
Te pūrongo tuatoru a Te Kawa Aroturuki Motuhake a Te Kawenata mō Ngā Motika o te Hunga Hauā 2014–2019


Ka wātea mai te pūrongo whakamutunga mā ngā āhuatanga rerekē, whakarāpopoto anō hoki, tae atu ki tētahi putanga ka taea o te Word tuihono, tuhi kāpō, ororongo, te reo Māori, Reo Māmā me Te Reo Rotarota o Aotearoa.
Cover image: E memene ana a Tim Fairhall me te pupuri i tētahi mapi porowhita i tōna taha. I werowerohia e Tim, me tōna whaea a Joan, te Kāwanatanga ki te whakarerekē i ana ture KiwiSaver. Ināianei kua āhei te hunga e pāngia ana e ngā mate tuamatangi ki te toro atu ki ā rātau pūtea KiwiSaver i mua kē i te ekenga ki te 65 tau. Nā Attitude Pictures Ltd www.attitudepictures.com te whakaahua.
Te Whakatūturu i Ngā Tika Hauātanga

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Pipiri 2020

Ngā kaupapa

[Kōrero whakataki 5](#_Toc40088615)

[Te Kawenata Hauātanga, Te Kawa Kōwhiringa me te Kawa Aroturuki Motuhake 8](#_Toc40088616)

[Whakarāpopototanga 11](#_Toc40088617)

[Rārangi whānui o ngā tūtohutanga 17](#_Toc40088618)

[Te wheako o te Māori 34](#_Toc40088619)

[Ngā iwi o Te Moananui-a-Kiwa 39](#_Toc40088620)

[Ūpoko 4: Ngā paiherenga whānui 41](#_Toc40088621)

[Ūpoko 5: Ōritetanga me te kore whakahāwea 44](#_Toc40088622)

[Ūpoko 6: Ngā wāhine hauā 49](#_Toc40088623)

[Ūpoko 7: Ngā tamariki hauā 54](#_Toc40088624)

[Ūpoko 8: Te whakapiki mōhio 57](#_Toc40088625)

[Ūpoko 9: Whakatapoko 61](#_Toc40088626)

[Ūpoko 10: Te motika ki te ora 65](#_Toc40088627)

[Ūpoko 11: Ngā āhuatanga o te mōrea me ngā ohotata oranga tangata 67](#_Toc40088628)

[Ūpoko 12: Te mana ōrite i raro i te ture 70](#_Toc40088629)

[Ūpoko 13: Te whai wāhi ki te ture 76](#_Toc40088630)

[Ūpoko 14: Te tikanga herekore me te maru o te tangata 81](#_Toc40088631)

[Ūpoko 15: Kia kaua e pā mai te whakamamae, te mahi kino, ngākau whakawiri, whakakino, whakawhiu rānei 84](#_Toc40088632)

[Ūpoko 16: Kia kaua te whakahāwini, whakarekereke me te tūkino 88](#_Toc40088633)

[Ūpoko 17: Te tiaki i te pono o te tangata 92](#_Toc40088634)

[Ūpoko 18: Te nekeneke herekore me te iwi tūturu 96](#_Toc40088635)

[Ūpoko 19: Te noho motuhake me te whakauru ki te hapori 98](#_Toc40088636)

[Ūpoko 20: Te nekeneke a te tangata 103](#_Toc40088637)

[Ūpoko 21: Te mana whakapuaki kōrero me te whakaaro me te whai wāhi ki ngā mōhiohio 106](#_Toc40088638)

[Ūpoko 22: Te manaaki i te matatapu 110](#_Toc40088639)

[Ūpoko 23: Te whakaaronui ki te kāinga me te whānau 113](#_Toc40088640)

[Ūpoko 24: Mātauranga 116](#_Toc40088641)

[Ūpoko 25: Hauora 123](#_Toc40088642)

[Ūpoko 26: Te whakapakari ake me te whakaoranga 127](#_Toc40088643)

[Ūpoko 27: Te whai mahi 130](#_Toc40088644)

[Ūpoko 28: Te pae oranga tōtika me te whakamarutanga pāpori 137](#_Toc40088645)

[Ūpoko 29: Te whai wāhi ki ngā āhuatanga tōrangapū, tūmatanui hoki 143](#_Toc40088646)

[Ūpoko 30: Te whai wāhi ki te ahurea, ngā mahi pārekareka, ā-rēhia, hākinakina hoki 147](#_Toc40088647)

[Ūpoko 31: Ngā tatauranga me te whakaemi raraunga 151](#_Toc40088648)

[Ūpoko 32: Te mahi tahi ā-ao 153](#_Toc40088649)

[Ūpoko 33: Te whakatinanatanga ā-motu me te aro turuki 157](#_Toc40088650)

[Ngā mōhiohio whakapā 160](#_Toc40088651)

[Āpitihanga 1. Rārangi kupu 161](#_Toc40088652)

[Āpitihanga 2. Ngā tauira o te whakawhitiwhiti me te ratonga takawaenga a Te Kāhui Tika Tangata 168](#_Toc40088653)

[Āpitihanga 3. Ngā kupu āpiti 169](#_Toc40088654)

# Kōrero whakataki

E whakatakotoria atu nei e Te Kawa Aroturuki Motuhake (IMM) o Aotearoa tā mātau pūrongo *Te Whakatūturu i Ngā Motika Hauātanga* tuatoru. E whakatakoto pūrongo ana mātau mō te āhua o te whakatinanatanga o te Kawenata a Te Kotahitanga o Ngā Whenua o te Ao mō Ngā Motika o te Hunga Hauā (Kawenata Hauātanga) i Aotearoa.

E tautapatia ana i raro i te Ūpoko 33(2) o te Kawenata Hauātanga, ko ngā hoa pātui IMM o Aotearoa ko Te Hononga o Ngā Whakahaere o Te Hunga Hauā (DPO), Te Kaitiaki Mana Tangata me Te Kāhui Tika Tangata. Ko tā mātau mahi he aromātai motuhake i te whānuitanga e āhei ana te hunga hauā o Aotearoa ki ō rātau motika tangata whānui e ai ki te Kawenata Hauātanga.

E ono ngā kaupapa hira kua tohua e te IMM i mua i te tuhinga o tēnei pūrongo.

* Mātauranga
* Whare noho
* Whakawehenga me te mauhere
* Ngā raraunga
* Te whai wāhi ki ngā mōhiohio me te whitiwhiti kōrero
* Te whai mahi

E tohu ana ēnei kaupapa hira i ngā putanga rerekē whānui i waenga i te hunga hauā me te hunga kāore he hauātanga. Ka nui te painga ki ngā ao o te hunga hauā mēnā ka pai ake ēnei wāhanga.

I whakaputahia e te IMM ēnei me ētahi atu māharahara nui ki Te Komiti o Te Kotahitanga o ngā Whenua o te Ao mō Ngā Motika o te Hunga Hauā (Komiti Hauātanga) i te Hakihea 2017, hei āwhina i te Komiti Hauātanga ki te waihanga i te *Rārangi o Ngā Take* hei whakarite mā te Kāwanatanga o Aotearoa i roto tana pūrongo tuarua me te tuatoru kua whakakotahitia mō te Kawenata Hauātanga.

E urupare ana te *Whakatūturu i Ngā Tika Hauātanga*  ki te *Rārangi o Ngā Take* engari he whakawhānui kē anō, hei whakaata i ngā wheako o te hunga hauā i Aotearoa. Kei roto i tēnei ko tētahi aronga nui ki te hunga whaikaha iwi taketake (Māori) me ngā uri whaikaha o Te Moananui-a-Kiwa. Nā te kore o ngā raraunga wehewehe ka uaua te tuku pūrongo mō ngā wheako o te hunga hauā Māori me ō Te Moananui-a-Kiwa e pā ana ki tēnā, ki tēnā ūpoko o te Kawenata Hauātanga. Nā tēnei, ka tukuna tētahi tirohanga poto o ngā wheako o te hunga hauā Māori me Te Moananui-a-Kiwa i te tīmatanga o tēnei pūrongo.

I uiuitia e te IMM te hunga hauā me ō rātau kaitautoko, me te whakahaere hui whakawhitiwhiti kōrero tūmatanui hei whāngai kōrero ki tā mātau pūrongo. I wātea tuihono te uiui ā-motu, mā ngā tūmomo takotoranga wātea, reo hoki, tae atu ki te reo Māori, Te Reo Rotarota o Aotearoa, te Reo Māmā me te tuhi kāpō. I tū ngā hui ki ngā wāhi e rima i te motu whānui, ka mutu he maha te hunga i tae ake.

Kei te mōhio te IMM he roa pea te wā e ū ai ngā rerekētanga. E pai ana te anga whakamua i roto i ngā tau kua hipa mai i ngā pūrongo o mua. Otirā, e whakamihi ana mō te whānui o te mahi tahi i waenga i ngā tari kāwanatanga me te pai ake o te whakauru mai i te hunga hauā i roto i ngā mahi waihanga kaupapahere kāwanatanga.

E whakahaerehia anō ētahi arotake pūnaha e puta ai pea he hua ki te hunga hauā. Engari, ko te tino kōrero ake a te IMM mō te āhua tūturu tonu onāianei e pā ana ki ngā tāngata hauā o Aotearoa. He tino nui tonu ngā mahi hei mahi. Kāore tonu te hunga hauā i te āhei atu ki ngā tūmomo motika tangata katoa me ngā mana herekore taketake i whakaūngia i roto i te Kawenata Hauātanga. He maha te hunga hauā e noho ana i roto i te rawakore, e aukatia ana, ā, kāore o rātau rangatiratanga.

He roa tonu te ara hei whakapoto e kore atu ai ēnei rerekētanga. Me neke kē tātau mai i tētahi iwi he utu paremata mō te kore e whakauru mai i te hunga hauā—i ahu mai i te whakaaro he ngoikoretanga kē te hauātanga—ki te whakamana i te hunga hauā he hunga whai motika ōrite, mā te ngana ki te whakarite kia tino āhei atu ai ki ō tatau hapori. E whakahau ana te IMM i te Kāwanatanga kia whakamanatia mai tētahi kaupapa pūnaha whānui hei whakauru atu i te Kawenata Hauātanga ki roto i ngā ture o te motu, me te tuku anō i ngā rawa e tika ana kia tutuki ai tēnei.

He mārama ngā tūtohutanga i roto i tēnei pūrongo hei pou ārahi i ētahi o ngā wāhi tīmatanga hira. Ko te tūmanako ka noho hei papa whakatere ake e whai take ai te anga whakamua mō ngā tāngata hauā katoa o Aotearoa.

E hāngai ana te pūrongo *Te Whakatūturu i Ngā Motika Hauā* ki te wā atu ki te Hakihea 2019. E whakaotihia ana te whakaputaranga o te pūrongo i te tīmatanga o te 2020, ā, ka tūpono atu ki te pānga mai o te mate urutā Kowheori-19 kua pā ki te ao. Nā ēnei āhuatanga tino rerekē kāore i whāia aua whakahaere anō, ā, ka tōmuri te whakarewa i te pūrongo. E mōhiotia ana kua whānui te whai pānga o tēnei mate urutā ki te tini me te mano puta noa i te ao, ā, otirā i Aotearoa nei. Ka tino pākia ko te hunga hauā me te hunga e noho whakaraerae ana e ngā tūrapatanga o tēnei āhuatanga. Nā tēnei, ka whakatauhia e te IMM kia kaua e whakaurua te urupare a Aotearoa ki te urutā i roto i tēnei pūrongo, hei āpitihanga rānei i roto i te Ūpoko 11. Engari ko te whakatau kē me whakarite he pūrongo ake mō te Kowheori-19 mō ngā wheako o te hunga hauā me te urupare a te Kāwanatanga ki ngā hiahia o te hapori hauā i taua wā. Kua tīmata ngā mahi mō tēnei pūrongo.

## Takotoranga o te pūrongo

Ka tīmata te pūrongo me tētahi whakamāramatanga poto o te Kawenata Hauātanga, te Kawa Kōwhiringa me te IMM. Kātahi ka tuku i tētahi whakarāpopototanga me ngā tūtohutanga matua, he kōrero mō ngā wheako o te hunga hauā Māori me ō Te Moananui-a-Kiwa me tētahi whakarāpopototanga o ngā kaupapa hira e ono. Ko te toenga o te pūrongo he tātaritanga āmiki o te anga whakamua i roto i te whakatinanatanga o ngā tuhipānui tauwhāiti o te Kawenata Hauātanga.

## Ngā kupu

He maha ngā kupu me ngā kīanga e whakamahia ana hei tautuhi i te hauātanga. Mō ētahi ko te kīanga 'disabled person' he kupu whakahī, tuakiri me te whakamana kei roto i te iwi whānui ngā tauārai o te whakahauā i roto i te iwi whānui kaua i roto i ngā tāngata. Mō ētahi atu, he ōrite te tikanga o te kīanga 'people with disabilities', ā, he mea nui mō te hunga e hiahia ana kia whakamanatia rātau hei tangata i mua i kē tōna hauātanga. E whakamahia ana e te Kawenata Hauātanga te kīanga 'persons with disabilities'. I te ao Māori ka whakamahia pea te 'tangata whaikaha' mō tētahi tangata hauā. [[1]](#endnote-2)

Ko te whakaaro i Aotearoa i tēnei wā, e ai ki ngā tohutohu a te Rōpū Whakaari Rautaki Hauā, ko te whakamahi kē i te kīanga 'disabled people'.[[2]](#endnote-3) Koinei te kīanga e whakamahia ana, ā, puta noa i tēnei pūrongo. E mōhio ana mātau ka hiahia pea ngā mema o te hapori hauā ki te whakamahi i ētahi atu kupu kārangaranga mō rātau anō. Ko te tino mātāpono aratohu kia maumahara me mātua whai whakaaro ki te tangata i te tuatahi i mua i tōna hauātanga.

# Te Kawenata Hauātanga, Te Kawa Kōwhiringa me te Kawa Aroturuki Motuhake

Me mātua ū te Kāwanatanga ki tōna wāhanga o te Kawenata Hauātanga. Kia 100% te manaaki me te āhei mai o Aotearoa.

*Kaiwhakautu rangahau*

## Te Kawenata Hauātanga

I waitohua e Aotearoa te Kawenata a Te Kotahitanga o Ngā Whenua o te Ao mō Ngā Motika o te Hunga Hauā (Kawenata Hauātanga) i te 30 o Poutūterangi 2007, ā, i whakamanatia i te 26 o Mahuru 2008. Ko te kaupapa o te Kawenata Hauātanga he hāpai, he tiaki me te whakarite i ngā motika tangata whānui me ngā mana herekore taketake mō te hunga hauā me te whakatairanga i te whakaaro nui mō tō rātau mana. He whakamana i te motika o te hunga hauā ki te whakatau tikanga herekore, ā, i runga i te mōhio mō ō rātau ake ao. He whakatakoto i ngā tikanga whaitake me pēhea te whakatinana i ngā motika o te hunga hauā.

He mea nui ki te Kawenata Hauātanga kia tika te manaaki: i te ariā o te tuku i ngā huringa tōtika, ngā rerekētanga rānei hei whakarite kia ōrite ngā whai wāhitanga me ngā motika o te hunga hauā. He taunaki anō i te hoahoa ahuwhānui: te ariā o te waihanga hua, wāhi, kaupapa, ratonga hoki kia taea ai te whakamahi e ngā tāngata katoa.

Ko ngā mātāpono o te Kawenata Hauātanga, kei roto i te Ūpoko 3 he:

* whakaaro nui mō te mana taketake, rangatiratanga o te tangata me te motuhaketanga o te tangata;
* kore whakahāwea;
* whānui me te tōtika o te whai wāhi mai me te whakauru ki te iwi whānui;
* whakaaro nui ki ngā rerekētanga me te whakaae ki te hunga hauā nō te kanorautanga me te ngākau aroha o te tangata;
* whai wāhitanga ōrite;
* whakatapoko;
* ōritenga i waenga i te tāne me te wāhine; me te
* whakaaro nui mō ngā kaha o ngā tamariki hauā e rerekē haere ana me te whakaaro nui mō ngā motika o ngā tamariki hauā ki te tiaki i ō rātau tuakiri.

E ono marama i muri mai i te waitohu a Aotearoa ui te Kawenata Hauātanga, i whakamanahia e Te Kotahitanga o ngā Iwi o te Ao te Whakapuakanga mō Ngā Motika o Ngā Iwi Taketake (UNDRIP).[[3]](#endnote-4) I whakapuakina e Aotearoa tana tautoko mō te UNDRIP i te Paengawhāwhā 2010. Ahakoa kāore he here o te whakapuakanga ake, he maha ngā wāhanga e whakaata ana i ngā herenga kei roto i ngā tikanga, kawenata rānei. I te Poutūterangi 2019, i whakaaetia e te Rūnanga Matua o te Kāwanatanga kia riro mā te Minita o Ngā Take Māori e ārahi tētahi whakahaere ki te waihanga i tētahi mahere mahi ā-motu mō te anga whakamua o Aotearoa ki ngā whāinga o te UNDRIP.

He ōrite ētahi o ngā mātāpono taketake o te Kawenata Hauātanga ki ngā mātāpono tika tangata o Te Tiriti o Waitangi me te UNDRIP. Kei roto i tēnei ko te hiranga o te pātuitanga, mana motuhake, kōrerorero tahi me te whakaurunga whānui, whaitake hoki. I roto i te aroturuki i te Kawenata Hauātanga i Aotearoa, me mātua whai whakaaro tātau ki ēnei motika whitiwhiti me ētahi atu kawenata o te ao hāngai.[[4]](#endnote-5)

## Te Kawa Kōwhiringa

I te 4 o Whiringa-ā-rangi 2016, i whakamanahia e Aotearoa te Kawa Kōwhiringa ki te Kawenata Hauātanga (te Kawa Kōwhiringa). Mā tēnei ka āhei te hunga hauā e whakapono ana kua aukatia ō rātau motika ki te tuku amuamu tonu ki te Komiti Hauātanga. Hei tautoko i tēnei, kua whakaputaina e te IMM *Te Tuku Amuamu ki Te Komiti Hauātanga o Te Kotahitanga o Ngā Whenua o te Ao: He Aratohu mā ngā tāngata o Aotearoa*.[[5]](#endnote-6)

## Te Kawa Aroturuki Motuhake (IMM)

E whakaritea ana te Ūpoko 33 o te Kawenata Hauātanga kia whakatūngia e ngā kāwanatanga i tētahi tikanga motuhake hei hāpai, tiaki me te aroturuki i te whakatinanatanga. E whakaata ana te hanganga o te IMM o Aotearoa i te kaupapa whakahoa e paihere ana i te Kawenata Hauātanga. Ko ngā pātui IMM ko Te Hononga o Ngā Whakahaere o Te Hunga Hauā (DPO) (he rōpū e whakaata ana i te reo o te hunga hauā i roto i ngā whakahaere aroturuki), Te Kaitiaki Mana Tangata me Te Kāhui Tika Tangata.

