May 2024

Please find attached DPA’s submission on the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill

## Disabled Persons Assembly NZ

Noho ora mai,

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# Introducing Disabled Persons Assembly

**We work on systemic change for the equity of disabled people**

Disabled Persons Assembly NZ (DPA) is a not-for-profit pan-impairment Disabled People’s Organisation run by and for disabled people.

We recognise:

* Māori as Tangata Whenua and [Te Tiriti o Waitangi](https://www.archives.govt.nz/discover-our-stories/the-treaty-of-waitangi) as the founding document of Aotearoa New Zealand;
* disabled people as experts on their own lives;
* the [Social Model of Disability](https://www.odi.govt.nz/guidance-and-resources/guidance-for-policy-makes/) as the guiding principle for interpreting disability and impairment;
* the [United Nations Convention on the Rights of Persons with Disabilities](https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html) as the basis for disabled people’s relationship with the State;
* the [New Zealand Disability Strategy](https://www.odi.govt.nz/nz-disability-strategy/) as Government agencies’ guide on disability issues; and
* the [Enabling Good Lives Principles](https://www.enablinggoodlives.co.nz/about-egl/egl-approach/principles/), [Whāia Te Ao Mārama: Māori Disability Action Plan](https://www.health.govt.nz/publication/whaia-te-ao-marama-2018-2022-maori-disability-action-plan), and [Faiva Ora: National Pasifika Disability Disability Plan](https://www.moh.govt.nz/notebook/nbbooks.nsf/0/5E544A3A23BEAECDCC2580FE007F7518/$file/faiva-ora-2016-2021-national-pasifika-disability-plan-feb17.pdf) as avenues to disabled people gaining greater choice and control over their lives and supports.

**We drive systemic change through:**

**Rangatiratanga / Leadership:** reflecting the collective voice of disabled people, locally, nationally and internationally.

**Pārongo me te tohutohu / Information and advice:** informing and advising on policies impacting on the lives of disabled people.

**Kōkiri / Advocacy:** supporting disabled people to have a voice, including a collective voice, in society.

**Aroturuki / Monitoring:** monitoring and giving feedback on existing laws, policies and practices about and relevant to disabled people.

# The submission

**Introduction**

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| **Recommendation 1:** that the Bill be withdrawn. |

**Discrimination towards Māori disabled**

Disabled often deal with discrimination daily so know that this Bill is discriminatory as Māori Wards are the only wards to which a binding referendum will apply. It impacts on Māori mental health when we see Māori targeted at different levels, so the current targeting of Māori Councillors and Māori Wards is a major concern as we see it as discriminatory and what affects Māori affects Māori disabled.

**Participation in political and public life for Māori disabled**

Requiring local councils to fund referendums concerns Māori disabled people. This Bill reduces mechanisms to realise Māori political representation rights more fully without proper justification or evidence of weighting against other rights. In the last Whangarei District Council election, a Māori disabled woman ran for Council.

There have been numerous benefits from having Māori Wards and Māori Councillors. These include Māori councillors having bridged communication gaps and created trust across communities where previously there were gaps and mistrust. Rangatahi have become more involved as they can see themselves reflected in decision-making bodies promoting civic and political participation. Reflecting this increased interest, Māori disabled also discussed running in local elections, many for the first time If this legislation had not been introduced, then more Māori disabled would have considered and ran for election in Māori wards around the motu, thereby elevating the voice of this very underrepresented population group.

**Māori disabled living independent and inclusive lives**

Ratepayers have been asked to pay extra rates and this will affect Māori disabled as landlords will increase rents due to the need to pay increased rates. Statistics show that Māori disabled are often overrepresented within lower socio-economic[[1]](#footnote-2) groups and during a time when many disabled people have had their supports cut[[2]](#footnote-3), it is unjust that Councils will be required to spend ratepayer money on a binding poll.

DPA supports full consultation using Te Tiriti on all matters pertaining to Tangata Whenua including on this legislation., By passing this legislation, the Crown will create another serious breach of Te Tiriti and this will impact on tāngata whaikaha Māori and non-tāngata whaikaha Māori alike who will be deprived of their right to direct, guaranteed representation around council tables across the country.

