

A roadmap for a violence and abuse free future for disabled people in Aotearoa

VISION – Help create a violence and abuse free future for disabled people^[1], Deaf^[2] and tāngata whaikaha Māori^[3] by building and funding crucial infrastructure today

PURPOSE – This is an evidence-based roadmap from the Human Rights Commission for system change that reflects a human rights and te Tiriti o Waitangi approach

1. Why? The mandate

- Disabled people face violence and abuse at least twice the overall rate of non-disabled people – increasing to four and five times the rate for disabled women and children.
- Furthermore, tāngata whaikaha (disabled Māori) are more likely than non-disabled Māori to experience violent crime (8% vs 3%).
- Even so, violence and abuse against disabled people and tāngata whaikaha Māori remain largely invisible, even as understanding of family, sexual and other forms of violence increases.
- Violence is a symptom of ableism which is prejudice against disabled people including systemic discrimination. An all of society approach is needed to prevent violence and abuse against disabled people.

Violence is a Te Tiriti and Human Rights issue

- The New Zealand government is bound by domestic and international law to protect human rights, including:
 - Te Tiriti o Waitangi.
 - International Bill of Human Rights.
 - The International Convention on the Rights of Persons with Disabilities (CRPD).
 - United Nations Declaration on the Rights of Indigenous People (UNDRIP).

The mandate from Government is explicit

- In 2021, the Minister for the Prevention of Family and Sexual Violence stated “...we have heard the voices of many disabled people impacted by violence and we know enough to say that, now is the time to act on the shocking violence and abuse of our disabled whānau”
- The government has recognised this through Te Aorerekura, the 25-year National Strategy to Eliminate Family Violence and Sexual Violence. It also explicitly recognises the disproportionate and long neglected burden of violence borne by disabled people and tāngata whaikaha Māori.
- [The Accessibility Charter](#) sets out a commitment by government agencies to provide disabled people with equal access to information, services and products.

Human rights leaders say action is overdue

- “If we are shocked by past events, yet fail to address our current situation, we will continue to fail as a nation...” – Disability Rights Commissioner, 2023
- “We can't accept this was just an issue of the past. We can't accept there is nothing we can or should be doing now.” – Commissioner of the Inquiry into Abuse in Care, 2022

Delayed action or aspirational statements are no longer tenable



2. What? Changes that will make the biggest difference

We recommend 5 areas for immediate investment and implementation by those funding, commissioning or delivering services and four key actor groups (see next section 3)

INVESTMENT AREA	ACTIONS FOR THOSE FUNDING & COMMISSIONING ^[4]	ACTIONS FOR THOSE DELIVERING SERVICES
1 A twin-track^[5] approach to violence response and prevention	<ul style="list-style-type: none"> • Ensure family violence and sexual violence (FVSV) services are expected to, and adequately resourced to make reasonable accommodations^[6] and be accessible for disabled people • Ensure funding and development of new specialist services for disabled people 	<ul style="list-style-type: none"> • Ensure all funded services and information are accessible for disabled people
2 Strengthen understanding of violence & abuse towards disabled people and tāngata whaikaha Māori across all sectors/actors	<ul style="list-style-type: none"> • Invest in opportunities for disabled people to strengthen understanding and build a shared language about violence and abuse. • Ensure disabled people lead initiatives to strengthen understanding required across Government and FVSV sectors about violence and abuse towards disabled people 	
3 Collect regular data that can be disaggregated by disability status, especially when focused on violence.	<ul style="list-style-type: none"> • Commission qualitative and quantitative data and research about violence affecting disabled people and tāngata whaikaha Māori 	<ul style="list-style-type: none"> • Understand and apply relevant evidence
4 Workforce development across health, disability and FVSV sectors	<ul style="list-style-type: none"> • Invest in/commission professional development designed and delivered by disabled people about intersectional discrimination including ableism (and intersectional racism) • Invest in training designed and delivered by disabled people to build capability in the disability and FVSV workforces 	<ul style="list-style-type: none"> • Demonstrate and model best practice by ensuring that all professional development and learning is designed and led by disabled people
5 Upscale proven responses	<ul style="list-style-type: none"> • Upscale SAFA, Safeguarding Adults at Risk multi agency response across disability, health, social and justice sectors, like <i>The Personal Advocacy and Safeguarding Adults Trust</i> • Invest in disabled people/whānau led initiatives, like the <i>Enabling Good Lives</i> approach • Invest in peer/disabled-led initiatives, like People First NZ's <i>Keeping Safe Feeling Safe</i> programme 	<ul style="list-style-type: none"> • Learn from current evidence and best practice • Demonstrate and share best practice