He mea whakatū Te Kāhui Tika Tangata me Te Kaitiaki Mana Tangata e te ture.

Ko te kaupapa o Te Kāhui Tika Tangata he hāpai me te tiaki i ngā motika tangata mō te iwi whānui o Aotearoa.

Ko ētahi o ngā mahi a Te Kaitiaki Tika Tangata:

* te tūhura i te whanonga whakahaere o ngā tari rāngai tūmatanui;
* te arotake i ā rātau whakatau e pā ana ki ngā tono mō ngā mōhiohio ōkawa;
* he noho hei Tikanga Ārai ā-Motu i raro i te Crimes of Torture Act 1989;
* he tūtohu kia whakatikahia ngā raruraru i te hē o ngā mahi a ngā tari;
* te noho hei mana tōtika i raro i te Protected Disclosures Act 2000; me te
* tuku i ngā tohutohu me te aratohu.

E whitu ngā whakahaere i roto i Hononga DPO.

* Association of Blind Citizens of New Zealand Incorporated
* Balance Aotearoa
* Tangata Turi
* Disabled Persons’ Assembly New Zealand Incorporated
* Kāpō Māori Aotearoa
* Muscular Dystrophy Association of New Zealand Incorporated
* Ngā Tāngata Tuatahi

E whakaata ana tēnei whakaritenga i te Ūpoko 4(3) o te Kawenata Hauātanga, e kī ana ko ngā whakahaere tuku whakatau katoa e pā ana ki te hunga hauā me āta whakauru mai i te hunga hauā mā ō rātau whakahaere ake—e tino ū ai ki te kōrero '*Kāore he mea mō mātau ki te kore mātau'*.

E rua ngā pūrongo Te Whakatūturu i Ngā Tika Hauātanga i whakataputaina e te IMM i mua, ā, e wātea ana ēnei i ngā takotoranga maha ka taea.[[6]](#endnote-7)

[Hoki ki ngā kaupapa](#Contents).

# **Whakarāpopototanga**

He rerekē te āhua o te Aotearoa e pā ana ki motika o te hunga hauā. Ahakoa pai ētahi o ā tātau mahi, he nui tonu ngā mahi kei reira hei turaki i ngā tauārai e aukati ana i te hunga hauā mai i te whai wāhi ki te iwi whānui i runga tikanga ōrite.

E ono ngā kaupapa hira kua tohua e te IMM me mātua whakaraupapa hei whakarite i te whakatinanatanga o ngā motika taketake e ai ki te Kawenata Hauātanga i Aotearoa. He mea nui anō kia whakaaturia te wheako o te hunga hauā Māori me ō Te Moananui-a-Kiwa i roto i tā mātau pūrongo. Kua whakaraupapatia e mātau ngā kaupapa hira e ono kia mārama ai ko hea ngā wāhi e tino hiahiatia ana ngā mahinga whāwhai a te Kāwanatanga.

**Whero:**  Me wawe te whakatikatika

**Pākā:** He nui ngā mahi hei whakatikatika i roto i ngā marama e 6 nei

**Kōwhai:** Me whakatikatika i roto i ngā marama 12 nei

E whakapono ana te IMM ko te **mātauranga, whare noho** me te **whakawehenga me te mauhere** ngā take tino whāwhai e pā ana ki te hunga hauā me wawe te whaiwhai e te Kāwanatanga.

I te mātauranga, e kaha te pā kinotia o tētahi reanga hauā, ā, ka mauroa ngā hua koretake mō rātau. E pēnei ana ahakoa ngā whakatikatikatanga o roto i ngā tau tata nei, ā, ko te raruraru kāore i hangaia ngātahitia ēnei i te taha o te hunga hauā, me te aha kāore i whakatikatikahia ngā māharahara pūnahanaha mō te whakaurunga.

He mea hira tonu ngā whare whakatapoko mō te hunga hauā kia hauora, haumaru, nawenawe, ā, me te whai wāhi ki ō rātau hapori. Kāore tonu i te rawaka ngā kāinga tika e wātea ana ki te hunga hauā mō rātau anō.

Kei te whakamahia tonu te whakawehenga me te mauhere i roto i ngā whakaurunga hauora me te hauātanga pūmau. Ahakoa he iti ake te hunga e pāngia ana e ēnei tikanga tēnā i ngā rerekētanga te taha ki ngā whare noho, mātauranga hoki, he nui te raru kei te puta i konei. Otirā ko tētahi māharahara nui ko te tuwhene o te whakamahi i te whakawehenga me te mauhere mō te Māori.

Ahakoa he hira anō ētahi atu o ngā kaupapa hira, e whakahau ana mātau i te Kāwanatanga kia wawe tonu te whakatikatika i ngā rerekētanga tino nui i ahu mai i te pūnaha mātauranga me te whare noho onāianei, me te whakamahi tonu i te whakawehenga me te mauhere.

* **Mātauranga (Whero)**

*Tūtohutanga hira*:te whakauru i tētahi motika ka taea te whakaū kia ngākau tuwhera te āhua o te mātauranga hei āhuatanga hira nō te pou tarāwaho ā-ture, me te whakarite i ngā rawa kia ōrite ai te wāteatanga.

*Tūtohutanga hira*: te whakauru i te waihanga-ngātahi ki ia wāhanga o te tukanga whakatikatika i te mātauranga.

* **Whare noho (Whero)**

*Tūtohutanga hira*: te whakatinana i te ture kia ū ai ngā whare noho hou katoa ka hangaia ki ngā paerewa hoahoa ahuwhānui (tirohia anō te Ūpoko 9).

* **Whakawehenga me te mauhere (Whero)**

*Tūtohutanga hira*: te whakakaha i tōna pūmau kia whakaitia te hunga hauā e mauherea, me te whakatere ake i te whakaitinga, tae noa ki te whakakorenga, o te whakamahi i te whakawehenga i ngā whakaurunga hauora me te hauātanga pūmau, mā ngā kaupapahere pakari, ka taea, whai wā hoki.

* **Ngā raraunga (Pākā)**

*Tūtohutanga hira*: te tīmata anō i te Rangahau Hauātanga whai muri i ia Tatauranga Whānui e tīmata ana i te Tatauranga Whānui 2023.

* **Te whai wāhi ki ngā mōhiohio me te whitiwhiti kōrero (Kōwhai)**

*Tūtohutanga hira*: te whakamana i te hunga hauā kia tōtika ake te whakawhitiwhiti kōrero me ngā tari kāwanatanga mā te whakapiki i te nui o ngā takotoranga ka noho wātea kia taea e te hunga hauā te whakaputa ō rātau whakaaro i roto i Te Reo Rotarota o Aotearoa, me te whakamahi i te tuhi kāpō, Reo Māmā me ngā takotoranga ororongo kia whānui ake ai te torotoro.

* **Whai mahi (Kōwhai)**

*Tūtohutanga hira*: te waihanga i tētahi rautaki whai mahi hauā ā-motu ā-motika matawhānui.

Ko te tūmanako a te IMM mō te urupare a te Kāwanatanga kia āhukahukatia e rātau ngā wāhanga kaupapa matua e ono o ngā hiahia ahurei o ngā rōpū kua whakarērea ki waho, tae atu ki te hunga hauā Māori me Te Moananui-a-Kiwa.

Kei roto i ngā wāhanga e whai ake ko ngā kaupapa hira me tētahi rārangi whānui o ngā tūtohutanga kei roto i ngā wāhanga e whai ake.

## Ngā kaupapa hira

### Māori

Ko te whakaaro o te IMM kāore i te tino whakatinanahia ngā motika o te Māori, te iwi taketake o Aotearoa, e ai ki te Kawenata Hauātanga, Te Kotahitanga o Ngā Iwi o te Ao mō Ngā Motika o Ngā Iwi Taketake (UNDRIP), me te tuhinga tūāpapa o Aotearoa, Te Tiriti o Waitangi. Ka whakatauritea ki a Tauiwi, he nui ake te pā mai o te hauātanga, rawakore, mate whakamomori me te kore mahi, ā, he poto ake tō rātau ora. E tino mahue ana ngā tāngata whaikaha Māori, e tino hē ana tō rātau āhuatanga e ai ki ngā tauiwi kāore he hauātanga, me te iti ake o tō rātau whakauru ki te ohu mahi me te iti ake o tō rātau puta i te mātauranga. E māharahara ana te IMM kei te mau tonu ngā tauārai mō te noho hei tino kirirarau, ā, me turaki ērā hei whakatikatika i ēnei rerekētanga.

Me āhei atu te Māori ki ngā rauemi tika kia āhei ai e rātau ā rātau ake whakataunga ki te whakarite i ngā rerekētanga tuku iho, taimau hoki, ā, kia uru hoki ki ngā whakahaere whakatau tikanga, hanga kaupapahere. Kei reira ētahi kaupapa hei whakatika i ngā rerekētanga pūmau, tae atu ki:

* *Whāia Te Ao Mārama 2018 ki te 2022: te Mahere Mahi Hauātanga Māori* – ko tētahi o ōna whāinga kia nui ake te whai wāhi o ngā tāngata whaikaha ki ngā mahi waihanga i ngā ratonga tautoko hauora me te hauātanga e urupare ana ki te ao Māori.
* Kua kitea e *Wai 2575* *Te Uiui Kaupapa Ratonga me Ngā Putanga Hauora* (Wai 2575) te tino iti rawa o ngā raraunga whaitake mō ngā take hauātanga Māori nā runga i ngā kerēme i tukuna ki Te Rōpū Whakamana i Te Tiriti o Waitangi.

Kia whaitake ai te aroturuki i ngā putanga o ngā tāngata whaikaha, me whiwhi te IMM i ngā raraunga wehewehe kounga hei whakarite ka āhei atu ngā tāngata whaikaha ki ō rātau motika tangata i runga tikanga ōrite ki ētahi atu.

### Ngā iwi o Te Moananui-a-Kiwa

E mōhio ana te IMM he ōrite anō ngā wheako o ngā tāngata hauā o Te Moananui-a-Kiwa ki ngā tāngata whaikaha. Nā te rerekē o ngā tikanga me ngā uauatanga o te reo ka pākati i te hunga hauā o Te Moananui-a-Kiwa me ō rātau whānau mai i te whaiwhai haere i ngā tukanga uaua hei toro atu i ngā ratonga hauora, tautoko hoki. Nā te iti o te mātau o ngā kaituku ratonga ki ngā tikanga ahurea ka whai pānga anō ki te āhei o te hunga hauā o Te Moananui-a-Kiwa ki te tino whakauru mai ki te hapori me te iwi whānui i runga i te tikanga ōrite ki ētahi atu.

Engari, kei te neke whakamua, me te whakahou i te *Faiva Ora 2016–2021 Te Mahere Hauātanga Pasifika* Ā-Motu. Ko te tūmanako ka whakarei ake tēnei mahere i te whakawhitiwhititanga me te hunga hauā o Te Moananui-a-Kiwa, ā, kia āhei hoki te hunga hauā ki te toro atu ki ngā ratonga e hiahiatia ana e rātau hei whakatutuki i ō rātau motika tangata.

Ko te kore o ngā raraunga wehewehe tētahi wāhanga e tino māharaharatia ana mō te IMM, arā i te mea kāore ēnei kua uaua te aroturuki i te anga whakamua o te whakatūturu i ngā motika o ngā tāngata hauā o Te Moananui-a-Kiwa.

### Mātauranga—tirohia te Ūpoko 24

He kaupapa matua mā te IMM tētahi motika ka taea te whakaū ki te mātauranga manaaki mō ngā ākonga hauā.

E tiakina ana e te Ture Mātauranga 1989 te motika o ngā tāngata katoa ki te whakauru me te whiwhi mātauranga ahakoa kei tēhea kura. Engari, kāore e āta whakaurua mai e te pou tarāwaho ā-ture onāianei te mātauranga manaaki, ngā mātāpono āwhina tōtika rānei. He maha ngā whakapātaritari kei reira pērā i te kore o ngā ture tōtika, ngā whakangungu kaiako, te whakaemi raraunga me te tuku pūtea.

He maha te hunga hauā me ngā kaitaunaki hoki e matekiri i runga i te kore i oti he mahi whaitake kia uru te wairua manaaki ki roto i te mātauranga. He mea pai ngā āwhina iti noa kua whakaurua mai, pērā i te whakariterite pai ake i ngā ratonga me ngā tautoko onāianei, ngā kaimahi tautoko tāpiri, me ngā whakapaunga ki ngā whare onāianei, engari he iti rawa ēnei. He maha ngā āhuatanga o ngā whakaakoranga hou me te wāhi ako i Aotearoa me whakatikatika kia puāwai ai ngā ākonga katoa.

### Whare Noho—tirohia te Ūpoko 19

He mea nui mō te hunga hauā kia noho ki ngā wāhi e hiahia ana ia me te whai i ngā tautoko e hiahiatia ana e ia.

Ahakoa kāore he ture i Aotearoa e ārai ana i te noho a te hunga hauā ki tētahi wāhi e hiahia ana rātau ki te noho. E māharahara ana te IMM ko ngā raruraru whaiutu, whakatapoko, tautoko hoki ngā tino tauārai ki te whai a te hunga hauā i tēnei motika.

He roa anō te rārangi tatari mō ngā whare kāwanatanga, ā, kāore hoki e eke i ēnei ngā hiahia o ngā kainoho hauā. Kāore hoki ngā kairetiwhare tūmataiti i te hiahia kia whakarerekēhia ō rātau whare.

### Whakawehenga[[7]](#endnote-8) me te mauhere—tirohia ngā Ūpoko 15, 24 me te 25

E māharahara ana te IMM i te whakamahinga tonu o ngā tikanga whakawehenga me te mauhere i ngā whare herehere me ngā whakaurunga hauora. Ahakoa he maha ngā ara rerekē e wātea ana hei whakahaere i ngā whanonga uaua, ehara i te mea ko te whakawehenga me te mauhere hei parepare whakamutunga.

E tino māharahara ana mātau mō ngā mauhere kei Ngā Wāhanga Wawao me te Tautoko (Intervention and Support Units, ISU – e mōhiotia ana i mua ko te At Risk Units), e mauheretia ana ngā tāngata mauhere i te mauherehere taratahi, he noho taratahi i tō rātau rūma herehere atu ki te 22–24 haora i te rā, e mātakina i runga kāmera, me te wā hoki e mimi/tiko ana. Ko ngā āhuatanga ōkiko, papanga hoki i roto i ēnei wāhanga, e pupuritia ana ngā tāngata mauhere whakaraerae, he ōrite tonu ki ērā wāhanga whakawehenga, ā, he takahi i ngā paerewa ā-ao. E tino rāhuitia ana e te Ture Mandela 45(2) te whakanoho i ngā tāngata mauhere tinana hauā, hinengaro hauā rānei ki te whakawehenga taratahi.[[8]](#endnote-9)

E whakamahia ana te whakawehenga me te mauhere i ētahi wā i roto i ngā wāhi mauhere hauora me te hauātanga. E mahi tahi ana Te Kupu Taurangi Hauora o Aotearoa me Te Pou o te Whakaaro Nui[[9]](#endnote-10) me ngā poari hauora ā-rohe hei whakaiti i te whakamahinga o te whakawehenga me te mauhere me tana kaupapa *Zero seclusion: Towards eliminating seclusion by 2020*. E whakatakoto ana tēnei kaupapa i tētahi pae e wawatatia ana kāore nei pea e taea i roto i te wā kua whakatauhia.

### Ngā Raraunga—tirohia te Ūpoko 31

E mōhio ana te IMM he nui ngā whāruarua i roto i ngā raraunga hauātanga wehewehe i Aotearoa, tae atu ki ngā take whare noho, mātauranga, whai mahi, take whakawhiti hoki. Ka nui ake te hē o tēnei nā te tino kore o tētahi whakamāramatanga whānui mō te 'hauātanga' e te taha tūmatanui me te tūmataiti, e uaua ai te whakataurite i ngā ratonga. He pānga kino o te kore raraunga whaitake ki te kounga o ngā kaupapahere kāwanatanga me te tuku whakatau, ā, me te kaha o ngā kaituku ratonga ki te whai i ngā ratonga mō te hunga hauā. Ka uaua anō hoki ki te ine tika i te anga whakamua o Aotearoa mō te whakatinanatanga o ngā motika i roto i te Kawenata Hauātanga.

E pūmau ana te Kāwanatanga ki te mahi me ngā tari me ngā pūkenga ki te kohikohi raraunga mō ngā whakaritenga 29 katoa i tohua i roto i *Te Rautaki Hauātanga o Aotearoa 2016-2026*. I whakatūhia te Rōpū Mahi Raraunga me te Whakaaturanga Hauā i te tau 2015, e aro ana ki te whakaemi raraunga me ngā whakaaturanga hei waihanga kaupapahere whaitake, ratonga hoki hei whakatutuki i ngā hiahia o te hunga hauā.

### Te uru ki ngā mōhiohio me te whitiwhiti kōrero—Ngā Ūpoko 9 me te 21

E whai motika anō te hunga hauā ki te whakaputa i ō rātau whakaaro, me te rapu, te whiwhi me te tuari mōhiohio ki ngā puka e mārama ana ki a rātau me te whakamahi. Nā te kore e whiwhi mōhiohio, me te kore e whakaputa whakaaro, ka ārai i te tino whai wāhi o te hunga hauā hei kirirarau me te whakaiti i tō rātau kaha ki te whakapā tahi me te motuhake ki te kāwanatanga me te iwi whānui.

E ai ki te IMM me whai i tētahi kaupapa kāwanatanga whānui, ā-ture hoki hei whakapūmau i te wāteatanga o te rere utuutu o ngā mōhiohio, tae atu k ngā mōhiohio kāwanatanga me ngā mōhiohio kei roto i te iwi whānui.

Kua puta i te Kāwanatanga ko tana hiahia mā te whakaurunga o te Tūtohinga Whakatapoko ka nui ake te āhei atu ki ngā mōhiohio, me tētahi aronga ki te whakanui ake i te tuku mōhiohio kāwanatanga ki ngā takotoranga Reo Māmā, tuhi kāpō, Te Reo Rotarota o Aotearoa, ororongo hoki. Kei te mahi anō me te hunga whai pānga ki te whiriwhiri mēnā ka taea te whakauru ture whakatapoko e pai ake ai te āhei atu ki ngā mōhiohio.

### Whai Mahi—tirohia te Ūpoko 27

E māharahara te IMM kei te pā mai ngā rerekētanga nui ki te hunga hauā i roto i te uru i te ohu mahi, te rahinga whai mahi, utu hoki. Ko te take i pēnei ai nā te whakaaro toihara o ngā kaituku mahi, te kore e whakauru mai, me ngā kaupapahere kore tautoko. Nā kore mahi, te iti rānei o te whai mahi ka whakawhāiti i ngā huarahi ki a koe me te pā ki tētahi taumata noho e tika ana.

