**New Zealand’s First Intervention**

(20 minutes –2600 words, after approx. 1 hour of country statements.10.35 am)

Thank you, Mr President, and thank you to member states for your questions and recommendations.

In this intervention, I will cover three themes in detail. They are

1. the criminal justice system,
2. family and sexual violence, and
3. indigenous rights.

**(if applicable):**

First, however, let me respond to some of the remarks made by member states and some questions provided in advance of this Review.

**Note: Refer to additional speaking notes as discussed at the planning meeting or which officials will pass you during the UPR session**

1. **Criminal justice system**

In my opening remarks, I gave an overview of the Government’s refreshed focus on criminal justice to protect victims and make New Zealand safer. I will now talk about some of those challenges in more detail, starting with the prison population.

Prison population

* As I mentioned, the Government is focused on policies intended to reduce crime and on ensuring that there is sufficient prison capacity when we need it. It has rescinded the previous government’s target of reducing the prison population by 30% irrespective of the level of crime in the community.
* We acknowledge that the remand (or pre-trial) prison population is increasing and that is concerning. Reasons for this include fewer defendants being granted bail by the courts, and longer wait times for a trial. New Zealand is implementing a cross-agency plan to improve timeliness in the courts.
* At the same time, New Zealand will strengthen remand prisoner rehabilitation by extending rehabilitation programmes to those prisoners who are on remand.
* To drive down reoffending, significant work is underway to strengthen rehabilitation and reintegration. In the 2022/23 financial year, funding for these services increased by over 24 million dollars. This funding aims to reduce reoffending rates by focusing on the wellbeing of prisoners and their families through culturally appropriate and family-centred interventions.

Māori overrepresentation

***Germany*** *and the* ***United Kingdom*** *asked questions about Māori in the criminal justice system.*

* The Government acknowledges that Māori continue to be disproportionately overrepresented at all stages in the criminal justice process. Māori make up about 17% of the New Zealand general population yet are 52% of the prison population.
* The causes of this disparity are complex and highly debated. They include a variety of historical and contemporary factors.
* The New Zealand Government has an interest in maintaining the rule of law and public safety, and a responsibility to reduce Māori overrepresentation in the criminal justice system.  Māori, alongside all New Zealanders, have a shared interest in the rehabilitation of offenders and reintegration into communities.
* All criminal justice sector agencies and the courts are taking significant steps to address and mitigate this overrepresentation:
* New Zealand Police’s strategy (called *Te Huringa o Te Tai)* recognises the role and responsibility of Police under the Treaty of Waitangi to ensure the protection of Māori language, knowledge and protocol in Police work. This helps Police to work more effectively in communities, among both those who have offended and those who have suffered harm.
* Police has external advisory groups, including the Māori Forum. It consists of senior community leaders who meet regularly with the Police Commissioner to discuss concerns.
* A relevant project, that also addresses the overrepresentation, is Māori-led community panels (called Te Pae Oranga) introduced by Police. These panels use Māori protocol, values and restorative justice practices to prevent re-offending and restore dignity and honour. The panels work outside of the traditional judicial system, and, by some measures, have been found to be more effective in addressing lower-level offending.
* There have been nearly 20,000 referrals to panels in 22 locations since the start of 2019. Nearly half of those referred were Māori.
* Regarding the prison system - the Department of Corrections’ organisational strategy (*Hōkai Rangi 2019-2024*) intends to address the overrepresentation of Māori in prisons.
* Since the last Universal Periodic Review, the Government has funded several initiatives under the Department of Corrections’ *Māori Pathways Programme.* This includes Māori services for women, and for improving outcomes for all Māori and their families in the Corrections system and supporting their reintegration back into communities.
* Corrections also has a foundational programme (*E Toru Ngā Mea)*to give staff an understanding of the Māori worldview and Māori practices. In addition, Corrections provides access to Treaty of Waitangi training to staff.
* Finally, looking at the Courts - a judicially-led initiative called *Te Ao Mārama* was introduced in 2020 to the District Court. It works with Māori and local communities to ensure all those who come to court are seen, heard, understood and able to take part meaningfully, including victims and families as well as defendants. It draws on proven ways to reduce reoffending and the disproportionate number of Māori in the criminal justice system and is intended to enhance justice for everyone who attends the District Court.
* *Te Ao Mārama* supports children and families who are at greatest risk when engaging with the justice system. It has significant potential to reduce the number of children who offend in the medium term, and the number of young people who enter the adult criminal jurisdiction in the longer term – all contributing to a long-term enduring reduction in reoffending and the costs of crime.