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www.nzrelay.co.nz – NZ Relay helps people who are Deaf, hard of hearing, speech-impaired and deaf blind to connect with businesses, friends and whānau over the phone.

Please note: this document is available in alternate formats.

[1] Throughout this document, where disabled people appears alone, it is an umbrella term that includes tāngata whaikaha Māori and deaf people.
 [2] When used with a capital D, Deaf denotes a group of people who are deaf, who use New Zealand Sign Language (NZSL) as their first or preferred language and who identify with the Deaf community.
 [3] This term refers to disabled Māori, see the reverse for information and practices you can implement, taken from [Honour the Treaty, Protect the person, Whakamanahia Te Tiriti, Whakahaumarutia te Tangata](#).
 [4] Ensure the commissioning processes and procurement documents are available in accessible formats.
 [5] A twin track approach means there are two ways people can get support: Twin track 1: this means being able to use mainstream services just like everyone else. Twin track 2: this means having specialist services for different communities.
 [6] Costs of reasonable accommodation will vary, seek advice from approved suppliers.

3. Who needs to act? You!

In addition to those commissioning, funding or delivering services, an all of society approach is needed. In practical terms, collaborative and enduring action is needed from four key groups / 'actors'.

Together, we can all help build the infrastructure for a future New Zealand, where violence and abuse towards disabled people is prevented, and constructively responded to. If you're in one of these groups, **you are a key actor**, now is the time to use your influence:

- 1 Government leaders** such as MPs, public service CEOs, and policy staff, who make decisions related to services and funding for tāngata whaikaha Māori and disabled people, or family violence and sexual violence.
- 2 Violence prevention sectors (family violence and sexual violence leaders, including Police and Health)**, who make strategic and operational decisions that affect disabled people.
- 3 Community organisation leaders** who provide advice, make decisions, and/or deliver health and disability services and supports.
- 4 Your influence and actions now can make an individual impact**, that cumulatively can make a material difference for disabled people.

We must all develop structures and policies to ensure space and resources for disabled people's leadership and agency, at all levels and all settings.

4. How to do it

If key actors enact the following during implementation, it will maximise positive impact.

- ✓ Ensure all actions are grounded in te Tiriti o Waitangi articles and consistent with New Zealand's domestic and international human rights obligations.
- ✓ Ensure decisions about disability issues and services are made with the disabled community.
- ✓ Learn about ableism and intersectional discrimination and work to eliminate it.
- ✓ Embed culturally intelligent and safe approaches that recognise rights and protections for Tāngata Whenua under te Tiriti o Waitangi, women and children, Pacific peoples, ethnic and LGBTQI+ people – those who are considered non-hegemonic – at increased risks of violence and abuse.
- ✓ Use your influence to enhance disabled people's access to justice, and contribute to removing prohibitive barriers.
- ✓ **Apply, resource and operationalise** frameworks that capture human rights, te Tiriti o Waitangi rights, Te Ao Māori, indigenous and culturally diverse worldviews, values, and systems. This will help eliminate structural drivers of violence and abuse.

