in 2004* also provides an analysis of race-related complaints received by the Human Rights Commission, draws together some statistics relating to civil, political, social, economic and cultural rights for different ethnic groups in New Zealand, and a survey of race relations research conducted in 2004.

The past year has left us with many things we can be proud of, along with some darker moments of racial prejudice, discrimination and harassment, some serious unfinished business, and some longer term challenges. Among those challenges are:

- The need to affirm a sense of belonging or *turangawaewae* for all people in New Zealand through the development of an inclusive national identity that embraces our Māori, Pakeha, Pacific, Asian and many other community identities.
- The need to increase awareness that human rights and responsibilities are important for all New Zealanders as the essential foundation for our democracy and healthy community relationships.
- The continuing urgent need to address the barriers to the full enjoyment of civil, political, social, economic and cultural rights by Māori and Pacific peoples and some other ethnic groups.
- The need to revisit the question of a national languages policy covering the full range of language issues including te reo Māori, Pacific languages, community heritage languages, English for migrants, literacy, foreign languages and interpreter services.
- The need to continue public education and debate on the contemporary relevance of the Treaty of Waitangi, the nature of indigenous rights and our evolving national identity.
- The need for the media to reflect and promote the diversity of our peoples and to avoid stereotypical reporting.
- The need for greater coordination between the many organisations that contribute to the realisation of human rights and harmonious relationships, through such mechanisms as the New Zealand Diversity Action Programme, the Human Rights Commission's Framework for

Equal Employment Opportunities, the New Zealand Action Plan for Human Rights and national and local settlement strategies.

- The need for better coordination between different agencies dealing with race-related complaints to achieve consistent recording and reporting of complaints, and to increase public understanding of their rights and avenues for complaint.
- The need to develop objective outcomes, measures and consistent data for race relations and racial equality to inform policy development.
- The need for a more strategic and coordinated approach to research on race relations in New Zealand, and to connect the many researchers in this field.

Early in 2004, Dame Joan Metge delivered the second annual *Waitangi Rua Rau Tau* lecture organised by the F.I.R.S.T. Foundation in association with the New Zealand Māori Council, Radio New Zealand and Massey University. *Waitangi Rua Rau Tau* (the Waitangi Bicentenary) was launched by the New Zealand Māori Council in 2001 for Māori, individually and collectively, to set long-term goals, monitor, evaluate and respond to them. It is a commitment by the Māori Council to develop a programme to rebuild harmonious relationships between Māori and Pakeha, culminating in the bi-centennial of the nation in 2040.

Dame Joan chose the image of traditional Māori rope making, *te taura whiri* as a metaphor for nation-building in New Zealand. She identified three strands of rope that represented “firstly, the unique contribution of the Māori people; secondly, celebration of the ethnic diversity within our population; and thirdly, a sense of belonging to the land and each other, that is, a strong national identity”.

“Nation-building, like rope-making, involves skill, co-operation and continuous hard work. As a nation we are at last beginning to recognise the enrichment and strength that comes from weaving many diverse strands together.

But the task of creating a unique national identity is an on-going one. In working to forge a unique national identity, let us concentrate on achieving the inclusion of all our ethnic groups, large and small, celebrating our diversity instead of homogenising all that richness, and fostering positive interaction, gift exchange and cross fertilisation, instead of calls to or accusations of separatism and division.

At Waitangi on 6 February 1840, Colenso tells us, Lieutenant-Governor Hobson said to each rangatira who signed the Treaty: 'He iwi tahi tatou'. Presumably he was coached by somebody, probably Henry Williams. Colenso translated this into English as 'We are now one people'. In doing so, he overlooked three subtle points. First, the word 'iwi' means 'nation' as well as 'people'. Secondly, if Hobson meant 'one people' he should have said 'he iwi kotahi'; 'tahi' without the prefix 'ko' means 'together'. Thirdly, the last word, 'tatou', certainly means the first person plural, 'we/us', but it is a special form, one without an equivalent in English. Use of 'tatou' signals the fact that the 'we' in question comprises two or more distinct groups. This short sentence in Māori packs in a lot of meaning. A fuller English translation would be: 'We two peoples together make a nation.' 'He iwi tahi tatou' still has application in today's world, but now we can give it a wider interpretation: 'We many peoples together make a nation.’”