Conditions in prison

Turning now to the conditions in prisons –*I note that the* ***United Kingdom*** *asked how New Zealand meets the needs of diverse communities in prisons.*

* New Zealand’s domestic and international obligations recognise the human rights of all persons in detention. Our prison system focuses on treating people in custody fairly, safely and humanely while also protecting public safey and ensuring the safety and wellbeing of prison staff.
* The Department of Corrections’ Strategy recognises that working in ways which prioritise fair, safe and humane treatment of people in custody is required to achieve rehabilitation and reintegration into society. Prison staff receive training about their responsibility to maintain and uphold prisoners’ human rights.
* As part of this Strategy, a dedicated programme is seeking to improve services and address current health inequities for Māori, and all those in Corrections’ care. Additionally, the Correction’s psychology team have developed a preliminary framework (Tikanga Takirua), that is designed to guide bi-cultural practice.
* Work is underway on a long-term prison network plan to address quality, capacity and resilience issues within the current network. From 2025, an additional 500 prison beds will be provided, as well as additional beds specifically for those with mental health and addiction needs. This will provide further opportunities to remove poor quality capacity from the network.
* Regarding needs of specific groups of prisoners, I can give the following examples: New Zealand made changes to prison regulations in 2023 which support gender-diverse prisoners. New Zealand has a Strategy specifically for female prisoners. Several changes have been made to address women’s specific needs, including for labouring and expectant mothers. The Strategy reflects the Bangkok Rules. Finally, in 2023, a plan focusing on the health and wellbeing of the older prison population was launched.

**Note: You may add further information on the criminal justice system (including youth justice) here if specific questions were raised. Officials will pass you additional speaking notes.**

1. **Family Violence and Sexual Violence**

I will now speak about domestic and gender-based violence which we call family and sexual violence.

*The* ***United Kingdom*** *specifically asked about groups disproportionately affected.*

* Family violence and sexual violence continue to be of paramount concern in New Zealand and they have a wide range of human rights implications. They have detrimental impacts not only on victims but also on families, communities, and society, affecting people’s wellbeing and sense of safety.
* New Zealand remains determined to address and reduce family violence and sexual violence including through legislative changes and policy initiatives. The Government believes that reducing offending and ensuring there are significant consequences for serious offending, is key to reducing victimisation and prioritising victims in the justice system.
* Barriers to making complaints remain persistently high and guilty verdicts remain relatively rare. It is disheartening to victims when guilty verdicts are met with light sentences. This Government will introduce legislation to address sentencing discounts so family and sexual violence are appropriately denounced.
* Family violence and sexual violence disproportionately affect women, children, young people, Māori, Pacific peoples, disabled people, older people, rainbow communities and ethnic communities. This makes addressing disparities an important component of eliminating family violence and sexual violence.
* As part of a nationally coordinated approach, New Zealand established an *Interagency Executive Board* model (called *Te Puna Aonui*) to enable collective government work to eliminate family violence and sexual violence. The Executive Board supports the whole-of-government strategy, policy development, and investment to eliminate family violence and sexual violence.
* New Zealand’s *National Strategy to eliminate family violence and sexual violence* (called *Te Aorerekura*) provides a framework for action by government and communities. Its vision is that all New Zealanders are living free from violence. It is a 25-year strategy, supported by an Action Plan.
* The Strategy was developed through significant engagement with different sectors including children and young people, Māori, Pacific peoples, ethnic communities, LGBTQIA+ communities and disabled people. A key pillar of the strategy is mobilising Māori and other communities to lead their responses to family violence and sexual violence.
* The Strategy applies a wide perspective, so that services are integrated and supported by a capable workforce that can meet the diverse needs of all people. It is designed to address violence against all these vulnerable groups with a view to generating comprehensive, intergenerational change in a consistent and coordinated way.
* Examples of actions accomplished include implementing new frameworks for workforce capability and engaging with communities to develop new approaches to address family violence and sexual violence.
* As part of the strategy the *Māori Ministerial advisory group* for family and sexual violence (called *Te Pūkotahitanga*) was established. The Advisory Group gives independent advice to the *Minister for the Prevention of Family and Sexual Violence* on issues specific to Māori and approaches to address them.
* New Zealand is further strengthening family and sexual violence legislation and is currently progressing two Bills that aim to reduce harm experienced by victims during court proceedings.