5. Key facts to know

In our reports, the Commission has assembled and analysed evidence and experience to inform your decision making, here are some highlights:

- In 2013, one in four New Zealanders identified as disabled. Like all people, disabled people inhabit a complex intersection of ethnicities, gender/sexual identities, gender roles and expectations, cultures, and socioeconomic positions.
- Violence against disabled people takes many forms, e.g., physical, sexual, financial, and coercive control.
- Some abuse is specific to, or disproportionately affects, disabled people such as neglect, e.g., being left immobile, not being supported to be clean, not being provided with meals.
- Abusers can be family and friends, carers and support people, acquaintances and strangers. It can happen at school or work – and for disabled people in residential or community settings.
- The risks for disabled people are heightened in circumstances where people are highly reliant on carers, have difficulty communicating, are not believed, or fear negative consequences for reporting.
- Findings from the 2019 [NZ Family Violence Survey](#) confirm more disabled people reported non-partner physical and sexual violence experience than non disabled people.
 - For disabled women, 15.4% experienced lifetime non-partner physical violence, and 11.1% experienced lifetime non-partner sexual violence.
 - For disabled men, 56.2% experienced lifetime non-partner physical violence, and 5.6% experienced lifetime non-partner sexual violence.
 - Women and men with psychosocial impairments reported the highest rates of non-partner physical and sexual violence.
 - Of the disabled people who reported non-partner sexual violence, 43.5% of women and 60.0% of men never sought help.
- There is no research specifically about the abuse of tāngata whaikaha Māori, and very little about deaf and disabled people.
- See [Acting now for a violence and abuse-free future: Whakamahia te Tūkinokore Ināianei, ā Muri Ake Nei](#) and the [New Zealand Family Violence Clearinghouse](#) to build your knowledge about family and whānau violence research and information of disabled people.

6. Tāngata whaikaha Māori & how to apply a Te Tiriti approach

To support you applying a Te Tiriti approach, and to explicitly reference and consider tāngata whaikaha Māori in your work, here is a summary of information. See our [Honour the Treaty, Protect the person. Whakamanahia Te Tiriti, Whakahaumarutia te Tangata](#) report for more information. The cultural needs and worldviews of tāngata whaikaha Māori as Tāngata Whenua must be considered and applied. Historical and enduring impacts of colonisation and all forms of racism underpins marginalisation of Tāngata Whenua, thereby exacerbating violence against tāngata whaikaha Māori.

Who are tāngata whaikaha Māori?

- Whaikaha means to have strength, to have ability and to be enabled.
- Many tāngata whaikaha Māori identify as Māori first, (and disabled person second) defining themselves through whakapapa.
- Prevalence of disability amongst Māori: 32% of the Māori population was identified as disabled, compared to 24% of the total New Zealand population.

Tāngata whaikaha Māori rights have been breached

- Intersecting disadvantages amplify the risks of violence and abuse for tāngata whaikaha Māori.
- Tāngata whaikaha Māori are more likely than non-disabled Māori to experience violent crime (8% vs 3%).
- Despite these multiple layers of disadvantage and heightened risks, there are major gaps in data and lack of specific provision for tāngata whaikaha Māori in policies and services.
- Favouring Western models rather than Te Ao Māori approaches to health and well-being creates inequitable outcomes for Māori and constrains self-determination.
- Despite a higher prevalence of disability, tāngata whaikaha Māori have higher proportions of unmet need and greater barriers to accessing support.

Honour the Treaty, Protect the person

A Tiriti-based approach would include the following:

- Tāngata whaikaha Māori are part of decision-making.
- Tāngata whaikaha Māori as part of whānau, hapū and iwi are enabled and supported to exercise tinorangatiratanga, self-determination and autonomous decision-making
- Equity of outcomes for tāngata whaikaha Māori.

Recommendations

- Allocate appropriate resourcing, including capacity building, for Kaupapa Māori approaches.
- Transfer resources and decision-making powers from Government to Māori.
- Ensure tāngata whaikaha Māori are supported to develop and implement their own responses to violence and abuse.
- Partner with whānau, hapū, iwi and communities to emphasise primary prevention of violence.
- Value indigenous worldviews ensuring programme design, implementation and evaluation are informed by Tikanga and Te Ao Māori.