Ehara i te mea ka pā anake ngā painga o te whiwhi mahi ki te ao o te hunga hauā, engari he hua pūtea anō o te $1.45 piriona i te tau ka puta mēnā ka whakaōritetia te whai wāhi mai o te hunga hauā ki te ao tuku mahi.[[10]](#endnote-11) Engari, kei te noho iti tonu te haumi ki ngā rautaki rāngai mahi i Aotearoa.

Kua tīmataria ētahi kaupapa pai i roto i te rāngai tūmatanui, pērā i ngā mahi tauira mā ngā tāngata hauā, e arotahi ana kia ōrite te whakaemi raraunga, me ngā kete hei whakawhānui i ngā mōhio me te ngākau titikaha o te kaituku mahi, ā, e tino aro mai te rāngai tūmataiti ki tēnei. Engari, kāore anō kia tino nui ngā hua, ngā nekehanga mauroa tōtika rānei i ngā kaupapa onāianei, e tohu ana kia mau tonu te arotahi me ngā rauemi mō te whakapai ake i ngā whai wāhitanga whai mahi. E tika ana anō kia tino whai whakaaro ki te whakauru mai i ngā whakaritenga motuhake wā poto, ngā mahi hāpai rānei.

E tautoko ana te IMM kia hangaia he rautaki whai mahi mā te hunga hauā kia ōrite te āhua puta noa i ngā mahi a te hunga whai pānga maha mō te tuku mahi.

### Ētahi wāhi māharahara

Ehara i te mea he whai hua te whakaatu i ngā wāhi anga whakamua katoa mō ngā motika hauā i Aotearoa i roto i tēnei pūrongo. Ā, kāore hoki e taea e tēnei pūrongo te tuhi katoa i ngā tauārai maha e aukati tonu i te noho rangatira o te hunga hauā me te kore tauārai i ō rātau ao i Aotearoa.

I tua atu i ngā māharahara o ngā wāhi hira e ono o te IMM, he maha atu anō ngā raruraru e whakaaraara haeretia ana mō te whakatinanatanga me te whakatūturutanga o te Kawenata Hauātanga i Aotearoa.

Hei ohu i tēnei me te tuku whai wāhitanga ki te hunga hauā ki te whakaputa i ō rātau māharahara, take hoki, i whakahaerehia e te IMM ētahi hui huri noa i Aotearoa i te tau 2019. I whakahaerehia anō he rangahau tuihono. I āwhina ēnei whakautu ki te whāngai kōrero ki tēnei pūrongo.

[Hoki ki ngā kaupapa](#Contents).

# He rārangi whānui o ngā tūtohutanga

### Te wheako o te Māori

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Wawe tonu te kōkiri i tētahi tikanga, e whakaurua ōkawatia ai te reo o ngā tāngata whaikaha, ki ngā kaupapahere ā-hauā katoa me te whanaketanga ā-ture, me ngā kaupapa pātuitanga Karauna–Māori. E whakaata ana tēnei tūtohutanga me te tautoko i te tūtohutanga 11 o te pūrongo UNDRIP a te IMM e pā ana ki te whakatinanatanga o te Whakapuakanga a te UN mō Ngā Motika o Ngā Iwi Taketake o Aotearoa, Pipiri 2018.[[11]](#endnote-12)
2. Ka whakatinana te Ture i te tūtohutanga 3 me te 6 o te pūrongo UNDRIP a te IMM e pā ana ki te whakatinanatanga o te Whakapuakanga a te UN mō Ngā Motika o Ngā Iwi Taketake o Aotearoa, Pipiri 2018.[[12]](#endnote-13)
3. Ina whakatikatika ana i ngā putanga ohapori rawakore ake mō te Māori, me āta tautuhi me te whakatika i ngā pānga hē rawa o ēnei rerekētanga ki ngā tāngata whaikaha.

### Ngā iwi o Te Moananui-a-Kiwa

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Ina whakatikatika ana i ngā putanga ohapori rawakore ake mō ngā tāngata o Te Moananui-a-Kiwa, me āta tautuhi me te whakatika i ngā pānga hē rawa o ēnei rerekētanga ki te hunga hauā o Te Moananui-a-Kiwa.
2. Me tautoko haere tonu i te whakatinanatanga o te *Faiva Ora 2016–2021 National* *Pasifika Disability Plan* me te tūranga o Ngā Kaiārahi o Faiva Ora.
3. Me tautoko, me te utu i te whakatūtanga o tētahi whakahaere motuhake e ārahina e te hunga hauā o Te Moananui-a-Kiwa, e whai mana ai tō rātau i roto i ngā mahi waihanga i ngā kaupapahere me ngā ture hauā katoa, me te waihanga ngātahi i ngā tūmomo ara tautoko whānui ake.

### **Ūpoko 4:** Ngā paiherenga whānui

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whakauru kōrero mō te Kawenata Hauātanga i roto i ngā ture hāngai ā muri ake, hei whakatairanga i te mōhio me te mārama ki te Kawenata Hauātanga, me te whakarite kei te tino ū ngā ture ki ngā herenga e rārangi ana i roto i te Kawenata Hauātanga.
2. Mahi tahi me te hunga hauā ki te whakarārangi tika i ngā hanganga, ngā whakaritenga wā, tukanga me ngā rawa e mana ai tētahi pātuitanga tūturu me te hunga hauā me te takawaenga i te poari whakahaere ngātahi (tae atu ki te waihanga ngatahi, whakaputa ngātahi me te aromātai ngātahi) me te hunga hauā mō ngā ture, kaupapahere, whakahaere katoa me ētahi atu hātepe tuku whakatau e whai pānga ana ki te hunga hauā.
3. Me whai i ngā upane katoa e tika ana ki te whakarite ka rawaka te wātea mai o ngā rawa ki ngā tūmomo whakahaere māngai rerekē o te hunga hauā.[[13]](#endnote-14)

### **Ūpoko 5**: Ōritetanga me te kore whakahāwea

E tūtohu ana teIMM i te Kāwanatanga kia:

1. Whakatika i Te Ture Tika Tangata 1993, e whai whakaaro ana ki te whakakaha i te motika o te hunga hauā ki te kore-whakahāwea, tae atu ki te:
   1. whakakore, whakaiti rānei i ngā aweretanga ā-hauātanga;
   2. whakauru i tētahi whakamāramatanga o te manaaki tōtika e hāngai ana ki te whakamārama kei roto i te Ūpoko 2 o te Kawenata Hauātanga me te *Kōrero Whānui 6* mō te Ūpoko 5;[[14]](#endnote-15) me te
   3. whakarite i tētahi herenga mārama o te manaaki tōtika.
2. I te mea he take whāwhai, me whakahaere he arotake o ngā ture hāngai e ū ana ki te Kawenata Hauātanga, arā e hāngai ana ki te motika ki te kore-whakahāwea me te ōritetanga i mua o te ture, me te pūrongo i ngā kitenga, otirā te whakaatu i ngā ture kāore i te ū.
3. Te waihanga, i te taha o te hunga hauā, tētahi utauta/pou tarāwaho aromatawai pānga whakahāwea hauātanga me te whakamahi i tēnei ina waihangatia he ture hou, ka whakatikangia rānei tētahi ture, hei whakarite kei te hāngai ngā tukanga pūnahanaha mō ngā ture katoa me te Kawenata Hauātanga me te whakakore i ngā whakaritenga aukatitanga.

### **Ūpoko 6**: Ngā wāhine hauā

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Āta whakawhitiwhiti me ngā wāhine hauā (me ngā kōtiro ina tika ana) mō te waihanga ture me te kaupapahere, whakatau tikanga, aroturuki kaupapa me ngā whakaritenga ārai whakarekereke.
2. Whakakaha i ngā kaupapa tauwhitiwhiti e whakauru mai i ngā tirohanga hauā i roto i ngā kaupapa hāpai i te ōritenga ira tangata me ngā tirohanga ira tangata i roto i ngā kaupapa hauātanga, tae atu ki te whakaemi me te tātari raraunga.
3. Mahi tahi me te hunga hauā ki te ōtita i te whakatapoko ki te hunga hauā o ngā ratonga ārai whakarekereke, urupare hoki (tae atu ki ērā e whakaratoa ana e ētahi kē atu) hei whakarite he tuwhera, ka āheitia, ā, e āhei ana ngā kaimahi ki ngā whakangungu e tika ana.
4. Mātua whakarite ka tukuna ngā ratonga hauora wāhine katoa me ngā ratonga hōkakatanga me te whakaputa uri (tae atu ki ērā e tukuna ana e ētahi atu) i roto i ngā whakaurunga whakatapoko, ā, e wātea ana ngā mōhiohio mō ēnei ratonga mā ngā takotoranga ka taea e te katoa.
5. Whakauru mai i ngā whakaritenga motuhake wā poto (mahi whakaū) mō te whakatere ake i te whai wāhi ōrite mai o ngā wāhine hauā ki te mahi.

### Ūpoko 7: Ngā tamariki hauā

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Nui ake te whakaemi i ngā raraunga wehewehe matawhānui ake mō ngā taiohi hauā hei whāngai i ngā mōhio kia whaitake te wawao tōmua, otirā i roto i ngā wāhanga o te mātauranga, te manaaki me te tiaki, me te ture taiohi.
2. Te aro tonu ki te whakauru mai i ngā tikanga kia noho ai ko te reo o te tamaiti ki waenga pū o te waihanga kaupapahere.

### **Ūpoko 8:** Te whakapiki mōhio

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Tīmataria tētahi whakahau ā-motu i waihanga ngātahitia e:
   1. hāpai ana i ngā motika me te mana o te hunga hauā, tae atu ki te whakaari i te uara o te kanorautanga;
   2. ātetehia atu ngā tirohanga kino mō te uara o ngā ao o te hunga hauā kua whakaaturia i roto i ngā tautohetohe e pā ana ki te End of Life Choice Act 2019 me te tātari hapūtanga; ā, kia
   3. wawe tonu, kia hāngai tonu te ātete i ngā tirohanga tūmatanui e pā ana ki te hauā ā-hinengaro me te whakarekereke.
2. Me whakauru ko ngā kaupapa i hangaia e te hunga hāua–ki roto i te marautanga kura me ngā whakangungu mātauranga tuatoru, otirā (engari kia kaua e whāiti ki) kia whakaturehia te whakangungu i ngā kaiako katoa me ētahi ngaiotanga e mahi tahi ana me te hunga hauā.
3. Me tuku i ngā rauemi tāpiri hei whakarite ko ngā whakahau ārai i te whakawetiweti ka tino whakauru mai, me te whakatutuki i ngā hiahia o te hunga hauā.
4. Me whakarite, i roto i ngā whiriwhiringa o te whakaurunga mai o te ture kōrero whakarihariha whānui, taihara whakarihariha hou rānei, ka whakauru atu anō ngā kōrero whakarihariha hauātanga, taihara whakarihariha rānei.
5. Me whakarato ngā whakangungu e whakahaerehia ana e te hunga hauā, mā roto i Te Kawa Mataaho, mō te Kawenata Hauātanga mā ngā kaimahi kāwanatanga.

### **Ūpoko 9:** Whakatapoko

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Waihanga me te whakaae ki ngā whakamāramatanga matawhānui mō te hoahoa me te whakatapoko ahuwhānui, ā, kia ōrite te whakamahi i ēnei whakamāramatanga.
2. Whakahoutia te Paerewa o Aotearoa NZS4121:2001 me te waihanga i ngā tūmomo paerewa whakatapoko hāngai matawhānui e kapi ana i ngā āhuatanga katoa o te uru ki te hapori ki te iwi hoki.
3. Whakarite ka whakatinanahia ngā hoahoa whakatapoko me te ahuwhānui i roto katoa i:
   1. ngā whanaketanga whare noho hou;
   2. ngā wāhi tūmatanui;
   3. ngā pūnaha ikiiki me ngā tīkiti;
   4. ngā wāhi whakamahi-ngātahi; me
   5. ngā hangarau me ngā tauwhitiwhititanga.
4. Whakatinanahia ngā rautaki pakari me ngā rārangi wā hei whakahou ake i ngā hanganga tūmatanui onāianei hei whakaū i ngā paerewa hoahoa whakatapoko pai rawa.
5. Whakatinana i ngā pūnaha hei whakarite kia auau te aroturuki, te ōtita hoki/rānei ki ngā paerewa whakatapoko o ngā whare whai whakatapoko tūmatanui, me ngā wāhi mahi, ā-iwi, ā-rēhia hoki me ngā ratonga tūmatanui.
6. Waihanga ngātahi i ngā pūnaha whakatapoko i te taha o te hunga hauā, me te whai whakaaro ki te hunga e mahue ana ki waho pērā i ngā tamariki.

### **Ūpoko 10**: Te motika ki te ora Te motika ki te ora

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whakarite ka whai whakaaro ki te pānga kino pea o tētahi ture e whakaae ana i te āwhina ki te whakamate ki te hunga hauā.
2. Whakarite mā te aroturuki whaitake, ki te whakamanatia te End of Life Choice Act 2019, kāore he pānga nui rawa ki te motika ki te ora mō te hunga hauā.

### **Ūpoko 11:** Ngā āhuatanga o te mōrea me ngā ohotata oranga tangata

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Mahi tonu me te Hononga DPO mō te Disability Inclusive Disaster Risk Reduction (DIDRR), ā, me whakawhānui i ngā mahi hei tuku i tētahi urupare matawhānui ki ngā tūmomo mōrea oranga tangata me ngā aituā ao tūroa.
2. Waihanga me te whakatairanga i ngā kaupapa e āta tautoko ana i te whakanui ake i te manawaroa mō ngā tāngata hauā, ngā whānau, ngā rōpū me ngā hapori hei whakangāwari i ngā mōrea me ngā pānga o ngā aituā ao tūroa, ētahi atu ohotata oranga tangata rānei.

### **Ūpoko 12**: Te mana ōrite i raro i te ture

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whakakorehia, kia whakakapihia hoki ngā ture e whakaae ana i ngā wawaotanga uruhi i ahu mai, ā, e whakaū ana hoki i ngā whakaaro kino, takarepa hoki mō te hunga hauā, me te tuku i ngā wawaotanga 'whakamaimoa' whakature, tae atu ki te:
   1. Mental Health (Compulsory Assessment and Treatment) Act 1992 (e mōhio ana kua ū tēnei i roto i te Mahere Mahi Hauātanga);
   2. Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003;
   3. Substance Addiction (Compulsory Assessment and Treatment) Act 2017; me
   4. ngā wāhanga o te Ture Oranga Tamariki 1989 — Children’s and Young People’s Well-being Act 1989 e whakamana ana i te mauherenga pohewa, whakawehenga taratahi, mauhere, ngā mahi rānei ka kīia pea he kino, ngākau whakawhiri, mahi whakakino, whiu kino rānei.
2. Me tono ko te arotake a Te Aka Matua o Te Ture i ‘ngā pakeke he waimaero te kaha whakatau tikanga’:
   1. kia waihanga ngātahitia me te hunga hauā;
   2. ka whāngaia e tētahi ara motika tangata e whakamana ana i ngā motika a-ture ahuwhānui mō te toro ki ngā tautoko hei whakatau tikanga, me te whakanui ake i te whakaurunga;
   3. he whakaata i te mōhio ki te whakatau tikanga whakakapi hei kōwhiringa whakamutunga anake ina pau katoa ētahi atu ara whakatau tikanga whai tautoko, ā, ko ngā whakatau tikanga whakakapi me tino hāngai rawa ki te whakamāramatanga pai rawa o ngā motika, hiahia, manakohanga hoki o te tangata;
   4. kia whakaurua te hiranga o ngā arotake auau me ngā tikanga aroturuki pakari; me
   5. te whai whakaaro ki tētahi pou tarāwaho kua whakakotahitia ka taea te whakamana ahakoa te pūtake mō (wā poto, wā roa rānei) te whakatau tikanga whakakapi.
3. Me whakarite kei te whai pūtea pūmau te hunga hauā me ō rātau whakahaere māngai hei ārahi i te whanaketanga o te kaha ki te whakatau tikanga whai tautoko mō ngā tāngata hauā, whānau me te hunga whai kawenga pērā i te ohu mahi hauora me te hauā, te umanga ture, me ngā whakanōhanga pūtea.

### **Ūpoko 13**: Te whai wāhi ki te ture

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Kōkirihia tētahi arotake rautaki i te pūnaha ture hei whakarite he whakatapoko, ā, ka hāngai ki te hunga hauā hei whakarite i te ōrite o te āhei atu. Kei roto i ngā mahi ka tūtohua, engari kaore e herea ki ēnei anake:
   1. te whakapai ake i te whakaemitanga o ngā raraunga e Te Tāhu o te Ture me ngā kōti;
   2. kia whakahaerehia ngā 'ōtita whakatapoko' whakahauanga, e utua ana hoki, i ngā kōti katoa me ngā whakaurunga a Te Tāhū o te Ture me Te Ara Poutama Aotearoa;
   3. te whakarite ka tino wātea ngā mōhiohio mō te rāngai ture ki te katoa, mō ngā āhuatanga takitahi me ngā tūmomo ara ka whāia e te tangata mā te pūnaha ture whānui;
   4. te tuku i ngā whakangungu mō ngā motika hauātanga me te whakatapoko i roto i te rāngai ture, tae atu ki ngā pānga o ngā whakahāwea maha;
   5. te whakatenatena me utu i te pikitanga nui o ngā pūkenga ture mō ngā motika hauātanga, motika tangata hoki;
   6. te whakatū me te tuku pūtea mō tētahi ratonga kaitaunaki mā te hunga hauā;
   7. te arotake i ngā tauārai e whai pānga ana ki ngā rōia i roto i ngā umanga tūmataiti e urupare ana ki ngā kiritaki hauā;
   8. te whakapiki i ngā rauemi mā ngā kaiwhakarato ture hapori e tuku ana i ngā wawaonga ture ā-hauātanga; me
2. te whakapiki i te mōhio ki te 'hauātanga io tōpū' i roto i te pūnaha ture me ngā urupare whakamātau hirikapo me ngā whakawhitiwhiti tauwhāiti ki te hunga he waimaero io tōpū ō rātau.