The challenge of the New Zealand Māori Council's *Waitangi Rua Rau Tau* initiative is to lift our vision to the bicentenary of the signing of the Treaty in 35 years time. In so doing, we can cast our minds back over the past 35 years, to 1970, and realise how much can and does change in such a time span.

In 1970, Māori and Pakeha were just beginning to come to terms with the Māori urban migration, which brought us face to face in a new environment. We were concerned about apartheid in South Africa, particularly sporting contacts. We were concerned about New Zealand's immigration policy discriminating against non-Europeans, and there were only very small numbers of Pacific Island and Asian New Zealanders. Māori language was not taught in our schools, there were no kohanga reo, kura kaupapa or wananga, and Māori was not an official language. There were no Māori radio stations or Māori television, and few Māori health and social service providers. There was no Waitangi Tribunal to consider Māori grievances. Māori had little say in resource management processes, and there was no Treaty of Waitangi Fisheries Commission. Few New Zealanders had heard of the Chinese New Year, Diwali, Matariki, or Ramadan. Waitangi Day was publicly marked only at Waitangi and it was not yet a public holiday. There was no such thing as Te Matatini, the national Māori performing arts festival, or Auckland's annual Pasifika Festival. There was no Te Papa to showcase our diversity, and no Waka Toi and Pacific Arts programme to foster the indigenous arts of New Zealand and the Pacific. The notion of assimilation of Māori to the predominant Pakeha culture was still a driving force in politics. There was no mechanism for complaints about discrimination, with the Office of the Race Relations Conciliator not being established until 1972.

It can reasonably be assumed that New Zealand will again be a very different place 35 years from now. The demographic change is already evident in our schools. The multicultural school children of today will be the nation's leaders in 2040. What we all do over the next decade will determine just what sort of nation they will have inherited when we mark the bicentenary of the signing of the Treaty in 2040.

The race relations strategy in the New Zealand Action Plan for Human rights is a pointer in that direction. *Human Rights in New Zealand Today* provide a baseline and a starting point against which to measure our progress. *Race Relations in 2004* will also hopefully serve as a starting point for a discussion on how to effectively measure harmonious race relations, the realisation of human rights and racial equality in New Zealand. It is my hope that all New Zealand organisations and individual New Zealanders of all ethnicities will respond to the Māori Council's challenge and start to think now about what sort of nation we want New Zealand to be 200 years after the signing of the Treaty, and then to measure our present actions in the light of that vision of the future.



## **A Survey of Selected Race Relations Research in New Zealand in 2004**

*Compiled by Leonie Moxon, Centre for Applied Cross-cultural Research, Victoria University of Wellington, as part of the Centre's contribution to the New Zealand Diversity Action Programme.*

The following material was compiled on the basis of enquiries sent to New Zealand researchers and the search of electronic databases. It is by no means an exhaustive list; but it does provide a general overview of some of the current issues being studied and the broad categories that can be distinguished. A list of projects and their descriptions are presented, followed by outputs – including research papers, conference items, book chapters and theses.

### **1. PROJECTS**

Various projects have been conducted in 2004, some of which are ongoing. Summarised selections of the types of projects initiated are as follows:

#### ***Race Relations Conciliators Oral History Project.***

An oral history of the Race Relations Office, conducted by the Ministry for Culture and Heritage, was deposited at the Alexander Turnbull Library in October 2004. It covers the period 1972 to 2001, and has seven interviews with former Race Relations Conciliators and key staff about important cases they handled, the focus of their term, and the day-to-day running of the Office. Interviewees are: Ken Mason, Pita Sharples, Hiwi Tauroa, Walter Hirsch, Chris Laidlaw, John Clarke and Rajen Prasad.

#### ***Statistics***

Statistics New Zealand has an ongoing programme of statistical research. In 2004 they produced a report on language retention, *Concerning Language*, and a *Report on the Review of the Measurement of Ethnicity*.

#### ***Strangers in Town: Enhancing Family and Community in a More Diverse New Zealand Society (2002-2008).***

A six-year research programme to assess new ways of understanding how people from diverse backgrounds moving into new communities can enhance their well-being and social life within those communities.

Objectives of the research are identified:

1. Building knowledge on family and community dimensions of mobility.
2. Applying knowledge on family and community dimensions of mobility.

