

5th Periodic Report



International Covenant for Economic, Social and Cultural Rights - February 2025

Tirohanga Whānui | Overview

The New Zealand Council of Christian Social Services (NZCCSS) welcomes the opportunity to provide feedback on the 5th Periodic Report under the International Covenant for Economic, Social and Cultural Rights. We express concern in several domains regarding Aotearoa New Zealand's ability to adequately meet our obligations in these Rights-based spaces. We originally outlined some of our concerns regarding older people in our [submission to the 5th Periodic Review](#), and our concerns are expanded to children below.

Whakaaro | Considerations

We raise the following points and recommendations for consideration:

Item One: Right to self-determination

NZCCSS opposes the Treaty Principles Bill and believes the Bill has caused significant harm to Māori Crown relations. The principles as defined by the Bill ignore the ongoing impacts of the Crown's failure to uphold te Tiriti and do not recognise the Crown's duty to promote equitable outcomes. The Bill has the potential to significantly impact the extent to which New Zealand gives effect to the right to self-determination by misrepresenting the Māori concept of tino rangatiratanga - the right to self-determination – and its application under te Tiriti o Waitangi. Our concerns regarding this bill are summarised [here](#).

NZCCSS is also concerned that the replacement or repeal of references to te Tiriti o Waitangi in legislation will diminish the Crown's commitment to, and accountability for, upholding te Tiriti o Waitangi. These changes have the potential to undermine the good faith and partnership that has developed between the Crown and Māori through efforts to see te Tiriti honoured across our legislative framework.

One example of this is the repeal of section 7AA from the Oranga Tamariki Act. Our concerns regarding this repeal are summarised in our submission to government available [here](#).

Despite the requirement for government agencies to consult appropriately with hapū and iwi, recent consultation processes concerning a variety of legislative changes do little to instil confidence that adequate and appropriate consultation will be undertaken.

Item Two: Right to social security

NZCCSS opposes the introduction of recent sanctions to the social security system and their potential impact on the right to social security and an adequate standard of living. Our concerns are summarised [here](#). We also express concern that additional sanctions were included after the consultation period was concluded for this legislative change.

Item Three: Protection of family life

The Oranga Tamariki Act clearly sets out Oranga Tamariki's responsibility to all children in its purposes focused on the prevention of harm (Part 4(b-d)). We are concerned by the reduced focus on prevention and early intervention evidenced by funding cuts in Budget 2024/25 of \$120m to community providers delivering these services. The reduced responsiveness of Oranga Tamariki and high threshold for engagement where there are safety concerns about a child also impacts the extent to which Article 10 is upheld. These concerns are summarised in [our submission](#) on the Oranga Tamariki Long-Term Insights Briefing Topic.

Greater focus on the Oranga Tamariki Oversight system could be included in the report to demonstrate how central this system is to the advancement of Article 10. [Our submission](#) on the recent proposed changes to the Oversight system highlights specific issues we see, particularly the lack of enforceability of recommendations made by monitoring agencies to see improvements to the system.

Item Four: Right to housing and adequate standard of living

NZCCSS is concerned by the lack of visibility of children in Emergency Housing and supports improvement of data to better understand the needs of this population. There is also concern about the potential for increased homelessness to occur as a result of recent changes to Emergency Housing eligibility criteria. Recent OIAs obtained by NZCCSS revealed an increase in Emergency Housing declines to 10.1% in August 2024, following the changes in eligibility criteria. We also received confirmation that [MSD does not track the number of grant applications containing children that are declined](#), despite 46.3% of all applications in August 2024 containing a child.

We also express concern regarding the ability for older people to live with dignity and support. The systemic underfunding of our Aged Care system has resulted in a critical shortage of Standard Beds for our older people in Residential Aged Care Homes. These beds are critical infrastructure that provide a responsive and respectful environment for our older people to have their needs met. Beds are closing at historic rates as funding fails to keep pace with inflation, regulatory costs, and staffing pressures.

Without investment into sufficient aged care, our hospitals will continue to be 'bed-blocked' by older people seeking care that they should be receiving in a Residential Aged Care Home. Organisations who operate their Aged Care homes in a not-for-profit model and serve our most vulnerable older people are being masked in conversations by large for-profit multinationals who can subsidise their costs through unregulated Premium room charges and profits from their Retirement village holdings. As a result, vulnerable older adults are facing inadequate living conditions, and [as we have illustrated](#) this will impact the whole system in years to come.

Item Five: Right to physical and mental health

Gains made in reducing youth smoking are being undermined by uptake in youth vaping, with the prevalence of daily vaping by youth now at similar levels to that of daily smoking by youth twenty years ago. Higher rates of daily and regular vaping exist among Māori and Pacific youth than other young people (Edwards et al., 2023). NZCCSS is concerned that efforts to tackle youth vaping do not go far enough to prevent access to vaping products for young people. While the restrictions introduced in 2024 are positive steps, proximity restrictions only apply to specialist vape retailers and not general retailers such as dairies or petrol stations, making vaping products easily accessible within children's communities. It is important that efforts to reduce access to vaping products are supported by health promotion initiatives and education focused on vaping-cessation. Increasing understanding and data about youth vaping preferences will help to fill the gap that currently exists and strengthen policy development. We refer also to [our submission](#) on the Smokefree Environments and Regulated Products Act.

As above, we question the capacity of our system to provide care for our older adults when the aged care system fails to keep subsidy payments at pace with costs. As Aged Care homes and specialist facilities, such as dementia wards, cannot afford to continue operating and close or restrict entry, this leaves an unfilled gap in our healthcare system.

Ko wai tātou | Who we are

NZCCSS has six foundation members; the Anglican Care Network, Baptist Churches of New Zealand, Catholic Social Services, Presbyterian Support and the Methodist and Salvation Army Churches.

Through this membership, NZCCSS represents over 230 organisations providing a range of social support services across Aotearoa. Our mission is to call forth a just and compassionate society for Aotearoa, through our commitment to our faith and Te Tiriti o Waitangi.

Further details on NZCCSS can be found on our website - www.nzccss.org.nz.

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