### **Ūpoko 14**: Te tikanga herekore me te maru o te tangata

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whakatinanahia te tūtohutanga ōkawa, i tukuna i roto i Te Pūrongo a te Uiui Kāwanatanga ki te hauora hinengaro me te Waranga, hei pīra me te whakakapi i te Mental Health (Compulsory Assessment and Treatment) Act 1992, i te taha o te hunga whai pānga ki te ahotea hinengaro, ā, me te whāwhai ki te whakahaere i ngā whakawhitiwhiti kōrero whānui me ngā tāngata whaikaha.
2. Ko ngā kōwae 33 me te 34 o te pūrongo Kitenga Whakamutunga a te Komiti Hauātanga, hei whakakore i te whakarau i roto i ngā whakaurunga hauora nā te take hauātanga (tika tonu, pōhēhē rānei), te tuku whakamaimoa anake i runga i te whakaaetanga herekore, i runga i te mōhio, me te whakakore i te whakamahinga o te whakawehenga me te mauhere i rō whakaurunga hauora.
3. Mātua whakarite kia whānui tonu te whakatinana i te arotake e whakaritea ana e te wāhanga 120 o te Substance Addiction (Compulsory Assessment and Treatment) Act 2017.

### **Ūpoko 15**: Kia kaua e pā mai te whakamamae, te mahi kino, ngākau whakawiri, whakakino, whakawhiu rānei

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Te whakakaha i tōna pūmau kia whakaitia te hunga hauā e mauherea ana, me te whakatere ake i te whakaitinga, tae noa ki te whakakorenga, o te whakamahi i te whakawehenga i ngā whakaurunga hauora me te hauātanga pūmau, mā ngā kaupapahere pakari, ka taea, whai wā hoki.
2. Ina whakakorehia ēnei tikanga, me whakarite kia whakaputahia e ngā poari hauora ā-rohe ngā tatauranga ā-tau e whakaatu ana i ngā whakatutukitanga ki ēnei kaupapahere, tae atu ki te pūrongo i ngā raraunga matawhānui. e pā ana ki ngā whakawehenga wā roa.

### **Ūpoko 16**: Kia kaua te whakahāwini, whakarekereke me te tūkino

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Waihangatia ngā tūmomo kaupapa whakamaru i te hunga hauā mai i te whakarekereke ā-whare me ētahi atu momo whakarekereke kia ōrite ki te hunga kāore he hauātanga, ā, kia tautuhia e ngā tari me te urupare tika ki ngā mahi tūkino me te whakarekereke kei te pā ki te hunga hauā, arā mā te:
   1. whakarite kei roto i ngā kaupapa ārai i te whakarekereke me te whakarekereke ā-whānau katoa a te kāwanatanga ko ngā rauemi mā te hunga hauā e wātea ana ki te katoa;
   2. whakawhānui haere i te mōhio ki ngā tūkinotanga ka pā ki te hunga hauā me ngā tikanga hei whakatikatika i tēnei, ā, kia rawaka te tuku pūtea mā ngā whakahaere e arahina e te hunga hauā e mahi ana i roto i tēnei wāhi;
   3. whakanui ake i ngā pūtea mō ngā kaupapa e arahina ana e te hunga hauā hei whakarite ka pai ake ngā pūnaha mō te āhukahuka, ārai me te urupare wawe ki ngā mahi tūkino;
   4. whakarite ko ngā raraunga ka whakaemihia e ngā Pirihimana ka taea te whakaemi i ngā raraunga wehewehe kia taea ai te hopu tika me te tātari i te whakarekereke me te tūkino i te hunga hauā; me te
   5. whakarite ko te hunga e mauherea whakahauangatia nā te hauātanga te take ka āhei atu ki ngā kaitaunaki matatau mō te koreutu me te whakarite e kore e taea te aukati te haere atu a ngā kaitaunaki ki te kite i ngā kiritaki ina hiahiatia ana kia tū hei kaiwhakaatu mō ngā āhuatanga me ngā here.

### **Ūpoko 17**: Te tiaki i te pono o te tangata

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whakamanatia te ture e aukati ana i te whakamahinga o te kokoti-uru, tētahi pokanga hauora haumanu-kore i ngā tamariki me ngā pakeke hauā ki te kore rātau e whakaae atu i mua, i runga i te mōhio, herekore hoki.
2. Te whakapai ake i ngā tikanga o te whakaemi me te pūrongo tatauranga mō te kokoti-uru me ētahi atu pokanga hauora haumanu-kore i Aotearoa, me te whakarite he kirimuna ngā raraunga katoa ka whakaemihia kia kore e mōhiotia he tangata.

### **Ūpoko 18**: Te nekeneke herekore me te iwi tūturu

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Arotakehia ngā ture me ngā kaupapahere hāngai e whakarite ana e kore whai pānga te hunga hauā ki ngā tauārai tāpiri i runga atu anō i ētahi atu ina tono ana mō te whakauru ki Aotearoa, ā, kāore e whāiti ana ki ēnei:
   1. te whakarite kei te whai whakaaro ngā āpiha ki te Kawenata Hauātanga ina tuku whakatau ana i raro i te Ture Manene;
   2. te pīra i te wāhanga 392 o te Ture Manene kia taea ai e Te Kāhui Tika Tangata te whiwhi amuamu mō ngā take manene.
2. Te mahi tahi me ngā hunga hauā ki te waihanga i ngā tohutohu manene e whakatutuki ana i ngā paiherenga o te Kāwanatanga i raro i te Kawenata Hauātanga me te *Rautaki Hautanga*.

### **Ūpoko 19**: Te noho motuhake me te whakauru ki te hapori

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whakatinanahia te ture kia ū ai ngā whare noho hou katoa ka hangaia ki ngā paerewa hoahoa ahuwhānui (tirohia anō te Ūpoko 9).
2. Me whakarite a Kāinga Ora kia:
   1. whai i tētahi whakamāramatanga matawhānui o te hoahoa ahuwhānui;
   2. paihere wawe tonu ki tētahi kaupapahere o te whakatūturu i te hoahoa ahuwhānui i roto i ngā mahi waihanga whare hou katoa puta noa i ngā momo whare katoa;
   3. paihere ki te whakakapi, whakahou rānei i ngā whare kia eke ki ngā paerewa hoahoa ahuwhānui i roto i te tekau tau e heke iho nei;
   4. hoahoa i ngā whakatakotoranga whakatapoko mō ia momo whare e wātea ana (arā, kia ū ki ngā paerewa hoahoa NZS4121:2001);
   5. whakatinana i tētahi ōtita whakatapoko matawhānui o ana whare katoa;
   6. paihere ki te whakarite ka whakahoutia he ōwehenga o ō rātau whare kia ū ai ki ngā paerewa whakatapoko (arā, e ai ki ngā whakatakotoranga whakatapoko i hangaia i runga ake), kaua ērā kua whakaritea kētia e ai ki ngā hiahia o ētahi. Ko te ōwehenga o ngā whare whakatapoko, i te mea iti rawa, me wātea ki ngā kainoho Kāinga Ora whai hauā; me te
   7. whakaroa ake i te wā mō te hunga hauā me whiwhi whakahounga hāngai kia taea e rātau te noho i roto i ngā kāinga kua whakahoutia ki ō rātau whakatakotoranga.
3. Me whakatikatika, whakawhānui hoki/rānei i ngā kaupapa tuku pūtea katoa mō ngā utauta me ngā waka hauā hei whakarite ka whai wāhi atu te hunga hauā ki ngā utauta katoa e hiahiatia ana e rātau kia noho motuhake me te uru atu ki tō rātau hapori.
4. Me tino whakatinana i ngā tūtohutanga o te pūrongo a te Komiti Whiriwhiri mō Ngā Ratonga Pāpori 2008 (*Uiuinga ki te kounga o te whakarato manaaki kounga me ngā ratonga mā te hunga hauā*)[[15]](#endnote-16) hei whakaiti i te maha o te hunga hauā kua herea ki te noho i rō whare tiaki kaumātua.
5. Me whakauru mai ngā ture whakatapoko e whakarite ana i ngā ratonga hapori me ngā whakaurunga katoa kia whakatapoko ki ngā tāngata hauā katoa, ā, me te āta whakatau he aha ngā mea e tūmanakohia ana mō ngā kaituku ratonga katoa.
6. Me whāwhai te waihanga i ngā tauira tuku pūtea pūmau me te ōrite kia taea e ngā tāngata hauā katoa, ahakoa te pūtakenga mai, te toro ki ngā tautoko ngāwari me te kōmitimiti e takawaenga ana i te noho motuhake me te tino whakauru atu ki te hapori.
7. Me whakarite ka whiriwhiria e te kāwanatanga, ngā kaunihera ā-rohe me ētahi atu kaiwhakarato whare i te rahinga me te momo o ngā whare whakatapoko mā tētahi āhuatanga e taea ai e rātau te tātari e ai ki ngā hiahia o te hapori.
8. Me kaha ake te aro ki te hiahia kia hoahoatia, kia hangaia ngā whare kia whakatapoko te āhua, me te whakarite ka āhei atu ki te hunga hauā ki ngā pūtea nui ake, tere ake e rawaka ai te whakatikatika i ngā whare kia taea ai e rātau te nekeneke haere pai i roto i ō rātau whare.

### **Ūpoko 20**: Te nekeneke a te tangata

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whāwhai te arotake me te whakarahi ake i te haumi ki ngā ikiiki tēkehi whai utu āwhina me ētahi atu kaupapa ikiiki mā te hunga hauā kāore e whai wāhi atu ki ngā ikiiki tūmatanui kia whai wāhi atu ai rātau ki ngā tūmomo kōwhiringa ikiiki ōrite, whakawhiti i te 24/7 puta noa i te motu.
2. Akiaki i ngā kaunihera ki te whakapūmau i ngā whakaritenga whakatapoko i roto i ana tukanga whiwhi ratonga mō te ikiiki tūmatanui hei whakarite ka ōrite te whai wāhi atu o te hunga hauā ki te ikiiki tūmatanui.
3. Whakarite ko ngā umanga tēkehi katoa me mātua whai i te katoa, he wāhanga nui rānei o ngā waka he whakatapoko mō ngā kōrea, me te whakarite ka wātea aua waka e ai ki te nuinga atu o ngā waka.
4. Whakatauhia ngā ūnga tūmanako, whakatinanatanga hoki mō ngā mana kaunihera hei whakarite ko ō rātou rori, ngā hanganga ikiiki me ngā ara hīkoi ka hangaia, ka whakatikahia, ka tiakina kia ū ai ki ngā paerewa whakatapoko.
5. Me whakarite i ngā pūtea mō te whakangungu nekeneke me ngā utauta mā ngā tāngata hauā katoa, ahakoa te pūtake o te hauātanga, ā, ka whakakore atu i ngā rerekētanga i waenga i ngā kiritaki a Te Manatū Hauora me Te Kaporeihana Āwhina Hunga Whara (ACC).
6. Me tuku haumitanga atu anō ki ngā rangahau me te whanaketanga o ngā āwhina nekeneke me te waihanga, te hoko mai rānei i ngā āwhina nekeneke mai i tāwāhi.

### **Ūpoko 21**: Te mana whakapuaki kōrero me te whakaaro me te whai wāhi ki ngā mōhiohio

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whakawhānuitia te Tūtohutanga Whakatapoko kia uru mai ai ngā kaunihera me ngā poari hauora ā-rohe.
2. Pāhitia ngā ture whakatapoko e whakarite ana i ngā kaituku mōhiohio tūmataiti, ngā paetukutuku me te hunga pāpāho ki te whakauru i te whakatapokotanga.
3. Whakamana i te hunga hauā kia tōtika ake te whakawhitiwhiti kōrero me ngā tari kāwanatanga mā te whakapiki i te nui o ngā takotoranga ka noho wātea kia taea e te hunga hauā te whakaputa ō rātau whakaaro i roto i Te Reo Rotarota o Aotearoa, me te whakamahi i te tuhi kāpō, Reo Māmā me ngā takotoranga ororongo kia whānui ake ai te torotoro.
4. Whakawhānuitia atu te whai wāhi ki ngā mōhiohio me ngā whakawhitiwhiti kōrero mā ngā Tāngata Whaikaha, tae atu ki te whakapiki ake i te whakaratonga kaiwhakamāori, tuhinga hauraro, whakaahuatanga ororongo, me te Reo Māmā ki te reo Māori.

### **Ūpoko 22**: Te manaaki i te matatapu

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whakahaere i tētahi ōtita, he tātari i ngā āhuatanga hoki/rānei i ngā wheako o te hunga e pā ana ki te matatapu me te tuari mōhiohio.
2. Whakahau i ngā tari rāngai tūmatanui katoa ki te whakarite ko ngā mōhiohio whaiaro ka kohia e rātau, ka puritia rānei e rātau he haumaru, ka taea, ā, kia tino iti noa te raweketia.
3. Whakarite ngā tari rāngai tūmatanui me ngā kaiwhakarato ratonga kei te mārama rātau ki ō rātau kawenga i raro i te Ture Matatapu 1993 me te Tikanga Matatapu Mōhiohio Hauora, ā, ka whakaritea ki te whakaatu he pakari ā rātau kaupapahere whakangungu me te matatapu hei whiwhi i ngā pūtea kāwanatanga—otirā i ngā āhuatanga e tukuna mā ētahi kē hei whakarato. Kei roto i tēnei ko ngā hātepe amuamu pai ake, me ngā kōrero whakaū ko ngā mōhiohio ka tukuna ki ngā kaituku amuamu ka tukuna i ngā takotoranga ka taea e te katoa.
4. Whakahaua ngā tari rāngai tūmatanui ki te tuku i ngā tuhinga ōkawa katoa i roto i ngā takotoranga ka taea, me te kōwhiringa ki te whakaoti tuihono, te whakamahi i Te Reo Rotarota o Aotearoa, me ngā āwhina rānei a ngā kaimahi tino matatau.
5. Whakarite ka arotakehia te rahinga o ngā raraunga hauora me tuku e te hunga hauā kia taea ai te toro ki ngā ratonga me ngā tautoko, ā, ka whakatairite me te whai ki te whakaiti i te tāruaruatanga, me te whiwhi i ngā mōhiohio anake e hiahiatia ana, me te whakarite kei te ū ngā tikanga tuari raraunga haumaru.

### **Ūpoko 23**: Te whakaaronui ki te kāinga me te whānau

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whakarite kei te whiwhi ngā whānau o ngā tāngata hauā i ngā pūtea me ētahi atu tautoko e hiahiatia ana hei tiaki i ā rātau tamariki—tae atu, engari kāore i te whāiti, ki ngā āwhina i te kāinga, ngā akoranga tiaki tamariki ka taea e te katoa, me te whai wāhi atu ki ngā tautoko whitiwhiti kōrero pērā i ngā kaiwhakamāori Reo Rotarota o Aotearoa.
2. Whakarite ka tiakina ngā motika o ngā tamariki hauā ki te noho tonu ki te kāinga o te whānau mā te tuku pūtea me ētahi atu tautoko ki ō rātau whānau.
3. Tuku whakaaturanga ki te IMM e whakaū ana kāore e tangohia ngā tamariki ki tētahi kāinga i runga i te hauātanga o tētahi o te whānau, nā te kore tautoko rānei.
4. Arotakehia te Adoption Act 1955 hei whakarite ka ū ki te Kawenata Hauātanga. Otirā, kia wawe te whaiwhai i ngā tūtohutanga a te IMM ki te arotake i ngā wāhanga 8 me te 11 o te Adoption Act kia kaua rawa e rāhuitia te whāngai tamariki nā te hauātanga anake te take, te kore whai whakaaetanga rānei a te matua.
5. Whakarite ka tukuna ngā whakangungu ki ngā kaimahi kōti me ngā kaituhi pūrongo ki te kōti mō ngā motika hauātanga me te Kawenata Hauātanga, hei whakarite ka ū ki tētahi ara motika tangata.

### **Ūpoko 24**: Mātauranga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whāwhai te whakauru i tētahi motika ka taea te whakaū kia ngākau tuwhera te āhua o te mātauranga hei āhuatanga hira nō te pou tarāwaho ā-ture, me te whakarite i ngā rawa kia ōrite ai te wāteatanga.
2. Whakauru i te waihanga ngātahi ki ia wāhanga o te tukanga whakatikatika i te mātauranga.
3. Whakatū i tētahi rōpū wānanga, tae atu ki te hunga hauā mā ō rātau whakahaere whakakanohi me te tuku pūrongo tōtika ki te/ngā Minita o Te Tāhuhu o Te Mātauranga kia mahi i ngā kaupapa mātauranga hira.
4. Arotake, hei kaupapa matua, i ngā tauira tuku pūtea ki ngā ākonga onāianei hei whakarite ka tuku rātau i ngā tautoko whaitake kia ōrite ai te whai wāhi o ngā ākonga hauā katoa ki te mātauranga.
5. Whakarite i te whakatinanatanga o ngā rōpū whiriwhiri amuamu me te whakatau amuamu e marohitia ana te waihanga ngātahi i te taha o te hunga hauā me ngā whānau kia mātua whiwhi ai i ngā urupare i te wā tika, whaitake hoki ina kitea kāore i te tōtika te manaaki, me tētahi rongoā me te puretumu i roto i te wā tika, whaitake hoki.
6. Whakarite he haumaru, he nawenawe hoki te tuari raraunga me ngā mōhiohio mai i tētahi tirohanga ā-motika.
7. Whakauru mai me te whakapakari i ngā whakangungu whaitake, te whanaketanga me te anga whakamua mō ngā kaiako me ngā kaiārahi mātauranga hei whakarite he tiaki, he manaaki i te tamariki kanorau, tae atu ki aua hauātanga io tōpū, hauātanga huna rānei.

### **Ūpoko 25**: Hauora

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whakahoutia te Public Health and Disability Act 2000 hei whakauru i ngā whakaritenga whai kanohi ai te hunga hauā ki ngā tūru poari whakahaere puta noa i te pūnaha hauora me te hauātanga.
2. Whakauru mai i ngā tauira auaha mō te tuku pūtea me ngā tautoko hauātanga ngāwari, me te tuku pūtea tika ki aua tauira, kia taea e te hunga hauā te āhuatanga hauora tiketike rawa ka taea e rātau; me te whakatere ake i te whai wāhi atu ki tētahi ara Enabling Good Lives a-motu.
3. Tahuri ki te whakamārama i te tūmanako kei ngā poari hauora ā-rohe ki te tuku i ngā tautoko ā-hauātanga, otirā e pā ana ki te wāhanga 22(1)(c) ne te (d) o te Public Health and Disability Act 2000.
4. Whakatinanahia ngā tūtohutanga a te IMM o mua kē e whakatikatika ana i ngā rerekētanga o te tūmanakohanga ora mō te hunga hauā, otirā rātau he hauātanga hinengaro/ora me te hauātanga ā-pāpori ō rātau. Mahi me te hunga hauā me ō rātau whakahaere whakakanohi hei whakatū i tētahi kaupapa hauora matawhānui me te aroturuki.
5. Whaiwhai i ngā putanga o te Wāhanga 1 me ngā whakawātanga o te *Wai 2575* Te Uiui Kaupapa Ratonga me Ngā Putanga Hauora e heke iho nei.
6. Whakarite ka waihanga ngātahitia me ngā tāngata hauā ngā kaupapa e aro ana kia ōrite te whai wāhi ki ngā ratonga hauora mā te hunga hauā.
7. Whakarite i tētahi whakahaere waihanga ngātahi me te hunga whai wheako ki te hauātanga ā-pāpori mō te whakatinanatanga o ngā tūtohutanga o *He Ara Oranga: Te Pūrongo a te Uiui Kāwanatanga ki te Hauora Hinengaro me te Waranga*,[[16]](#endnote-17) me te whakarite ka tika te tuku pūtea ki a rātau ki te whakahaere i ēnei mahi.