The first two years of the research focused on the Somali community in Hamilton. Subsequent research includes a series of studies on Māori migration, immigrants in rural regions and general studies of discrimination against new immigrants.

Relevant outputs relating to this research will be covered in the next section.

Contacts: The programme Leader is Professor Richard Bedford, with Dr Elsie Ho and Associate Professor Bernard Guerin as the two objective Leaders.

#### ***AUT Pacific Islands Families Research Team***

The first comprehensive longitudinal study of Pacific Island families, commenced in December 2000. The aim is to provide information to set targets for health as well as the cultural, economic, environmental and psychosocial factors associated with positive and negative family functioning.

Contacts: Project lead by Dr Janis Paterson and Dr Teuila Percival.

#### ***New Demographic Directions Programme (1996-2004)***

This extended project looks at New Zealand's recent demographic and socio-economic transformations between 1998 and 2002. From this, the research team is building a new programme of research on New Zealand's population future. Aspects of international migration to and from New Zealand were explored in the last twelve months. This includes: globalisation, policy responses to skills shortages, return migrant behaviour of New Zealanders and migrant behaviour of families from northeast Asia and Africa.

Contacts: Professor Ian Pool, Dr Dharmalingam and Professor Richard Bedford.

## **Projects relating to indigenous issues:**

The Race Relations and Cultural Relations Group at Massey University look at discursive constructions of 'race' issues in Aotearoa. The race and cultural relations group collaborates with trans-Tasman and international researchers bringing attention to the impact of everyday language use on cultural identity. Recent research outputs can be found under the 'Indigenous Rights' section.

Contacts: Dr Keith Tuffin and Dr Karen Frewin.

## **Refugees and new migrant projects:**

### ***Migrants' Experiences of New Zealand: Pilot Survey report for Longitudinal Immigration Survey: New Zealand (LisNZ)***

This report presents findings for the LisNZ pilot study, conducted through the Department of Labour. The main survey will interview migrants in NZ at 6 months after arrival, 18 months and 26 months.

Contacts: Stephen Dunstan, Sharon Boyd and Sarah Crichton.

### ***Interventions for refugee children in New Zealand schools: models, methods, and best practice***

This review examines the literature on refugee trauma, loss and grief and second language concerns among other issues and discusses a range of best practice in working with refugee children within the school system.

Contacts: Richard J. Hamilton, Angelika Anderson, Kaaren Frater-Mathieson, Shawn Lowen, and Dennis W. Moore (Research Centre for Interventions in teaching and learning (RCITL), University of Auckland).

## **Refugee Voices**

Longitudinal project carried out by the Department of Labour consisting of interviews with 398 recently arrived and established refugees. The report highlights important issues for refugees.

Contacts: Labour Department researchers, Stephen Dunstan, Roz Dibley and Phillipa Shorland.

## **Education projects:**

### ***Pacific Peoples and Tertiary Education: Issues of Participation***

This research focused on participation patterns of Pacific students in tertiary education and barriers to their participation. The Ministry of Education carried out the project.

### ***Picking up the Pace***

This Ministry of Education project concerns strengthening education in literacy in decile 1 schools in Mangere and Otara. The purpose is to raise achievement significantly in these two communities.

### ***Aspirations of Rurally Disadvantaged Māori Youth for their Transition from Secondary School to Further Education or Training and Work***

This research looks at the aspirations of rural Māori youth in terms of their further education or training. The research was conducted within four schools in the northern Waikato region and is a project initiated out of the Department of Labour. Contact: Sally Steedman.

### ***Review and Evaluation of International Literature on Managing Cultural Diversity in the Classroom***

This project comprised a review of the international literature on cultural difference in teaching, learning and intercultural communication in the multicultural classroom. The purpose of the project was in formulating guidelines for managing cultural diversity in the classroom. Contacts: Dr Elsie Ho, Dr Prue Holmes and Jenine Cooper.