**Note: You may add further information on family and sexual violence here if specific questions were raised. Officials will pass you additional speaking notes.**

1. **Indigenous rights**

The third theme I will cover now is that of indigenous rights.

* Māori are the indigenous people of New Zealand. The Government upholds indigenous rights and is determined to improve outcomes in education, employment, health, and the criminal justice system for Māori along with all New Zealanders.
* In 2010, New Zealand announced its support for the *United Nations Declaration on the Rights of Indigenous Peoples*.

***Germany*** *asked a question about redress for indigenous communities for land and resources confiscated or taken. The following information covers this.*

* The Treaty of Waitangi is considered a founding document of New Zealand. It is at the heart of the relationship between Māori and the Crown. We respect the Treaty’s significant role in our constitutional framework and will continue to honour the Treaty.
* New Zealand has a well-established process to settle grievances caused by the Crown’s historical acts and omissions in breach of the Treaty of Waitangi. Settlements typically include a Crown apology and cultural, financial and commercial redress. Through settlements, the Crown seeks to address the wrongs of the past enabling a focus on the future and on delivering better outcomes for people and communities.
* New Zealand has signed a total of 100 deeds of settlement since the first settlements were negotiated in the early 1990s. Nearly three quarters of all deeds are signed. As Minister responsible for Treaty of Waitangi Negotiations, I will continue this work and engage constructively with Māori through the settlement process.
* New Zealand has *a permanent commission of inquiry* called the Waitangi Tribunal. It considers claims from Māori that the Crown has breached the principles of the Treaty of Waitangi through legislation, policies, actions, or omissions.
* The Tribunal is currently carrying out a programme of thematic inquiries called Kaupapa Inquiries. These inquiries hear clusters of claims that relate to a particular theme of national significance affecting Māori. These inquiries are looking into claims concerning, for example: health; Māori women; housing; the justice system; the constitutional system; and education. These inquiries typically take many years due to their breadth and significance.
* Except for certain types of land claims, recommendations from the Tribunal are non-binding. However, the Crown does give them due consideration and findings and recommendations are made public.
* Claimants can receive government funding to support their involvement in inquiries including for legal representation and other costs and attending tribunal hearings. This funding, like all areas of government spending, must be accessed within fiscal constraints.
* It is a priority for the Government to improve the lives of all New Zealanders. We acknowledge that there is more work to be done for and with Māori and we have adopted approaches to delivering many public services for Māori that are led locally. A key component of this is a programme called *Whānau Ora* which is used across government in housing, health, criminal justice, and employment. The programme provides funding to Māori to design and deliver services for their communities in a more joined up way.
* Language is a key part of indigenous identity and is critical to the realisation of other rights. New Zealand recognises and values what the Māori language means to Māori and indeed the whole country. The Māori language has been an official language since 1987 and proficiency and support continue to increase.
* New Zealand is working towards a revitalisation of the Māori language by 2040, through partnership between the Crown and an entity established in 2016 which represents the interests of Māori (*Te Mātāwai*). The workcurrently focuses on strengthening the revitalisation framework, including through legislative changes following a 2022 review of the Māori Language Act. Over recent years initiatives like bilingual signage and investment in media and broadcasting as well as community programmes have helped to invigorate the Māori language.

**Note: You may add further information on indigenous rights here if specific questions were raised. Officials will pass you additional speaking notes.**

**You may also add further information on other topics time permitting. Officials will pass you additional speaking notes.**

Thank you, Mr President, this concludes New Zealand’s first intervention.