### **Ūpoko 26**: Te whakapakari ake me te whakaoranga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Tōmua ake te tahuri ki ngā tūtohutanga a IMM hei whakatikatika i ngā rerekētanga i waenga i ngā ratonga whakapakari ake me te whakaoranga e utua ana e te ACC me aua ratonga e utua ana e ētahi atu tari kāwanatanga, hei whakakore atu i ngā rerekētanga o te taumata me te āhua o ngā ratonga. Āta whai whakaaro ki te hunga hauā i whānau mai me tētahi waimaerotanga, me rātau he waimaerotanga ō rātau ehara nā te hauata.
2. Whakarite ka whai wāhi atu ngā tāngata katoa ki ngā ratonga whakapakari ake tino kounga me ētahi atu whakaritenga ārai kia kakama ai te whakatikatika me te whakangāwari i ngā waimaerotanga me te titiro kia mau tonu ki te tino noho motuhake, whakaurunga me te whai wāhi ki ngā āhuatanga katoa o te ao.
3. Whakawhānui ake i te whai wāhi atu, me te tuku pūtea tika, ki ngā tūmomo ratonga whakapakari ake me te whakaoranga kia whai, kia ū te noho motuhake ki tērā e taea ana, kia kaha ā-tinana, ā-hinengaro, ā-pāpori me te whai kaha ki te mahi, me te tino whakauru atu me te whai wāhi ki ngā āhuatanga katoa o te ao.

### **Ūpoko 27**: Te whai mahi

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whai whakaaro ki te waihanga i tētahi rautaki hauātanga ā-motu matawhānui ake hāngai:
   1. āhei ngā tāngata whaikaha ki te rapu rongoā mō ngā tāngata whaikaha;
   2. kakama ki te whakatikatika i ngā putanga whai mahi rerekē mō te hunga hauā;
   3. waihangatia ngātahitia e te hunga hauā me ngā kaituku mahi;
   4. takawaenga i te auahatanga paetata me te take rangatiratanga;
   5. whakapiki i te haumitanga; me te
   6. whakauru i ngā tohu nui ā-wā, ngā tūmahi ka taea te ine me tētahi pou tarāwaho aroturuki.
2. I te wā e tāria ana te arotake i kōrerohia i roto i te tūtohutanga 10, me whai whakaaro kia menemana wawetia te Ture Kāhui Tika Tangata 1993 kia āta whakamarama ai he aha te manaaki tōtika i te horopaki whai mahi, te waihanga i tētahi here pai kia whakaratoa me te tuku tohutohu mō te whakamāramatanga o te taumahatanga nui rawa, e ai ki te Ūpoko 2 o te Kawenata Hauātanga me te Kōrero Whanui 6 mō te ōritenga me te kore whakahāwea.
3. Kōkiritia ngā mahi whakatautika, ngā whakaritenga motuhake wā poto rānei hei whakanui ake i te whai mahi a te hunga hauā i roto i te rāngai tūmatanui. Kei roto i tēnei ko te whakatū i tētahi wāhanga, ūnga rānei, engari kei roto pea ēnei e whai ake:
   1. Kōkirihia kia uta ki te rārangi whāiti me te uiui i ngā kaitono hauā katoa e whai i ngā pūkenga e tika ana;
   2. tūhura i ngā ara hei whakapoapoa i te haumitanga a ngā kaituku mahi i roto te hoahoa ahuwhānui me ngā hanganga whakatapoko—hei tauira, ngā tāke moni tuku, whakangāwaritanga rānei; me te
   3. whakaaroaro ka pēhea te tautoko a ngā whakahaere whiwhi ratonga a te kāwanatanga, haumitanga rānei pērā i te Tahua Whakatipu Rohe, ki te whai mahi a te hunga hauā mā te whakarite i ngā kaihoko, kai whiwhi rānei kia āta whakaatu ka pēhea te manaaki a tā rātau kaupapa, me te whai wāhi atu ki te hunga hauā.
4. Whakatinana i te tūtohutanga o te tau 2014 ki te menemana i te Minimum Wage Act 1983 ki te whakakore i ngā whakaaetanga awere moni whiwhi iti rawa.

### **Ūpoko 28**: Te pae oranga tōtika me te whakamarutanga pāpori

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whakamanatia ngā tūtohutanga ā-hauā o Whakamana Tāngata, te pūrongo a Te Rōpū Mātanga Toko i te Ora. E whakaūngia ana e te IMM te kaupapa ake o te pūrongo mō tētahi pūnaha toko i te ora me te whakatenatena kia whānui te aronga o te whakatinanatanga o ngā tūtohutanga katoa, ka mutu kia hohoro te whaiwhai, otirā ko ēnei tūtohutanga e pā ana ki te wātea me te whaiutu o ngā whare noho, me te tōtika o ngā moni whiwhi:[[17]](#endnote-18)
   1. *Kia wawe tonu te whakapiki ake i ngā moni whiwhi ki ngā rahinga tōtika kia whaitake ai te whai wāhi ki te hapori, e ai ki te paerewa moni whiwhi iti rawa (e whakaata ana i ngā āhuatanga whānau rerekē, hei tauira, ngā tamariki, hauātanga, wāhi ā-rohe hoki) me te mau ki tēnei taumata tautoko mā te whakataupū tōtika..*
   2. *Me whāwhai te whakawhānui ake me te whakatere ake i ngā whakapau kaha o te Kāwanatanga kia nui ake ngā whare tūmatanui ki tētahi rahinga ā-ahumahi me te haere tonu o ngā mahi whāwhai ki te whakamutu i te noho kore kāinga.*
   3. *Increase the range of home ownership and tenure options for people on low and low–middle incomes.*
   4. *Kia whakawhānui ake i te awhe o ngā kōwhiringa hoko whare, wā noho roa hoki mō te hunga he iti noa, he iti–wawaenga rānei ngā moni whiwhi.*
   5. *Waihanga me te whakamana i ngā ture me ngā rekureihana hei whakarite i ngā kāinga tōtika me te whakamaru kāinga, ngā paerewa tika o te kounga whare noho, hoahoa ahuwhānui, me te whakatapoko.*
   6. *Me āwhina i ngā utu whare noho mō te hunga he iti ngā moni whiwhi (i tua atu i te whakapiki i ngā utu takuhe matua hei tuku i tētahi moni whiwhi tōtika) me te whakarite ka pai ake ngā whānau i ngā huringa tōpū ki ngā tautoko whare me ngā pānga whakaheke moni whiwhi.*
   7. *Me whakapai ake i te whai wāhi ki ngā tautoko whare whaiutu, tōtika mā te hunga he iti noa, he iti–wawaenga rānei ngā moni whiwhi, tae atu ki ngā tūmomo hua hoko whaiutu me ngā whare papakāinga.*
   8. *Me whakapai ake i te haora me te oranga o ngā tāngata māuiui, hauātanga, tae atu ki ngā kaitiaki o ngā tāngata he mate ō rātau, he hauātanga rānei e whakawhitiwhiti ana me te pūnaha toko i te ora mā te:*
   * *tuku i ngā tautoko ā-pūtea e tōtika ai te whai mana o te noho, ā, kia ōrite puta noa i te rāngai pāpori*
   * *whakatinana i ngā aronga ā-whakaaturanga hei tautoko i te pai, tōtika o te whakawhitiwhiti me te mahi me te hapori ina taea ana e*
   * *whakatinana i ngā rautaki hei ārai i ngā mate whakatiki mahi, hauātanga hoki.*
2. *Whakauru ki roto i te Arotake i te Pūnaha Hauātanga me te Hauora o Aotearoa te hononga i waenga i te pūnaha hauora me te hauātanga me kaupapa paremata hauata, ā, me pēhea te whakarerekē i te hononga i waenga i ēnei me te pūnaha toko i te ora hei whakapai ake i ngā putanga mō ngā tāngata he mate, hauātanga ō rātau me ō rātau kaitiaki.*

### **Ūpoko 29**: Te whai wāhi ki ngā āhuatanga tōrangapū, tūmatanui hoki

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Arotakehia ngā aratohu mō te whakakāhore i ngā kaipōti kei raro i te Mental Health (Compulsory Assessment and Treatment) Act 1992 me te Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003 kia hāngai ai ki te Kawenata Hauātanga.
2. Whakatinana i ngā ture me ētahi atu whakaritenga hei whakapiki i te whakatapoko o ngā whakahaere pōtitanga mā te hunga hauā, i waihangatia ngātahitia me te hunga hauā.
3. Mahi tahi me te hunga hauā me Te Kaitiaki Take Kōwhiri ki te whakarite ka tukuna ngā mōhiohio mō ngā pōtitanga ā-rohe, whānui hoki i roto i ngā takotoranga ka taea, ā, kei reira ngā tautoko e hiahiatia ana hei whakarite kāore he aukatinga tuwhene o te pōti a te hunga waimaero ā-hinengaro.
4. Arotake i ngā tautoko mā ngā kaitono me ngā whakahaere pōtitanga; me ngā rauemi me te tuku i ngā manaaki tōtika i ngā kāwanatanga matua, ā-rohe hoki.

### **Ūpoko 30**: Te whai wāhi ki te ahurea, ngā mahi pārekareka, ā-rēhia, hākinakina hoki

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whai ara ki te whakamana me whakatapoko ngā kaupapa hākinakina me te ahurea i utua tūmatanuitia, tae atu ki ērā i tukuna ngātahitia i te taha o te kāwanatanga a-rohe, hei tukanga whiwhi ratonga paerewa me ngā whakaurunga onāianei ki ngā paerewa whakatapoko tikanga pai rawa.
2. Whakarite me tuku ngā whakaurunga tāpoi katoa, ngā hōtera me ētahi atu kaituku wāhi noho, ngā wāhi kukume tāngata tūmatanui, me ngā whakaurunga hākinakina me te ahurea, i ngā mōhiohio āmiki ki ā rātau paetukutuku e whakarārangi ana i ngā āhuatanga whakatapoko o te wāhi, ratonga hoki/rānei.
3. Whakarite kia tuku ngā whakaurunga hākinakina katoa, ahurea, whakangahau, ā-rēhia hoki/ranei mō ngā āhuatanga whakatapoko e ōrite ana ki te nui o aua hiahia whakatapoko i roto i te hapori.
4. Whakauru i tētahi kaupapa hekeutu mō ngā tīkiti o ngā hoa o ngā tāngata haere kia āhei ai ngā tāngata hauā ki te heri kaimanaaki tautoko ki ngā huihuinga me ngā whakaaturanga i te utu iti ake.
5. Nui ake te tuku pūtea ki te whakangungu me te tuku mahi ki ngā kaiwhakamāori reo-toru me ngā kaiwhakamārama ororongo, ā, kia wātea mai rātau i ngā huihuinga ā-iwi, ahurea hoki. Kia tutuki tēnei me waihanga tētahi rautaki hei whakatipu i tētahi puna hunga kōrero reo-toru.
6. Whakauru ture e here ana kia nui ake te rahinga o ngā kupu hauraro me ngā whakaahuatanga ororongo kei runga i te pouaka whakaata o Aotearoa, me te tuku i ngā kupu hauraro me ngā whakaahuatanga ororongo mō ngā ihirangi OnDemand, me te tuku ihirangi i roto i te reo Māori.
7. Me whakarite kia tuku ngā huihuinga hākinakina i ngā takinga kōrero wā tūturu mā ngā kiritaki kāpō—mai i roto i te taiwhanga hākinakina, mā ngā teihana reo irirangi rānei—me wā tūturu, kaua te tōmuri.
8. Whakauru i ngā ture hou e here ana i ngā kaitoha kiriata me ngā kaitaki kiriata ki te whakauru i ngā āhuatanga whakatapoko, tae atu ki ngā kupu hauraro me ngā whakamārama ororongo—inā rā kua wātea kē mai ēnei i ētahi atu wāhi o te ao.
9. Whakapikihia ngā pūtea mō ngā rōpū hākinakina kia tino tuwhera ā rātau mahinga, whakaurunga ki ngā kaitākaro hauā.

### **Ūpoko 31**: Ngā tatauranga me te whakaemi raraunga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Atu i te 2023, kōkiritia anō te Rangahau Hauātanga whai muri i ia Tatauranga Whānui e tīmata ana i te Tatauranga Whānui 2023.
2. Whakauru haere tonu i te whakaemi raraunga hauātanga i roto i ngā rangahau ā-whare ahuwhānui katoa e whakahaeretia ana e Tatauranga Aotearoa.
3. Whakatairanga tonu i ngā painga me te whakamōhio haere mō ngā whāititanga o Ngā Pātai Poto mō te Hauātanga a te Washington Group hei whakahau kia hangaia tētahi huinga raraunga ōrite i waenga tari.
4. Mahi tahi tonu me te hunga hauā me ngā whakahaere whakakanohi hei whakarite kāore he tauārai ki te hunga hauā mō te whakaoti i te Tatauranga Whānui, kia taea te whakauru mai ki tērā e hiahiatia ana e rātau, kia motuhake, kia ngākau titikaha, ā, kia whai mana.

### **Ūpoko 32**: Te mahi tahi ā-ao

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Haere tonu tōna paiherenga me te whakakotahi i tōna hononga, me te Pacific Disability Forum.
2. Tuku pūtea e whai wāhi ai te hunga hauā ki ngā kaupapa mahi tahi ā-ao, tae atu ki ngā huihuinga hauātanga ā-ao nui pērā i Ngā Hui Taumata Hauātanga o te Ao, te Hui ā-Tau a Ngā Rōpū Kāwanatanga, ā, i Te Kotahitanga o ngā Iwi o te Ao ina arotaketia ana a Aotearoa ki te Kawenata Hauātanga e te Komiti Hauātanga.
3. Waihanga i ngā kaupapa āwhina a Aotearoa i Te Moananui-a-Kiwa kia tuwhera, kia whakauru hoki i ngā hiahia o te hunga hauā i roto i te rohe.

### **Ūpoko 33**: Te whakatinanatanga ā-motu me te aro turuki

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Hangaia tētahi tikanga pūrangiaho hei whakaatu ka whakatinanahia ngā huringa nui, whaitake hoki hei urupare ki ngā tūtohutanga a te IMM.
2. Mahi tahi me te IMM ki te tūhura me pēhea te whakamana i te kanorautanga hei whakaata i ngā rōpū kei roto i te Kōrero Whānui 7.[[18]](#endnote-19)

[Hoki ki ngā kaupapa](#Contents).



# Te wheako o te Māori

Me mātua āhei anō te Māori ki te tautoko i te Māori: Kotahitanga, Manaakitanga, Rangatiratanga, Whanaungatanga.

Kaiwhakauru ki te hui

*Kaua e tukuna te reo o te Pākehā ki te whakaawe i ngā mea katoa.*

*Kaiwhakauru ki te hui*

*Me whakatū tētahi DPO Māori mō tātau—me uru hoki hei mema ki te Hononga DPO.*

*Kaiwhakauru ki te hui*

Kāore i te tino whakatūturutia ngā motika tangata o te Māori, te iwi taketake o Aotearoa, i Aotearoa. E ai ki ngā whakaaturanga i raro he iti iho ngā putanga ora pai mō te Māori tēnā i ētahi atu rōpū taupori. Kei te tāmia anōtia ngā tāngata whaikaha, ā, ka tawhiti atu te whakatūturutanga o ngā motika kei roto i te Kawenata Hauātanga.

Ki te nuinga o ngā tāngata whaikaha Māori he Māori kē rātau i te tuatahi. Mā roto anake i te horopaki o ngā tikanga Māori me ngā motika tangata o te Māori hei tangata whenua, hei pātui hoki nō Te Tiriti o Waitangi e mārama ai koe ki te wheako o te tangata whaikaha.

I waitohua i te tau 1840 e ngā rangatira Māori me ngā māngai o te Karauna o Piritana, ko te Tiriti te tuhinga tūāpapa taketake o te kāwanatanga i Aotearoa. Kei roto i ōna ūpoko ko ngā mātāpono o te tino whai whāi mai, tino rangatiratanga, ōritetanga me te kore whakahāwea. Kei roto ēnei motika i Te Whakapuakanga Mō Ngā Motika o Ngā Iwi Taketake a Te Kotahitanga o ngā Iwi o te Ao (UNDRIP).

I roto i ngā whakawhitiwhiti tūmatanui a te IMM, i pātai ētahi he aha te take kāore i āta whakaurua atu ngā motika o ngā iwi taketake i roto i te Kawenata Hauātanga. Ko te whakautu, ka taea te titiro ki te Kawenata Hauātanga mā te 'tirohanga a te UNDRIP', kei reira tētahi tirohanga iwi taketake. Hei tauira, e kī ana te Ūpoko 18 o te UNDRIP:

Kei ngā iwi taketake te motika kia whai wāhi ki ngā tuku whakatau mō ngā take e pā ana ki ō rātau motika, mā ō rātau māngai i tohua e rātau e ai ki ā rātau ake whakahaere, me te pupuri tonu me te waihanga hoki i ā rātau ake whakahaere tuku whakatau.

Kāore i whakaūngia ngā paiherenga i roto i Te Tiriti o Waitangi me te UNDRIP, ā, ko te mutunga atu ko te noho rawakore o te Māori i roto i tōna ao Māori, ao ōhanga hoki. He nui ake te pā mai o te hauātanga ki te Māori tēnā i te iwi whānui ake, ā, kei raro iho ngā tāngata whaikaha i ngā tauiwi kāore he hauātanga i roto i te maha o ngā tūtohu pāpori me te ōhanga. I te taha o tauiwi, he iti iho ngā moni whiwhi wawaenga a te Māori,[[19]](#endnote-20) he nui ake te pā mai o te rawakore, he poto ake te wā ora,[[20]](#endnote-21) he nui ake te pā mai o te mate whakamomori,[[21]](#endnote-22) ā, he tino nui rawa ngā tamariki e tangohia ana e Oranga Tamariki.[[22]](#endnote-23) He iti iho te uru o ngā tāngata whaikaha ki te rāngai mahi, he iti ake te moni whiwhi, he nui ake te hunga kore mahi, he nui ake te tūponotanga ka noho i ngā kāinga kāore i te tika, haukū, makariri hoki, he nui ake te whakahāweatia, ā, he iti ake ā rātau whāki e tino ora rawa atu, tino pai rānei tō rātau ora.[[23]](#endnote-24) He nui ake te whakaritea o ngā tāngata whaikaha kia whakamaimoatia rātau i raro i te Mental Health (Compulsory Assessment and Treatment) Act 1992 me te Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003.[[24]](#endnote-25) Mai rā anō, kāore anō kia tukuna te mana me ngā rawa ki te Māori ki te waihanga i ā rātau ake rongoā hei whakatikatika i ēnei rerekētanga.