## **Projects relating to International Students**

### ***Intercultural Contact Action Research Project***

This project tests the 'contact' hypothesis and whether cross-cultural relations are improved when contact is fostered between New Zealand born students and international students. It also aims to practically help Asian international students' to adapt to New Zealand through this increased contact. Throughout the different phases of this research various methods were used to practically apply psychological theories with the intention to provide valuable knowledge for all academic administrators. Contacts: Dr James Liu and Xiaorong Gao

### ***Development of the Peer Support Programme and Associated Activities to Meet the Needs of International Students in Schools***

Auckland University carried out a research study in July 2004 regarding the development and evaluation of peer group-based resources to meet the pastoral needs of international students. This was conducted in selected New Zealand Secondary Schools. This research was prepared by the Pastoral Care for Overseas-Born Students Research Project Team in the School of Education. Contact: Dr Hans Everts .

### ***Interactions with International Students (2004-2005)***

This study examines how local communities, including businesses interact with or perceive international students. Focus groups will also be conducted to elicit stories and experiences from staff relating to teaching international students. The purpose of this research is to come up with a set of guidelines to help with cross-cultural interactions and how to integrate international students into local communities. Contacts: Dr Elsie Ho of Waikato University along with Dr Prue Homes from the Department of Management Communication and Jenine Cooper from the Migration Research Group.

### ***Perceptions of International Students***

The project examines attitudes toward and interactions with international students via surveys of New Zealand students in secondary and tertiary institutions and teachers in secondary and tertiary institutions and language schools. It also includes a national telephone survey to tap attitudes on the general public. The project is funded by the export education levy. Contact: Professor Colleen Ward, Email: Colleen.Ward@vuw.ac.nz

### ***Projects relating to the work environment***

#### ***Chinese Leadership Styles in New Zealand***

This is a project that investigates to what extent leadership styles common in Chinese business environments are found in New Zealand organisations and how employees react to these leadership styles. Contact: Dr Ron Fischer.

#### ***Perceptions of Minority Job Applicants***

This study investigated how European New Zealand students rate CV's of Māori, Chinese and European New Zealand job applicants varying along different skill, competency and need levels. It is found that Māori are preferred over European New Zealanders and Chinese applicants, if they are highly competent and equal to other job applicants. The knowledge of Māori is seen as particularly crucial for hiring decisions. Contact: Dr Ron Fischer.

## **2. RESEARCH OUTPUTS – ARTICLES, CONFERENCES AND BOOK CHAPTERS**

### **Racial Discrimination**

- Butcher, A., Spoonley, P., & Trlin, A. (2004). Settling and being accepted: immigrant perceptions and discrimination in New Zealand. Paper presented at "New Directions: New Settler: Responding to contemporary Migration Challenges", 19-21 April, Victoria University of Wellington.
- De Souza, R (2004). A panel discussion: Discrimination. Presented at the First National Refugee Research Symposium, 1 October, Auckland. (National Institute for Public Health and Mental Health Research Division of Public Health and Psychosocial Studies Faculty of health – Auckland University of Technology).
- Guerin, B., (assisted by: Diiriye, R. O., Donnel, A., P., Guerin, P., Veelenturf, S., Wood, E. (2004). Conceptual research on re-thinking 'racism', with the goals of making interventions more specific to different forms of racism and discrimination. Waikato University.
- Guerin, B (2004). Combating racially discriminating practices without assuming racists or racism: New interventions from a situational analysis. Paper under review by journal.
- Guerin, B (2004) Discrimination: Refugees and residents. Paper presented at the 1<sup>st</sup> New Zealand Refugee Research Conference, Auckland, September, 2004.
- Guerin, B (2004) Strangers in Town: Listening to both sides of discrimination. Paper given at the "New Directions: New Settlers: New Challenges" end-users meeting, Wellington, April.
- Guerin, B (2004). Sampling community discourses as a method for assessing 'public opinion'. Language and Society Conference, Palmerston North, September.
- Guerin, B., Guerin, P. B., Diiriye, R. O., & Abdi, A. (2004). Living in a close community: The everyday life of Somali refugees. *Network: Journal of the Australian College of Community Psychologists*, 16, 7-17.

- Ward, C., & Masgoret, A.-M. (2004, August). Discrimination against immigrants seeking employment: Fact or fiction? New Zealand Psychological Society, Wellington.
- Ward, C., & Masgoret, A.-M. (April, 2004). New Zealanders' attitudes toward immigrants and immigration. New Directions, New Settlers, New Challenges: Foundation for Research, Science, & Technology's End-users' Seminar on Migration, Wellington, New Zealand.
- Wood, E. (2004). PhD thesis research on the ethnic and racist aspects of the 'bullying' phenomena. Waikato University.