Ultimately, DPA believes that this legislation is being undemocratically pushed by a few who have an ultimate agenda of undermining Te Tiriti as our country’s founding document. When accessibility is an ongoing issue for Māori disabled in their local communities, spending money unnecessarily on a binding poll at the 2025 local elections seems at best unnecessary, at worst targeted.

**Māori disabled and our taiao**

Māori disabled people often speak of the importance of connecting to our whakapapa for our own physical, emotional, mental and spiritual wellbeing[[3]](#footnote-4). Our rights and obligations as Kaitiaki means we know our whenua and taiao impacts on the health and wellbeing of all. Kaitiakitanga for Māori Councillors is a unique perspective that enhances our environmental wellbeing protecting that which keeps us all well[[4]](#footnote-5). Many do not see the connections of the negative impact on Māori mental health as our Māori Councillors provides a pro-Māori voice within Council.

Our infrastructure is already degraded from decades of inappropriate development and unsustainable practices and is also facing major risks from climate change and the cumulative effects of existing land and resource use. We need to restore and protect what we have left, instead of finding ways to further degrade our whenua.

The recent adverse weather events are also a concern for disabled and therefore Māori disabled as it has been proven that we are most affected by severe weather events[[5]](#footnote-6), many evacuation centres are inaccessible and finding accessible homes for disabled is next to impossible throughout Aotearoa NZ especially with the changes to the public housing system. This highlights the importance of Māori Councillors to promote the voice of Māori disabled within Council.

**Māori disabled as tangata whenua**

The positive impact and inclusion of Māori voices at the decision-making table across all four Councils show that Council have the potential for diversity. The variety, expertise and manaaki shown by the current Māori Councillors across all four councils have benefited all who reside in these areas. A commitment to diversity gives the opportunity for Māori disabled people wanting to run for Council in the Māori wards.

Māori disabled peoples’ ability to exercise mana motuhake within our rohe, as guaranteed by Te Tiriti o Waitangi. Article 2 of Te Tiriti o Waitangi guarantees tino rangatiratanga to Māori disabled and in this context the right to be represented and to participate in decision-making at all levels including local and regional government.

With the current governments targeting Māori rights and Te Tiriti, the impact on the mental health of Māori disabled is often ignored. $24 million has been budgeted for Gumboot Day and while the mental health of all is important, the priorities seem uneven as the government has severely underfunded services, equipment, and programs for all disabled people.

We have significant concerns with the unduly hasty way the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill has been developed, including a complete lack of informed engagement with Māori disabled and local Māori disabled community groups. This is at odds with this government’s statements about empowering local communities.

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| **Recommendation 2:** that Māori disabled, and local Māori disabled community groups be included in any engagements. |

1. Wilkinson-Meyers et al. (2015). To live an ordinary life: resource needs and additional costs for people with a physical impairment. Disability & Society, 30(7), 976-990. [↑](#footnote-ref-2)
2. DPA. (May 2024, 14). *Open Letter to Ministers re disability funding.* <https://www.dpa.org.nz/store/doc/Open-letter-to-Ministers-re-disability-funding-14-May-2024.pdf?ref=infoexchange.nz> [↑](#footnote-ref-3)
3. Jones, B., King, P. T., Baker, G., Nikora, L. W., Hickey, H., Perry, M., … Ingham, T. R. (2024). Karanga rua, karanga maha: Māori with lived experience of disability self-determining their own identities. *Kōtuitui: New Zealand Journal of Social Sciences Online*, *19*(1), 45–64. <https://doi.org/10.1080/1177083X.2023.2224422> [↑](#footnote-ref-4)
4. Mental Health Foundation NZ. (2018). *Survey shows strong link between time spent in nature and positive mental health*. (<https://mentalhealth.org.nz/news/post/survey-shows-strong-link-between-time-spent-in-nature-and-positive-mental-health> [↑](#footnote-ref-5)
5. Schulte, C. (2020, March 28). *People With Disabilities Needed in Fight Against Climate Change.* Retrieved from <https://www.hrw.org/news/2020/05/28/people-disabilities-needed-fight-against-climate-change#:~:text=People%20with%20disabilities%20are%20at,said%20in%20a%20recent%20report>.  [↑](#footnote-ref-6)