I te tau 2018, i pōhiritia e te IMM UNDRIP te Tikanga Tohunga mō Ngā Motika o Ngā Iwi Taketake kia haere mai ki Aotearoa. I tēnei haerenga mai, i whakaarahia e ngā mema hapori ēnei māharahara.[[25]](#endnote-26) [[26]](#endnote-27)

* Kāore i te tika te whakamaru i te tino rangatiratanga o te Māori e te ture, ngā whakaritenga ture kāwanatanga rānei, ka mutu kāore ngā pātuitanga tuturu i roto i ngā whakatau tikanga, me te taurite o te mana, whai rawa, mana, ā, i tītaha ana ngā tikanga tirohanga ki te kāwanatanga.
* He iti noa ngā mōhiohio i roto i Te Reo Māori, ka mutu he tino iti noa te puna kaiwhakamāori i Te Reo Rotarota o Aotearoa e matatau ana ki ngā reo e toru, arā, ka aukati i te whai wāhi o te Hunga Turi Māori ki ngā huihuinga Māori, ngā hui me ngā kōrerorero.
* He pūmau te pānga o ngā tikanga kāwanatanga, me te tango tamariki mai i ngā whānau, ā, e nui ake te pā ki te Māori tēnā i a tauiwi, kua kore e āhei ngā tāngata whaikaha e tipu ake i roto i te whānau, hapū, iwi, i roto hoki i tō rātau ao Māori. Koinei hoki te kaupapa o tētahi kerēme ratonga hauora whānui ake ki Te Rōpū Whakamana i Te Tiriti o Waitangi.[[27]](#endnote-28)
* Kei te Māori tētahi o ngā tatauranga mate whakamomori nui rawa i waenga i ngā whenua ōrite.[[28]](#endnote-29) He tino tokomaha te taiohi Māori, otirā ngā taiohi tāne Māori e riro ana i tēnei mate. E ai ki ngā tatauranga hou rawa kua piki te rahinga mō ngā wāhine me ngā Māori pakeke ake.
* He pūmau ngā rerekētanga i roto i te mātauranga, whare noho, ture, hauora, whai mahi me te moni whiwhi.
* Kāore anō kia whakatinanahia e te takahuritanga pūnaha hauā i tētahi kaupapa whānau ora.[[29]](#endnote-30)
* I te kōrero te Pae o Whānau Ora ki Te Pūtahitanga o Te Waipounamu mō te whakahāngai i te takahuritanga o te pūnaha ki te kaupapa o Whānau Ora.

I tuhia e Tākuta Paula Thérèse King tētahi pūrongo mō te āhua o te hauora o ngā tāngata whaikaha i roto i te whakariterite mō te Wāhanga 2 o *Wai 2575* *Te Uiui Kaupapa Ratonga me Ngā Putanga Hauora* (hauātanga). I tōna whakakapitanga, i kī ia:[[30]](#endnote-31)

Kua whakaaturia e tēnei pūrongo he nui ngā rerekētanga e pā nei ki te Māori e noho ana me te hauātanga i roto i ngā putanga hauora – e ai ki te pānga ki ngā pūtake o te hauora me te oranga, te āhei atu ki ngā ratonga hauora me te hauātanga, me te kounga o ngā manaakitanga hauora me te hauātanga (tae atu ki te urupare o te pūnaha hauora me te hauātanga). He mārama ngā whakaaturanga o ngā tauārai pūnahanaha, hanganga maha e whai pānga ana ki ngā putanga hauora mō te Māori e noho ana me te hauātanga. He mea hanga, pupuri, whakaū hoki ēnei tauārai pūnahanaha e ngā rautaki a te Karauna. Ko te pānga mai ko te tohanga o ngā rawa, te aukati i te tōtika o te whai wāhi mai, me te kore i aroturuki i ngā putanga, te urupare tika rānei ki ngā rerekētanga i ara ake. Nō reira, ehara i te mea i tūpono noa mai ngā rerekētanga nui e pēhi nei i te Māori e noho me te hauātanga.

…

Ehara i te mea e āta aukatia ana te Māori he hauātanga ō rātau mai i te whakauru ki ngā mahi waihanga kaupapahere, ture hoki, engari kāore i whakapūmautia te whai wāhitanga mai, e āta rapua rānei e te Karauna. Kāore hoki he whakaaturanga e kī ana kua mana ngā whakaritenga tōtika me ngā tautoko i te Karauna ki te tautoko i te whai wāhi mai o te Māori he hauātanga ō rātau. He āhua rite tēnei ki te aukati i te Māori he hauātanga ō rātau mai i ngā tuku whakatau i roto i te rāngai hauora me te hauātanga.

I roto i ngā hui whakawhitiwhiti kōrero ki te whāngai kōrero ki tēnei pūrongo, i puta i ngā tāngata whaikaha me tauiwi ō rātau māharahara mō:

* te kore e whai reo me te hiahia kia whai reo ngā tāngata whaikaha kia uru ki ngā tuku whakatau, mā tētahi hanganga ōkawa pea pērā i tētahi whakahaere iwi taketake hunga hauā;
* te hiahia ki te whakawhānui i ngā mōhio me te pūmau ki ngā tikanga ā-Tiriti i waenga i ngā whakahaere o te hunga hauā me te Hononga DPO;
* te kaha rawa o ngā tauira rongoā, 'ao Pākehā' rānei, hei tauira, mātauranga mate hinengaro, mātai io tōpū me te mātai mate tamariki;
* te kore e whakaaronuitia, te tuku pūtea me te āhei atu, ki ngā ratonga Kaupapa Māori (ngā tikanga Māori); me te
* kore mātau o ngā kaimahi tautoko ki ngā tikanga Māori.

E kī ana ēnei putanga kāore i te whakatutukihia te Ūpoko 30 o te Kawenata Hauātanga, te Motika ki te whakauru ki tō rātau ahurea:

*Ka āhei te hunga hauā, i runga i te tikanga ōrite ki ētahi atu, kia āhukahukatia, kia tautokona hoki tō rātau ake ahurea me tō rātau ake reo, tae atu ki ngā reo rotarota me te ahurea turi.*

Kua pā ki te hunga hauā Māori te noho wehe mai i tō rātau ahurea me te reo, me te ngaro o ngā kōrero mō ngā kaiārahi tāngata whaikaha. E whakaatu ana ēnei kōrero e whai ake mai i te pūrongo a Tākuta Paula Thérèse King ki Te Rōpū Whakamana i Te Tiriti o Waitangi i tēnei:[[31]](#endnote-32)

*…e ai ki ngā kōrero ko ngā Māori hauā o nehe rā he tāngata whai mana tipu, mana atua hoki. E mōhiotia ana rātau mō ō rātau pūmanawa, kaua mō ō rātau tāhapatanga. Nāwai, nāwai, ka rerekē haere tēnei āhuatanga…*

E āhukahukatia ana te hiahia ki te whakakore i ngā tauārai ki te kirirarautanga whānui me te whakatika, ki tērā e taea ana, i roto i te mahere mahi a te rōpū kaiārahi o ngā tāngata whaikaha, *Whāia Te Ao Mārama*.[[32]](#endnote-33) Ko te whāinga hira o tēnei mahere ko te whakatutuki i te tino whakauru atu a ngā tāngata whaikaha ki te ao Māori, me te toro ki ngā tautoko ahurea tika me te whakapiki i te mōhiotanga ki ngā tikanga i roto i ngā ratonga tautoko hauātanga tauiwi. Kāore he tari e whai kirimana ki te tautoko i tōna whakatinanatanga. Heoi, kua tuku kirimana te Manatū Hauora ki tētahi whakahaere motuhake ki te whakatinana i te *Faiva Ora*, he mahere mahi hauātanga mā ngā uri o Te Moananui-a-Kiwa.

Ko te tūmanako nā te nui ake o te haumitanga, mai i te Tahua Oranga 2019, ka pai ake te hauora me te oranga hinengaro o te Māori, me te whakaiti i te rahinga o te mate whakamomori. I roto i te urupare ki te pūrongo o te Uiui Hinengaro Hauora me te Waranga 2018, *He Ara Oranga*,[[33]](#endnote-34) i kī te Manatū Hauora he mea nui te mahi tahi me ngā rangatira Māori ki te rautaki ārai mate whakamomori, ā, he hautoru ngā pūtea ka tukuna ki ngā kaupapa Māori. He rerekē ngā whakaaro kua puta i te Māori mō te whānuitanga o te whakaata a te pūrongo *He Ara Oranga* me te rautaki ārai mate whakamomori i ngā motika o Te Tiriti, te tika rānei o te urupare ki ngā putanga oranga kāore i te ōrite.

E hiahia ana te IMM i ngā raraunga wehewehe kounga hei aroturuki tika i ngā putanga mō ngā tāngata whaikaha. E ai ki ngā rerekētanga kua kitea kāore i te āhei atu ngā tāngata whaikaha Māori ki ngā motika tangata whānui e ōrite ana ki ētahi atu, ā, he tawhiti atu tō rātau whiwhi i ngā motika hei tangata iwi taketake.

Hei tā Pihopa Manuhia 'Manu' Bennett ko Te Tiriti '*te kupu taurangi a ngā iwi e rua kia tino manaaki tētahi i tētahi*’.[[34]](#endnote-35) E ai ki ngā tatauranga e wātea ana me ngā ao o ia rā o te maha o ngā tāngata whaikaha kāore anō kia whakatutukihia tēnei kupu taurangi.

### Ngā tūtohutanga

Kāore e taea e ngā tūtohutanga anake e whai ake te whakatikatika ēnei rerekētanga pūnahanaha. Kei ngā tūtohutanga katoa i roto i tēnei pūrongo te tūmanako ka whakatinanahia mā ngā āhuatanga e whakamana ana i ngā motika iwi taketake ki te tino rangatiratanga me te whai wāhitanga whānui.

I runga i tērā, e tūtohu ana te IMM i te Kāwanatanga kia:

1. Wawe tonu te kōkiri i tētahi tikanga, e whakaurua ōkawatia ai te reo o ngā tāngata whaikaha, ki ngā kaupapahere ā-hauā katoa me te whanaketanga ā-ture, me ngā kaupapa pātuitanga Karauna–Māori. E whakaata ana tēnei tūtohutanga me te tautoko i te tūtohutanga 11 o te pūrongo UNDRIP a te IMM e pā ana ki te whakatinanatanga o te Whakapuakanga a te UN mō Ngā Motika o Ngā Iwi Taketake o Aotearoa, Pipiri 2018.[[35]](#endnote-36)
2. Ka whakatinana te Ture i te tūtohutanga 3 me te 6 o te pūrongo UNDRIP a te IMM e pā ana ki te whakatinanatanga o te Whakapuakanga a te UN mō Ngā Motika o Ngā Iwi Taketake o Aotearoa, Pipiri 2018.[[36]](#endnote-37)
3. Ina whakatikatika ana i ngā putanga ohapori rawakore ake mō te Māori, me āta tautuhi me te whakatika i ngā pānga hē rawa o ēnei rerekētanga ki ngā tāngata whaikaha.

[Hoki ki ngā kaupapa](#ToC)

# Ngā iwi o Te Moananui-a-Kiwa

Me uru te DPO Pasifika hei mema ki te Hononga DPO.

Kaiwhakauru ki te hui

He nui ake te wehenga ki tērā i whakaarotia ai.

Kaiwhakauru ki te hui

*Ka nui ake te rerekētanga i waenga i te Māori/Pasifika ina whakaurua mai te āhuatanga hauātanga. Ka mahue te maha o te hunga hauā Māori/Pasifika i te mea he uaua ki te toro atu me te whakamahi i ngā tikanga tuku amuamu. Me mōhio ngā tāngata ki ō rātau motika, ā, kia kaua e pā mai te whakapā/ngā taiepa atu anō hei whakatutuki i ēnei.*

*Kaiwhakautu rangahau*

I te mea he taupori ririki tauiwi anō i Aotearoa, ko te whakaaro o te IMM he ōrite ētahi o ngā wheako o te hunga hauā o Te Moananui-a-Kiwa me ngā tāngata whaikaha ina kei roto ō rātau āhuatanga o ia rā i te horopaki ahurea whānui ake me ngā putanga pāpori mō ngā hapori Te Moananui-a-Kiwa.

Pērā anō i te Māori, he nui ake te pānga mai o te hauātanga ki ngā tāngata nō Te Moananui-a-Kiwa i tua atu hoki i ngā rerekētanga o ngā whakaaturanga taipakeke taupori mātāwaka.[[37]](#endnote-38) Ko te kitea me te whai kanohitanga o te hunga hauā o Te Moananui-a-Kiwa i roto i ngā taupori o Te Moananui-a-Kiwa, tae atu ki te taupori whānui ake o te hunga hauā, he iti noa. Kua whakatūria e te hunga hauā o Te Moananui-a-Kiwa tētahi hononga hauā whānui, engari kei waho tēnei i te Hononga DPO. Nō reira kāore he reo whaimana ō rātau i roto i ngā whakawhitiwhititanga a te kāwanatanga.

Mārama ana te kitea o ngā putanga koretake mō te hunga hauā o Te Moananui-a-Kiwa i roto i te nuinga o ngā tūtohu pāpori, tae atu ki te āhei atu ki ngā ratonga hauora, whakamaimoatanga hoki, te whai mahi me te whare noho*.*[[38]](#endnote-39)Kātahi ka hē kē atu ēnei putanga koretake ina uru mai ētahi atu āhuatanga, otirā mō ngā wāhine o Te Moananui-a-Kiwa, he iti ake tō rātau uru atu ki te rāngai mahi me ngā utu hoki.[[39]](#endnote-40)

Ko tētahi āhuatanga nui e whakaawe ana i te kore e kitea he kore i whakaemitia auautia ngā raraunga wehewehe e whakaatu ana i ngā rerekētanga o te hunga hauā o Te Moananui-a-Kiwa. Ka tino hē rawa atu ngā mutunga iho mō ngā hapori o Te Moananui-a-Kiwa e tino iti nei te rangona o ō rātau reo me ō rātau whakaaro.

He pānga nui ō ngā rerekētanga ahurea, ngā tauārai reo me te kūare ki te tikanga ahurea i roto i ngā ratonga hauātanga ki ngā whakawhitiwhititanga i waenga i ngā hapori o Te Moananui-a-Kiwa, ngā ratonga hauātanga me te hunga hauā o Te Moananui-a-Kiwa. He uaua rawa ngā pūnaha ki te whai haere, ā, me kī ka whakapāhunu i te hunga hauā o Te Moananui-a-Kiwa me ō rātau whānau mai i te rapu, te whiwhi ranei i ngā āheinga me ngā āwhina. I roto i ngā hui kōrerorero tahi i whāngai kōrero ki tēnei pūrongo, i kī te hunga hauā o Te Moananui-a-Kiwa nā te reo ōkawa o ngā tukanga kāwanatanga maha—hei tauira, te Tatauranga Whānui—i aukati i te whakaurunga atu o ngā iwi o Te Moananui-a-Kiwa i roto i ngā wāhanga maha o te ao tūmatanui.

He iti noa ngā kaituku ratonga a ngā hapori o Te Moananui-a-Kiwa, e whakahaerehia ana rānei mō te hunga hauā o Te Moananui-a-Kiwa. Ko te mutunga atu he tino iti rawa ngā ratonga e hāngai ana ki ngā tikanga ahurea mō te hunga o Te Moananui-a-Kiwa, me te aha he tino iti noa te whai wāhi o ngā iwi o Te Moananui-a-Kiwa ki ngā ratonga, ahakoa kei te piki haere tēnei.[[40]](#endnote-41)

Kua oti ētahi mahi ki te whakapai ake i ngā ao o te hunga hauā o Te Moananui-a-Kiwa, ā, ko te mea nui rawa ko te whakahounga o te *Faiva Ora 2016–2021 National Pasifika Disability Plan*.[[41]](#endnote-42) E toru ngā arotahi matua o te *Faiva Ora Plan*:

* te whakauru mai me te whakatenatena kia pai ake te torotoro i te hunga hauā kei roto i ngā hapori o Te Moananui-a-Kiwa;
* te whakamana i te tangata ki te toro atu ki ngā tautoko tika; me te
* whakapakari i te mātau ki te ahurea o Te Moananui-a-Kiwa me ngā pātuitanga me ngā kaituku ratonga kia hāngai ake ki ō rātau hiahia.

E tautokona ana te whakatinanatanga o te mahere e Le Va, he whakahaere Moananui-a-Kiwa e hāpai ana i te hauora me te oranga mō ngā hapori o Te Moananui-a-Kiwa, me Ngā Kaiārahi o Te Moananui-a-Kiwa o Faiva Ora e mōhio pū ana ki te noho hauā. He tūranga poari whakahaere tō ngā rōpū, e whakapuaki ana i ngā reo o te hunga hauā o Te Moananui-a-Kiwa me te tuku tohutohu ki Te Manatū Hauora.

### Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Ina whakatikatika ana i ngā putanga ohapori rawakore ake mō ngā tāngata o Te Moananui-a-Kiwa, me āta tautuhi me te whakatika i ngā pānga hē rawa o ēnei rerekētanga ki te hunga hauā o Te Moananui-a-Kiwa.
2. Me tautoko haere tonu i te whakatinanatanga o te *Faiva Ora 2016–2021 National* *Pasifika Disability Plan* me te tūranga o Ngā Kaiārahi o Faiva Ora.
3. Me tautoko, me te utu i te whakatūtanga o tētahi whakahaere motuhake e ārahina e te hunga hauā o Te Moananui-a-Kiwa, e whai mana ai tō rātau i roto i ngā mahi waihanga i ngā kaupapahere me ngā ture hauā katoa, me te waihanga ngātahi i ngā tūmomo ara tautoko whānui ake.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 4: Ngā paiherenga whānui

*Me tika tonu te tuku pūtea me ngā rawa ki te hunga hauā. Me whakarongo tonu ki ngā tāngata hauā. Me mātua whakarite kāore ngā kaiako me ētahi atu mātanga mātauranga i te whakatauira i te wairua takahi i ngā tāngata hauā. He tika tonu kia āhei atu ngā tāngata hauā aua whai wāhitanga anō pērā anō te hunga kāore he hauātanga.*

*Kaiwhakautu rangahau*

*Ko te nuinga o ngā reo kōrero mō ngā hiahia o te hunga hauā i Aotearoa nō ngā tāngata kāore he hauātanga.*

*Kaiwhakautu rangahau*

*Kei reira te wairua toihara me te whakaiti i te hunga hauā. Otirā he nui ake te aro atu ki ngā reo o ngā tāngata kāore he hauātanga i roto i ngā kōrerorero mō ngā take hauā.*

*Kaiwhakautu rangahau*

*Me mōhio ki ō tātau motika, whakamahia ō tātau motika, me māia ki te tuku amuamu.*

*Kaiwhakautu rangahau*

E whakarārangi ana te Ūpoko 4(1) i ngā paiherenga whānui o te Kawenata Hauātanga, ā, e herea ana ngā kāwanatanga ki te whakarite me te hāpai i te whakatūturutanga whānui o ngā motika tangata katoa me ngā mana taketake mō te hunga hauā. He whakahau kia whakapūmautia e te kāwanatanga ngā whakaritenga ā-ture, whakahaerenga hoki hei whakarite ka whakatinanahia ngā motika i roto i te Kawenata Hauātanga. E whakahau ana te Ūpoko 4(1) kia kaua ngā kāwanatanga e whai i ngā tikanga kāore i te ū ki te Kawenata Hauātanga, me te whakarite ka ū ngā mana tūmatanui, whakanōhanga hoki ki te Kawenata Hauātanga. Hei tā te Ūpoko 4(3) ko ngā tuku whakataunga katoa e pā ana ki te hunga hauā me mātua whakauru mai i te hunga hauā, tae atu ki ngā tamariki.

Ahakoa he iti noa ngā tauira i roto i ngā ture o Aotearoa e tino rerekē ana ki ngā kupu o te Kawenata Hauātanga,[[42]](#endnote-43) e māharahara ana te IMM kāore ētahi ture i te tino whakaata i ngā whakaaro onāianei e pā ana ki te koronga me te kaupapa o te Kawenata Hauātanga. Ko tētahi tino tauira ko te Ture Tika Tangata 1993; ko te whakamaunga o te tikanga ā-ture matua he tiaki i ngā motika o te hunga hauā i Aotearoa. Ahakoa e whakamārama ana tēnei Ture kia kaua e whakahāwea i runga i te hauātanga, ka tino whakahekea te mana o tēnei motika nā ngā aweretanga i roto i ngā whiriwhiringa, puta noa i ngā tūmomo mahinga whānui, mēnā he 'whaitake' ngā whakangāwaritanga.

Ko tētahi tauira atu tauira o te kore e ū ki te koronga whakamaunga o te Disability Convention is the Substance Addiction (Compulsory Assessment and Treatment) Act 2017. E māharahara ana te IMM ki te āhua o te tukituki a tēnei ture i ngā motika o te hunga hauā. Ka āta tirotirohia anō tēnei i roto i te Ūpoko 14. E māharahara anō te IMM he tino whānui ake pea te kore e ū ki te Kawenata Hauātanga i te taumata kaupapahere, tikanga mahi rānei ki tērā e whakaarohia ana i roto i ngā pou tarāwaho ā-ture.

E ai ki ngā ture o te Ūpoko 4(3), ko te whakaaro o te IMM he whānui ake, he kaha ake te whakawhitiwhiti kōrero a te Kāwanatanga ki te hapori hauā. Me whakamihi atu ki te Kāwanatanga mōna i whakapai ake i ana tikanga whakawhitiwhiti kōrero me te hunga hauā me te whakapiki i te maha o ngā kaupapa waihanga ngātahi. Ko tētahi tauira o te whakatinanatanga o te Ūpoko 4(3) i roto i te ture ko te wāhanga 5(1)(b)(i) o te Ture Oranga Tamariki 1989 e whakarite ana kia whai whakaarohia ngā motika tamariki i roto i te whakatinanatanga o tōna mana i raro i taua Ture. Waihangatanga o te *Rautaki Hauātanga o Aotearoa 2016–2020* me te *Mahere Mahi Hauātanga 2019–2023* i uru mai te hunga hauā me ō rātau whakahaere ki te waihanga ngātahi i tēnei.

Engari, kei reira tonu tētahi māharahara mō te iti rawa o te pātuitanga tūturu i roto i te ture me te waihanga kaupapahere, ā, ko te 'whakawhitiwhiti kōrero' te tikanga matua, me te kore noho ōrite o te mana, reo, rawa hoki e whakawhāiti ana i ngā whai wāhitanga me te āheinga o te hunga hauā ki te whakauru tōtika atu. Ko ngā tauira ko ngā wā tino whāiti mō te whakawhitiwhiti kōrero, te iti rawa o ngā pūtea mā ngā whakahaere o te hunga hauā, me te kore e tuku i ngā mōhiohio hira mā ngā āhuatanga e taea ana e te katoa. Ina tata nei, i whakaarahia e te hunga hauā ō rātau māharahara mō te tino poto o te wā ki te tuku whakaaro mō te tuhinga whakawhitiwhiti kōrero a te Kāwanatanga i roto i ngā whakahaere o te whakahou i te Ture Hauora Hinengaro. Me tika tonu te whakarite a te Kāwanatanga i ngā wā whakawhitiwhiti kōrero, ā, me whai i ngā tikanga whakawhitiwhiti kōrero motuhake hei whakarite ka taea e te hapori hauā te tuku whakaaro mā tētahi āhuatanga whaikiko, matawhānui hoki. Me tuku pūtea te Kāwanatanga ki ngā whakahaere o te hunga hauā kia waihangatia mai ngā tikanga whakawhitiwhiti kōrero motuhake.

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whakauru kōrero mō te Kawenata Hauātanga i roto i ngā ture hāngai ā muri ake, hei whakatairanga i te mōhio me te mārama ki te Kawenata Hauātanga, me te whakarite kei te tino ū ngā ture ki ngā herenga e rārangi ana i roto i te Kawenata Hauātanga.
2. Mahi tahi me te hunga hauā ki te whakarārangi tika i ngā hanganga, ngā whakaritenga wā, tukanga me ngā rawa e mana ai tētahi pātuitanga tūturu me te hunga hauā me te takawaenga i te poari whakahaere ngātahi (tae atu ki te waihanga ngatahi, whakaputa ngātahi me te aromātai ngātahi) me te hunga hauā mō ngā ture, kaupapahere, whakahaere katoa me ētahi atu hātepe tuku whakatau e whai pānga ana ki te hunga hauā.
3. Me whai i ngā upane katoa e tika ana ki te whakarite ka rawaka te wātea mai o ngā rawa ki ngā tūmomo whakahaere māngai rerekē o te hunga hauā.[[43]](#endnote-44)

[Hoki ki ngā kaupapa](#ToC)

### Ūpoko 5: Ōritetanga me te kore whakahāwea

*Me mātua whakarite kia ōrite ngā whāi wāhitanga ki ngā tāngata katoa, ā, kāore koe e mate ki te whawhai kia riro mai.*

*Kaiwhakauru ki te hui*

*Ka mate koe ki te haere ki te 'kūaha i te taha' mēnā kāore koe e kaha ki te nekeneke haere—e whakaū ana i te whakaaro 'matea tāpiri'.*

*Kaiwhakautu rangahau*

## Kōrero whakataki

E whakaū ana te Ūpoko 5 kia ōrite te whai mana o ngā tāngata hauā katoa, ā, kia tiakina e te ture. He ārai i ngā whakahāweatanga nā te hauātanga me te whakarite kia whakatinanahia ngā whakamarutanga ā-ture tōtika mai i te whakahāweatanga me te whakaritenga o te whakangāwaritanga whaitake.

## Kōrero whānui

He mātāpono taketake te kore whakahāwea mō te whakarite i te whiwhi a te hunga hauā i ngā motika whānui. E whakaatatia ana tēnei nā tōna whakaurunga hei mātāpono (Ūpoko 3(b)), me tētahi ūpoko wehe kē i roto i te Kawenata Hauātanga. Nā te rerekētanga pāpori me te whakahāwea i kōkiri i te whanaketanga o te Kawenata Hauātanga. Ina mau tonu ana ngā whakarite rerekē, putanga rerekē rānei, ahakoa kei roto i te anga whakamua, e tohu ana tēnei he mahi atu anō e hiahiatia ana.

## Te hira o te Ūpoko 5 ki te hunga hauā i Aotearoa

Kei te kitea tonutia te whakahāweatanga i roto i ngā āhuatanga maha, ā, he nui ngā mutunga iho mō te hunga hauā me ō rātau whānau. He whakaiti i ngā tautoko ka taea, e hiahia ana , ngā tāngata hauā o Aotearoa ki te tuku.

Ko te mārama pai ake me te hāpai i te whakaritenga whaitake, me te mōhio anō ki te whakakāhoretia tēnei he whakahāwea tērā, te mea hira kia kaua te whakahāwea i Aotearoa. I tōna iho, ko te kaupapa o te kore whakahāwea mō te mana o te whai wāhitanga ōrite.

Kia kaua e pā mai te whakahāweatanga ki te hunga hauā, me mātua āhukahuka i ngā whakawhititanga i waenga i te hauātanga, toitūtanga, mātāwaka, hōkakatanga, ira tangata, tuakiri ira tangata rānei, taipakeke hoki. Me mātua whakaarotau ngā hapori e pēhia ana i ngā pānga maha, tāpiripiri hoki. E whakaatu ana tētahi pūrongo i whakaputaina inā tata nei, *Counting Ourselves* (e ai ki ngā otinga o te rangahau mō Counting Ourselves)—mō te hauora me te oranga o te hunga ira tangata tauwhiti me te tōrua-kore i Aotearoa—ka nui ake te tūponotanga ka whakahāweatia te hunga hauā ira tangata tauwhiti me te tōrua-kore tēnā i ō rātau aropā kāore he hauātanga me te nui ake o te tūponotanga ka pā rātau ki te taitōkai.[[44]](#endnote-45)

## Te wāhi o te Ūpoko 5 onāianei i roto i te ture, tikanga hoki o Aotearoa

Kei reira ētahi tukitukitanga ki te pou tarāwaho ā-ture e pā ana ki te kore whakahāwea nā te hauātanga, ā, e aukatia ana te whakahāweatanga, ā, i ētahi wā ka whakamanatia.

Ko te hauātanga tētahi o ngā kaupapa e aukatia ana te whakahāweatanga i raro i te Ture Tika Tangata 1993. Kei raro hoki i te aukatitanga ko ngā mahi a ngā rāngai kāwanatanga, tūmataiti hoki.[[45]](#endnote-46) Ka whiwhi Te Kāhui Tika Tangata (HRC) i ngā uiui me ngā amuamu mō te whakahāweatanga nā te hauātanga, ā, e tuku ana i tētahi ratonga takawaenga koreutu e aro ana ki te whakatau i ngā wenewene. Mēnā ka hinga te tikanga takawaenga, ka āhei tētahi kaiamuamu te whakapā atu ki te Taraipiunara Arotake a Te Kāhui Tika Tangata (mā te whakapā tonu atu, mā Te Tari Whakatau Tika Tangata).

Ka whakawā te Taraipiunara Arotake a Te Kāhui Tika Tangata i ngā kerēme e pā ana ki ngā whatinga o te Ture Kāhui Tangata me te whakarite mēnā kua pā mai te whakahāweatanga. I tēnei wā, he roa tonu te wā e tatari ana ngā kaiamuamu kia whakawāngia tā rātau kēhi e te Taraipiunara, te whiwhi whakataunga rānei. Neke atu i te rua tau te wā e tāria ana kia whakawāngia te take, ā, kei roto i te rua tau te wā mō tētahi whakataunga–nō reira i te nuinga o te wā he whā tau te roa.[[46]](#endnote-47) I whakapikihia ngā pūtea ki te Taraipiunara, ā, ka āwhina pea tēnei ki te whakapoto i ngā wā tatari.[[47]](#endnote-48)

Kua whakaturehia ngā mātāpono o te kore whakahāwea i roto i ētahi atu ture o Aotearoa—hei tauira, te Pire Tika Tangata o Aotearoa 1990, me te wāhanga 8 o te Ture Mātauranga 1989, e whakaahua ana (whakaū-kore) i te motika o ngā tamariki hauā, ākonga hauā kia āhei atu ki te mātauranga.[[48]](#endnote-49)

Engari, he maha ngā Ture e takahi nei pea i te motika ōritetanga i mua o te ture me te tuku i ngā wawaotanga kāore i whakaaetia me te tuku kōrero whakatau mō te hunga hauā.[[49]](#endnote-50) He nui rawa te taumahatanga o te rerekētanga i mua o te ture ka pīkautia e te hunga he waimaero āhuatanga pāpori, hirikapo hoki, e pā mai anō ngā rerekētanga atu anō i waenga i te hunga hauā, ā, ka whakarerea atu ētahi o te hunga hauā ki muri rā anō.

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 5

I te arotake whakamutunga a Aotearoa i te tau 2014, e toru ngā tūtohutanga a te Komiti Hauātanga e pā ana ki te kore whakahāwea.[[50]](#endnote-51)

I tūtohu te mea tuatahi kia whakaaroarohia anō e te Kāwanatanga te Funded Family Care ki te:

…whakarite ko ngā tāngata katoa o te whānau he kaimanaaki ka ōrite te utu i a rātau ki ētahi atu kaimanaaki me te tūtohu ko ngā tāngata o te whānau he kaimanaaki ka āhei atu ki te tuku amuamu mō ngā whakahāwea poka noa e pā ana ki te kaupapahere manaaki whānau a te whakahaere a te Kāwanatanga.

Kua anga whakamua tēnei tūtohutanga, ā, kua whakaae te Kāwanatanga ki te:

* whakakore i te āhuatanga whakahāwea o te Wāhanga 4A o te Public Health and Disability Act 2000 e whakarite ana i te manaaki a te whānau;
* whakawātea i te aukatitanga o te utu i ngā hoa hei kaimanaaki whānau; me te
* utu i ngā tāngata o te whānau kia rite tonu ki ētahi atu tāngata e hāpai ana i te hunga hau.

Ka mana ēnei huringa hei te 2020.[[51]](#endnote-52)

Ko te tūtohutanga tuarua e pā ana ki Te Kāhui Tika Tangata kia:

…whakatikahia mā te whakauru i tētahi whakamāramatanga mō te whakaritenga whaitake, kia hāngai ai ki te whakamāramatanga o te whakaritenga whaitake kei te ūpoko 2 o te Kāwanatanga.

Kua kī atu te Kāwanatanga ki te IMM kāore i whakatikahia te Ture Tika Tangata, i te mea hei tāna kua whakaūngia kētia e te Kōti kei te ū te Ture Tikanga Tangata ki te whakamāramatanga o te whakaritenga whaitake o te Ūpoko 2 o te Kawenata Hauātanga.[[52]](#endnote-53) Ko te whakaaro o te IMM, kia whakatikangia tonutia te Ture Tika Tangata kia uru ai tētahi whakamāramatanga mō te whakaritenga whaitake, e tino ū ana ki te aratohu a te Komiti Hauātanga kei roto i te Kōrero Whānui 6, Ūpoko 5: Ōritetanga me te kore whakahāwea.[[53]](#endnote-54)

I runga i tō rātau māharahara mō te kore i mārama ki te whakaritenga whaitake, e tūtohu ana te Komiti Hauātanga ko ngā aratohu mō te whakaritenga whaitake‘…me wawe tonu te whakatutuki kia hāngai ki ngā whakaritenga o te Kawenata, ā, kia tuaritia’. I runga i tēnei tūtohutanga, i whakaputaina e te IMM te aratohu Kia tōtika te manaaki i te hunga hauā i Aotearoa i te tau 2016.[[54]](#endnote-55)

## He kōrero mō te whakatinanatanga o te Ūpoko 5 i Aotearoa

Kei roto tonu te whakahāwea whānui i ngā whakaritenga a te kāwanatanga me te iwi whānui o Aotearoa. Kei te mau tonu te whakamāramatanga mō te hunga hauā i raro i te kōrero 'tētahi atu', he whai matea motuhake, tāpiri rānei, ā, i ētahi wā, he iti noa te kaha ki te tuku whakatau. Ko ngā āhuatanga o te pou tarāwaho ā-ture e whakaata ana me te whakaū i ēnei whakaaro, he rerekē tēnei ki tētahi tauira pāpori o te hauātanga. Kāore anō kia hīkina te hira o ēnei take ki te taumata tiketike, kāore hoki i te whāngai mōhio ki ngā mahi waihanga kaupapahere.

He nui ngā āhuatanga kua pai ake ai ngā whakawhitiwhititanga i waenga i ngā tari kāwanatanga me te Hononga DPO. Ahakoa tērā, kei roto tonu i ngā rāngai taketake pērā i te mātauranga, hauora, ture, me te whare noho ngā hanganga me ngā kaupapahere kāore nei i te whakauru ōrite mai, me te kore whakahāwea i ngā tāngata hauā o Aotearoa. Hei tauira, kāore he motika whakaū o ngā tamariki hauā kia manaakitia rātau i roto i te mātauranga, ka taea te tuku ratonga hauora me te kore whai whakaaetanga, ā, he nui rawa te uru o ngā tāngata mate hinengaro, whanonga ā-hinengaro rerekē ki ngā pūnaha ture taihara taiohi, pakeke hoki.[[55]](#endnote-56)

Ko ngā whakapae mō te whakahāwea nā te hauātanga te take tētahi o ngā kaupapa amuamu matua e toru ka whiwhi i te HRC, ā, huihui katoa he hautoru o ngā amuamu katoa ka tukuna i ia tau. I roto i te rima tau atu ki te 30 o Pipiri 2019, e 2082 ngā uiui me ngā amuamu mō ngā whakahāwea takahi ture i whiwhi i te HRC nā te hauātanga te take i raro i te Ture Tika Tangata.

Kei roto i te tūtohi e whai ake ko tētahi tātaritanga o ngā amuamu whakahāwea hauātanga i whiwhi i te HRC i roto i te rima tau mai i te arotake a Aotearoa o mua ake e te Komiti Hauātanga o te UN i te tau 2014.