### **International Students**

*Judging from the large response from researchers regarding their work on international students and cultural diversity within the classroom, this appears to be an area of considerable current interest.*

- Baker, T., Isaac, M., Li, M., Marshall, K., (2004). Learning Expectations of different ethnic groups: An exploration. Better Business through Education. The New Zealand Applied Business Education Conference, 28-30 September, 2004, Te Papa, Wellington.
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## **Appendix 2**

### **POSITIVE CONTRIBUTIONS TO RACE RELATIONS IN 2004**

The Human Rights Commission continued its practice, introduced in 2003, of acknowledging positive contributions to race relations by organisations and individuals. It is often tempting to focus on negative statistics and events, and it is important to acknowledge that there are numerous individuals and organisations who are working in a wide variety of ways towards the realisation of human rights and harmonious relationships between our diverse people. Those listed represent only a small proportion, but the reasons for their recognition portray the variety of initiatives and contributions that help to underpin New Zealand's race relations away from the polarisations of public debate. The Commission publicises the awards through an electronic newsletter, *On the Bright Side*, which goes to several thousand people. It is a means of recognising positive contributions and sharing ideas and best practice.

In 2004, the Commission issued 113 certificates of acknowledgment. Recipients included individuals, community groups, churches, media, local and central government agencies, schools, media and private businesses. A summary of the acknowledgments is reproduced below. More detailed information on the awards is available on the Commission's website at [www.hrc.co.nz](http://www.hrc.co.nz).

#### **January 2004**

Consulate of Ireland, for the New Zealand Irish Directory website

Porirua College, for the introduction of a comprehensive Māori and Pasifika languages programme for year 9-10 students and beyond

Waiuku and Districts Post, for its *Panui* page which provides news in te reo Māori for its readers.

Outward Bound Trust of New Zealand, for organising a special 21 day 'Southern Cross' course at Anakiwa for a multi-ethnic group of young New Zealanders

#### **February 2004**

Michael King, for *The Penguin History of New Zealand*

Mason Durie, for *Nga Kahui Pou: Launching Māori Futures*

Tom Newnham, for *Interesting Times, A Kiwi Chronicle*

Ministry of Foreign Affairs and Trade, for the NZ Handbook on *International Human Rights*

Progressive Enterprises Ltd, for the *Celebrate New Zealand* promotion

Telstra Clear Ltd, for taking prompt and responsible action to counter racism on the internet

Mahinarangi Tocker and Friends, for the *Mongrel in Me* concert at the Taupo Arts Festival

South Taranaki District Council, for '*Paepae in the Park*' on Waitangi Day 2004

Asia 2000 and the Auckland City Council, for the 2004 Auckland Chinese Lantern Festival

NZ Federation of Ethnic Councils, for the organisation of a national programme of multi-ethnic festivals for Race Relations Day, March 21

Asia Film Festival Aotearoa Trust, for the inaugural Asia Film Festival Aotearoa, 20-29 February at SKYCITY Theatre, Auckland

#### **March 2004**

Māori Television, for the launch of New Zealand's first national indigenous television channel – Sunday 28 March 2004

The NZ Herald, for balanced reporting of the 'Race Debate'

St Joseph's Catholic School, Dunedin, for a great Race Relations Day banner at a Race Relations Day event in the Dunedin Town Hall

Room 9, Ilam Primary School, Christchurch, for learning Māori greetings and introductions

Jean Voon, Auckland, for the design of the 2004 Race Relations Day poster, Take a Walk in Someone Else's Shoes

Auckland Regional Migrant Resource Centre, for a successful first year of operations

Mere Lomaloma Elliott, for the Pasifika Festival 2004

J Oliver Lee and Associates, Auckland, for the annual St Patrick's Day Ireland publication

The Korean Society of NZ, for the Korea Day Festival, Glenfield, Auckland, 6 March 2004

Ghanaian Association of NZ, for the Ghana National Day Festival, Auckland, March 2004

Carla van Zon, for the NZ International Festival of the Arts, Wellington 2004

Japan Association of Auckland, for the Japan Day festival at the ASB Stadium, Kohimarama, Auckland in November 2003

#### **April 2004**

Oceania Media Ltd, for the first issue of *Spasifik*, a new bimonthly magazine about Pasifika people and issues

Tu Mai Media Plus Ltd, for five years of successful publication of Tu Mai magazine

Mana Productions Ltd, for the publication for over a decade of a quality bimonthly Māori magazine accessible to all New Zealanders

Stratford District Council, for their Race Relations Day Programme, March 2004

Hedi Moani Charitable Trust and the NZ Baha'i Community, for the Hedi Moani Memorial Secondary Schools Speech Awards in association with Race Relations Day 2004

Logan Park High School, Dunedin, for the Race Relations Day Assembly, March 2004

Circolo Italiano, Wellington, for the Wellington Italian Festival, 28 March 2004

The Auckland Somali and Afghani Communities and the Umma Trust, for organising a forum on working with Muslim communities, 14-15 April 2004

Paekakariki Informed Community Inc, for producing a lively monthly community newspaper, including the use of te reo Māori

Human Rights Network Aotearoa Trust, for the weekly *HRN bulletin* and website providing current information on human rights and race relations activities and resources

#### **May 2004**

Tana Umaga, for being named Captain of the New Zealand All Blacks

Paul Rishworth, for organising the Equality Symposium, Auckland, May 26, 2004

Pat Snedden, for a thoughtful Pakeha contribution to the race relations debate

Maidstone Intermediate School, Upper Hutt, for 'The Story of Ghandi' at the regional inter-school Stage Challenge, Wellington



Tourism NZ, for the launch of the 'Rough Guide to Māori New Zealand'

NZ Federation of Business and Professional Women Inc (BPW NZ), For follow-up to the 'World of Peace' conference

Shanti Niwas Charitable Trust, Auckland, for the ethnic food and cultural festival, 1 May 2004

Year 10 Economics Students, St Thomas of Canterbury College, Christchurch, for the 'Can Racism' economics project

Government Administration Select Committee, for the inclusive process used to consider the petition for the repeal of the Citizenship (Western Samoa) Act

Huia (NZ) Ltd, Wellington, for publication and communication services, that promote and share Māori language, culture, achievement and ideas in NZ and aboard

#### **June 2004**

Bruce Holm, Four Square Supermarket, Tokomaru Bay, for introducing bi-lingual supermarket signage

Daphne Bell, Hamilton, for contributing to greater understanding of New Zealander's new migrant communities

Moe Milne, Matawaia, Northland, For the Matariki celebrations. Healing the Spirit, in the Kaikohe region

David Slack, Auckland, for *Bullshit, Backlash and Bleeding Hearts, a Confused Person's Guide to the Great Race Row*

Wellington Conservancy, Department of Conservation, for the Conservation Week exhibition 'Global Eye – Worldwide Perspectives of Conservation and the Environment'

The Rotary Club of Lincoln, Canterbury, for the Inaugural Lincoln Multicultural Festival

The Dominion Post, Wellington, for *Ethnicity: Celebrating Wellington's Cultural Diversity*

Pacific Business Trust, on the opening of the new Pacific Business Centre, Otahuhu Auckland 18 June 2004

#### **July 2004**

Ranui Action Project, West Auckland, for the *Ranui World Refugee Day Celebration*, 3 July 2004

Mandeep Kaur, Manurewa, for graduating as the first Indian woman Police Officer in New Zealand

Pataka Museum and Art Gallery, Porirua, for celebrating and promoting the cultural diversity of Porirua City and New Zealand

Jackie Slater, University of Canterbury, for the 2004 *Celebration of Cultural Diversity*, Ilam Residential Village

Lake Waikaremoana Hapu Restoration Trust, for the Lake Waikaremoana Kiwi conservation project, in partnership with the Department of Conservation

Tautai Contemporary Pacific Arts Trust, for fostering Pacific artists in Aotearoa

Carol Archie, Auckland, For a longstanding significant contribution to Māori news

Mrs An de Bijl Nachenius, Netherlands Ambassador, for fostering public awareness of Dutch New Zealanders and NZ connections with the Netherlands

Royal Thai Embassy, for the *Festival of Thailand*, June 2004

#### **August 2004**

James and Helen McNeish, for calling for a way forward for racial harmony

Cultural Awareness Trust, for the *Date Palm Film Festival*

Beatrice Faumuina, for being selected to carry the NZ flag at the Olympic Games opening ceremony

John Psathas, for composing and arranging the music for the Olympic Games

Ani Waaka, for leading the team that brought Māori Television to air

Ans Westra, for a lifetime of showing us to ourselves

Te Runanga o Turanganui-a-Kiwa, for the monthly publication and distribution of *Pipiwaharuroa*

Auckland's Tamil Youth, for contributing to the *Voice of Tamil Youth*

Toi Māori Aotearoa and the Wellington City Council, for signing a Memorandum of Understanding to promote Māori art in Wellington and beyond

McCullochs Accountants and Business Advisors, Gisborne, for supporting Māori Language Week 2004

i-Ball Media Works Ltd, Christchurch, for publishing a bi-lingual community newspaper to 'bridge the cultures' in Christchurch

Hagley Community College, Te Puna Wai o Waipapa, Christchurch, for celebrating cultural diversity with International Day, August 24, 2004

AUT Muslim Students Association and Auckland University Islamic Society (AUIS), for organising events for National Islamic Awareness Week

Waitakere Library and Information Services, for the publication of the New Settlers' Guide 2004

#### **September 2004**

Alistair Kwun, Auckland, for the *Eastern Translation* exhibition

Organising Committee: Wellington Fiji Day Celebration, for organising the Save the Children Fun Day, 9 October 2004

Marcia Stenson, Auckland, for *The Treaty: Every New Zealander's Guide to the Treaty of Waitangi*

Paul Atkins, Wellington, for promoting cultural, educational and scientific exchange between the UK and NZ

Andrew Beddow and Claire Hoey, Wellington, for Giving it a Go to korero Māori

Television New Zealand, for screening the *New Faces Old Fears* documentary

Sonja Rathgen, Wellington, for overseeing the establishment of the Office of Ethnic Affairs

Immigration Service, Department of Labour, for *Refugee Voices*, the report of the Refugee Resettlement Research Project

AUT Pacific Islands Families Research Team, for the Pacific Island Families Longitudinal Study

EEO Trust and the Department of Labour, for the publication of *People Power: Successful Diversity at Work*

Tapa Charitable Trust, Auckland, for promoting youth employment, conservation and cross-cultural communication

#### **October 2004**

Alan Harrison, BP Moerewa, for establishing the first bilingual petrol station in NZ

Works Infrastructure Ltd, on the opening of their new Auckland plant with appropriate Māori ceremonial

Megan Hutchings, Ministry for Culture and Heritage, for *the Office of the Race Relations Conciliator: An Oral History*

East Auckland Churches, for making refugees welcome on the World Day of Prayer for Peace

Penny Jorgensen, Auckland, for a pivotal contribution to the establishment of the Auckland Regional Migrant Resource Centre

Paul Spoonley and Andrew Trlin, for *Immigration, Immigrants and the Media: Making Sense of Multicultural New Zealand*

Auckland University Centre for Pacific Studies, for the completion of the Fale Pasifika at Auckland University

Judy Bailey, Television New Zealand, for introducing Māori greetings on the television news

Elena, for the cultural symphony

Angan publications, Auckland, for the launch of *The Global Indian*.

UtopiaNZ Media Ltd, for the launch of Merge, a new multicultural lifestyle magazine

#### **November 2004**

MC Dasha and the HK Crew, for *Meri Kirihimete*, the first Christmas Album in Te Reo Māori

Auckland Theatre Company, for *A Christmas Carol*, November-December 2004

NZ Netherlands Society, for the *St Nicholas Day* Festival, Auckland, December 2004

Asian Students Association and UNITEC Students Association, Auckland, for the 'Goodbye Racism' Unitec Culture Unity Day

Wellington District, NZ Police, for a commitment to strengthening relationships with Wellington's ethnic communities

Korean Cinerama Trust, for the inaugural Korean Film Festival, October 2004

Auckland Trade Training Academy, for providing '*pathways to construction*' for refugee youth

Te Runanga a Iwi o Nga Puhi, for the planned Ngapuhi Festival 2005

Asia NZ Film Foundation Trust, for the Short Film Making Workshop

Wellington Jewish Community, for the 'What it Means to be Jewish Forum' October

Claudia Orange, for *An Illustrated History of the Treaty of Waitangi*