Tūtohi : Te tuaritanga ā-tau o ngā amuamu whakahāwea hauātanga (kaua ngā amuamu e hāngai ana ki tētahi wāhanga neke atu i te kotahi)

| **Wāhanga** | **2014** | **2015** | **2016** | **2017** | **2018** | **2019** | **Tapeke** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Mahinga Kāwanatanga | 159 | 137 | 146 | 105 | 110 | 104 | 761 |
| Whai mahi | 79 | 86 | 101 | 100 | 107 | 108 | 581 |
| Te whakaratonga o ngā rawa me ngā ratonga | 58 | 58 | 63 | 55 | 71 | 78 | 383 |
| Ngā whare mātauranga | 20 | 13 | 30 | 29 | 22 | 30 | 144 |
| Whenua, whare noho me ngā wāhi noho | 18 | 15 | 14 | 22 | 14 | 11 | 94 |
| Ngā wāhi, whakaurunga me ngā waka | 6 | 8 | 5 | 5 | 3 | 16 | 43 |
| Ngā whakahaere tuku tohu |  | 1 | 1 |  | 2 | 0 | 4 |
| Ngā whakahaere whakangungu ahumahinga |  |  | 1 |  |  | 1 | 2 |
| Ngā pānui hokohoko |  |  |  |  | 1 | 1 | 2 |
| **Tapeke** | **340** | **318** | **361** | **316** | **330** | **349** | **2014** |

Tērā tonu pea he tino iti noa iho ngā amuamu ōkawa o te rahinga o ngā wheako whakahāwea ka pā ki ngā tāngata hauā, ka mutu he tino whaitake tonu te whakaaro he hono kei waenga i te tino maha o ngā amuamu ā-mahi ka tukuna me ngā putanga mahi rerekē ka pā ki ngā tāngata hauā. Hei tauira, he 47 ōrau te rerekētanga o te pāpātanga whakauru ki te rāngai mahi i waenga i te hunga hauā me te hunga kāore he hauātanga kei te taipakeke mahi (26 ōrau ki te 73 ōrau).[[56]](#endnote-57)

He tūao te uru ki te ratonga takawaenga a te HRC, engari ka taea e ngā whakataunga i whakaaetia te whakapai ake i te pūnahanaha, e ai ki ngā tauira e whai ake.

* Kua pai ake i ngā kaituku ratonga me ngā wāhi tūmatanui te whakatapoko me te haumaru ki te tokomaha o ngā wāhi, tae atu ki aua wāhi he hira ki te motu.
* I kitea e tētahi kaiwhakarato wāhi noho te wāhanga o ngā kurī āwhina tangata hauā, ā, ka rapu ki te whakawhānui ake i ngā mōhio puta noa i te ahumahi.
* I huria e tētahi kamupene hiko tana kaupapahere mō ngā kiritaki he mate ō rātau e whirinaki ana ki tētahi puna hiko motu-kore.

Kei roto i te Āpitihanga 2 ētahi atu tauira.

He mea hira te motika ki te tuku amuamu me te rapu puretumu mō te whakahāweatanga. Mā tētahi kaupapa akiaki ake a te Kāwanatanga e whakaū ana i te ōritetanga me ngā manaaki tōtika i roto i ngā wāhanga katoa o te ao tūmatanui e whakaiti i te hiahia mō te hunga hauā ki te whakapūmau i te motika ki te kore-whakahāwea mā ngā amuamu takitahi, takitini pea.

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whakatika i Te Ture Tika Tangata 1993, e whai whakaaro ana ki te whakakaha i te motika o te hunga hauā ki te kore-whakahāwea, tae atu ki te:
   1. whakakore, whakaiti rānei i ngā aweretanga ā-hauātanga;
   2. whakauru i tētahi whakamāramatanga o te manaaki tōtika e hāngai ana ki te whakamārama kei roto i te Ūpoko 2 o te Kawenata Hauātanga me te *Kōrero Whānui 6* mō te Ūpoko 5;[[57]](#endnote-58) me te
   3. whakarite i tētahi herenga mārama o te manaaki tōtika.
2. I te mea he take whāwhai, me whakahaere he arotake o ngā ture hāngai e ū ana ki te Kawenata Hauātanga, arā e hāngai ana ki te motika ki te kore-whakahāwea me te ōritetanga i mua o te ture, me te pūrongo i ngā kitenga, otirā te whakaatu i ngā ture kāore i te ū.
3. Te waihanga, i te taha o te hunga hauā, tētahi utauta/pou tarāwaho aromatawai pānga whakahāwea hauātanga me te whakamahi i tēnei ina waihangatia he ture hou, ka whakatikangia rānei tētahi ture, hei whakarite kei te hāngai ngā tukanga pūnahanaha mō ngā ture katoa me te Kawenata Hauātanga me te whakakore i ngā whakaritenga aukatitanga.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 6: Ngā wāhine hauā

*He matua ahau nō tētahi wahine he hauātanga nui tōna. He tino uaua rawa atu ki a māua te kimi kaitiaki ki te mahi i roto i tō māua whare, ā, he tino uaua te kimi i ngā kaupapa whaitake hei haerenga atu mōna.*

*Kaiwhakautu rangahau*

## Kōrero whakataki

E whakamana ana te Ūpoko 6 ka whai pānga anō ngā wāhine me ngā kōtiro ki te whakahāweatanga nā te mea he wahine, he hauā rātau, e tāpiripiri ai te raruraru ki a rātau. Nō reira mō te ōrite o te whakatinana i ngā motika me ngā mana herekore me whai i ngā whakaritenga hihiri mō te anga whakamua o ngā wāhine me ngā kōtiro hauā.

## Kōrero whānui

E hiahiatia ana tētahi kaupapa kāwanatanga whānui, tauwhitiwhiti hei tutuki ai te whai wāhitanga whānui me te ōrite mō ngā wāhine me ngā kōtiro hauā katoa i roto i te iwi whānui. Me mātua whai wāhi ngā wāhine hauā katoa, tae atu ki ngā wāhine hauā iwi taketake, ki ngā take katoa e pā ana ki a rātau, otirā ngā kaupapa whakaū i te ōritetanga i waenga i te wahine me te tāne.

Kei te mōhio te Komiti Hauātanga e pēhia ana ngā wāhine me ngā kōtiro hauā puta noa i te ao ki ngā tauārai i roto i ngā wāhanga maha o tō rātau ao.[[58]](#endnote-59) Ko te tino māharahara he nui ake te mōrea o te pā o ngā wāhine me ngā kōtiro hauā ki te whakarekereke.[[59]](#endnote-60) Ahakoa he iti noa ngā rangahau paetata mō ngā wāhine me ngā kōtiro hauā, me kī ō rātau whai pānga ki te whakarekereke, ka piri ana ngā whakaaturanga ā-ao ki ngā whakarekereke whānau tino nui o tēnei whenua,[[60]](#endnote-61) kāore e kore ka whai pānga anō ngā wāhine hauā i Aotearoa ki ēnei mōrea nui anō.

## Te hira o te Ūpoko 6 ki te hunga hauā i Aotearoa

E hiahia ana, e tūmanako ana ngā wāhine hauā me ngā kōtiro i Aotearoa, kia rangona ō rātau reo me ō rātau māharahara e ngā kaiwhakatau, engari e kī ana rātau he uaua kia whakamanatia ō rātau māharahara, kia kōkiritia rānei. E ai ki te whakautu a te Kāwanatanga ki Ngā Take mō Aotearoa a te Komiti Hauātanga, kua whakaurua ētahi kaiārahi wāhine hauā ki ētahi rōpū kōrero ā-motu, poari whakahaere, tuku tohutohu i roto i ēnei tau.

He nui ngā rerekētanga e pā mai ana ki ngā wāhine hauā i Aotearoa. Ko te whakarekereke ki ngā wāhine hauā te māharahara matua i whakapuakina i roto i ngā whakawhitiwhiti kōrero me te hunga hauā i whakahaerehia e Te Kāhui Tika Tangata i te tau 2018 hei whāngai i ta rātau tāpaetanga mō te *Arotake Tuawhitu o Aotearoa i raro i te Kawenata mō te Whakakore i te Whakahāwea i te Wahine*.[[61]](#endnote-62)

I roto i te motika ki te hauora, me ōrite te āhei atu o ngā wāhine hauā ki ngā ratonga hōkakatanga me te whakaputa uri, ngā kaupapa whakaiti whakarekereke, me ngā ratonga tātari hauora me te mātanga, ina hiahiatia ana. E whakaū ana tētahi pūrongo o nā tata nei a te YWCA (ko te Young Women’s Christian Association i mua) ehara koinei te āhuatanga i Aotearoa, kei te pā tonu ngā wāhine hauā ki ngā hua, ratonga me ngā ara whakawhitiwhiti kāore i te tuwhera ki a rātau.[[62]](#endnote-63)

Kia taea ai e ngā wāhine hauā i Aotearoa tētahi taumata noho tika, ko ngā kaupapa tauwhāiti, hāngai hoki, tae atu ki ngā whakaritenga motuhake wā poto (tūmahi whakaū),[[63]](#endnote-64) me whakamana ēnei hei whakatikatika i ngā putanga mahi rerekē e pā mai ana ki ngā wāhine hauā, tēnā i ngā wāhine me ngā tāne kāore he hauātanga me ngā tāne hauā hoki. Ki te kore e whai wāhanga nui ngā wāhine hauā ki te hoahoa me te waihanga i ngā kaupapa whakatika i ngā rerekētanga ā-ira tangata, ka mahue pea ngā wāhine hauā ki muri.

## Te wāhi o te Ūpoko 6 onāianei i roto i te ture, tikanga hoki

Kāore e tino kitea he kōrero i roto i ngā ture o Aotearoa, te pou tarāwaho kaupapahere rānei o ngā whakahāweatanga tauwhitiwhiti me te mōrea tāpiripiri ka pā mai pea ki ngā wāhine. E ai ki te urupare a te Kāwanatanga ki *Te Rārangi o Ngā Take* a te Komiti Hauātanga, e hiahiatia ana ētahi pepa a te Rūnanga Matua o te Kāwanatanga hei whiriwhiri i ngā pānga hauātanga. Engari, kāore e herea ana kia whai i ngā tirohanga hauātanga kia whakaurua tētahi tauwhitinga me te ira tangata, tētahi atu āhuatanga rānei, pērā i te whakamana i ngā iwi taketake.

Ko te ture anake e hāngai ana ki ngā wāhine hauā ko tērā e pā ana ki ngā motika whakatiki i te tinana. I roto i te Contraception Sterilisation and Abortion Act 1977, e whakaaetia ana te ārai hapū (wāhanga 4), materoto (wāhanga 34) me te kore whakaae a te tangata. Ko ngā wāhine hauā ka tino raru i te Adoption Act 1955 hei kaitiaki matua. Hei tauira, i raro i te wāhanga 8(1)(b) ka whakaaetia kia tangohia ngā tamariki a ngā mātua hauā kia whāngaitia me te kore whai whakaaetanga i ētahi āhuatanga. I te tau 2016, i kitea e te Taraipiunara Arotake Tika Tangata he maha ngā āhuatanga o tēnei ture he whakahāwea.[[64]](#endnote-65) Kāore anō kia whakatikatikahia e te Kāwanatanga tēnei ture. Kua whakamōhio atu Te Tāhu o te Ture ki te IMM kei runga te whakahounga o te ture whāngai i tana rārangi mahi, ā, ka whai whakaaro anō ki te whakataunga a te Taraipiunara Arotake Tika Tangata.

I te Hōngongoi 2019, i mana te Ture Whakarekereke Whānau 2018, e whakakapi ana i te Ture Whakarekereke ā-Kāinga 1995. Mō te painga pea ki ngā wāhine hauā ko te whakamāramatanga tērā pea ko te hononga kaitiaki ko tētahi momo 'hononga whānau' mō te kaupapa o te whakamahi i ngā āhuatanga whakamaru o te Ture—hei tauira, ngā whakatau whakamaru.

I te Haratua 2019, i whakaputaina e te Kāwanatanga tētahi haumitanga o te $320 miriona ki ngā ratonga whakarekereke whānau, taitōkai hoki.[[65]](#endnote-66) Kei roto i ngā kaupapa ārai i whakawhānuitia ko te $2 miriona hei rangahau, kia mārama pai ake rānei ki ngā hiahia o ētahi hapori ake. Kua whakaurua te hauātanga ki tēnei rārangi mahi, i te taha o ngā taiohi, kaumātua, kaiheke hou me ngā hapori LGBTQIA+ (wāhine moe wahine, tāne moe tāne, taerarua, ira tangata tauwhiti, takatāpui, taihemarua, taerakore, +).

Kāore e whakaemihia ana e Ngā Pirihimana o Aotearoa ngā tatauranga wehewehe mō te taitōkai me te taihara whakarekereke ki ngā wāhine hauā. I tēnei wā kotahi anake te tikanga kano (1M, e kōrero ana mō te 'hinengaro') hei hopu i ngā kōrero o te haere atu ki ngā raruraru, whakamamae, taihara rānei ki te hunga hauā. Nā tēnei ka uaua te tātari tika, te hopu me te aroturuki i ngā urunga rerekē, ngā putanga tino koretake rānei mō ngā wāhine hauā.[[66]](#endnote-67)

I roto i te kaupapa Kanorautanga me te Whakaurunga a Te Kawa Mataaho, i waihangatia e te Minitatanga mō Ngā Wāhine tētahi utauta kaupapahere tātari ira tangata e kīia ana ko te *Bringing Gender In*.[[67]](#endnote-68) Ka ārahi tēnei utauta i te whakaurunga mai o ngā take ira tangata me te tautoko i te tukanga whanaketanga kaupapahere. He whakaata i tētahi kaupapa tauwhitiwhiti, e āhukahuka ana i te kanorautanga o te wahine me te whakahau i ngā kaihanga kaupapahere ki te tātari i ngā pānga rerekē mō ngā taupori rerekē o ngā wāhine, tae atu ki ngā wāhine hauā.

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 6

E rua ngā tūtohutanga a te Komiti Hauātanga i roto i tana pūrongo *Kitenga Whakamutunga* i te tau 2014 e pā ana ki ngā wāhine hauā:[[68]](#endnote-69)

E tūtohu ana te Komiti kia haere tonu ēnei mahi, ā, kia whakakahatia hei āwhina i ngā wāhine hauā ki te whai mātauranga, mahi hoki me te ārai i te whakarekereke ā-whare. E tūtohu anō te Komiti kia uru mai ngā whakahaere e noho māngai ana mō ngā wāhine me ngā kōtiro hauā ki ēnei kaupapa.

I kī te Kāwanatanga i roto i tana whakautu kei te mōhio rātau e haere ana tēnei mahi, ā, ko ngā mahi nei kei te 'whakaurua haeretia ki te kaupapa mahi wā roa hei whakapai ake i ngā putanga mahi me te Rōpū o te Minita mō te Kaupapa Mahi Whakarekereke ā-Whānau me te Taitōkai.'[[69]](#endnote-70)

## He kōrero mō te whakatinanatanga o te Ūpoko 6 i Aotearoa

He uaua te whakaoti i tētahi tātaritanga niwha o te ao tūturu o ngā wāhine me ngā kōtiro hauā nā te kore o ngā raraunga tauwhitiwhiti mō te hauātanga me te ira tangata. E whai pānga ana ngā tāhapatanga raraunga ki te waihanga ture, kaupapahere me ngā urupare ratonga ki ngā momo whakahāwea maha e pā nei pea ki ngā wāhine me ngā kōtiro hauā.

E tohu ana ngā whakaaturanga e wātea ana kei te mahue ngā wāhine hauā ki waho i roto i ngā tūmomo putanga, otirā te whai mahi me te ōrite o ngā moni whiwhi. Ko ngā wāhine hauā:[[70]](#endnote-71)

* he iti iho tō rātau whai wāhi ki te mahi tēnā i ngā wāhine kāore he hauātanga (46 ōrau ki te 71 ōrau), me ngā tāne hauā (46 ōrau ki te 54 ōrau);
* he nui ake tō rātau noho kore mahi tēnā i ngā wāhine kāore he hauātanga (10 ki te 6 ōrau), me ngā tāne hauā me ngā tāne kāore he hauātanga (8 ōrau ki te 5 ōrau);
* he iti iho te tūponotanga ka uru rātau ki te mahi tūturu tēnā i ngā wāhine kāore he hauātanga, tāne hauā rānei; ā,
* he nui ake te tūponotanga (66 ōrau) tēnā i ngā tāne hauā (51 ōrau) ka whiwhi i te $30,000, iti iho rānei.

Ko te mutunga iho ka tino hē rawa atu tā rātau noho rawakore. Nā wai i hē, kātahi ka tino hē rawa atu nā ngā utu o ngā ratonga hauora, hōkakatanga me te whakaputa uri, ā, he nui ake pea nā ngā hanganga urukore.[[71]](#endnote-72)

I whakahaerehia tētahi rūnanga tauwhitiwhiti mō te hauātanga me te hōkakatanga i te wā o te ILGA World Conference i Aotearoa i te Poutūterangi 2019. I whakapuakina, i whakaūngia hoki e ngā wāhine ngā take e pā ana ki te taerakore o te hunga hauā, ā, me te āraia mai i ngā hononga. Nā ēnei momo whakaaro ka tipu te kūare mō ngā hononga, whakaaetanga me te ai, ā, ko te mutunga atu pea ka nui ake te tūponotanga ka whakahāwinitia, ka tūkinotia rānei ētahi wāhine hauā—he āhuatanga i whakaatahia i roto i te pūrongo a te YWCA o nā tata nei.

Hei tā ngā rangahau kāore e toro atu ngā wāhine hinengaro hauā ki ngā kaupapa whakamātautau ū, waha whare tangata rānei e utua ana e te kāwanatanga pērā i ngā wāhine kāore he hauātanga. E mōhio ana te IMM e kōrero ana te *Mahere Mahi Hauātanga o Aotearoa 2019–2023* mō tētahi kaupapa mahi a te Manatū Hauora hei whakapai ake i te āhei atu ki ngā ratonga hauora whai kounga me ngā putanga hauora mō te hunga hauā whānui. Engari, kei te pākati tonu ngā tauārai i te uru ā-tinana ki ngā whakaurunga, utauta rānei i te toro atu a ngā wāhine hauā ki ēnei ratonga hauora. Ko tēnei kore manaaki tōtika he whakahāwea tika tonu.[[72]](#endnote-73)

I puta i ngā whakawhitiwhiti kōrero i whakahaeretia e te HRC i te tau 2018 hei whakaemi kōrero mō tana tāpaetanga ki te Komiti mō te Whakakore i te Whakahāwea i te Wahine ko te whakarekereke me te tūkinotanga te māharahara nui rawa mō ngā wāhine hauā. Tāpiri ana ki tēnei māharahara ko te urukore ki ētahi o ngā whare whakaruruhau wāhine e pā ana ki te uru atu ā-tinana me te kūare, te kore e angitu rānei o ngā kaimahi ki te urupare ki ngā āhuatanga hauā. Ko te tikanga o tēnei kāore he rerenga mō ngā wāhine e hiahia ana ki te rere i te whakarekereketanga.[[73]](#endnote-74) Waihoki, mō ngā pārurenga hauā o te taitōkai he tino nui rawa ngā hē e pā mai ana ki a rātau i te haerenga atu ki te whakapuaki, i kī mai rātau kāore pea e whakaponohia rātau, ā, ko te whakaaro kē he taerakore rātau.[[74]](#endnote-75)

I te tau 2016, i whakaputaina e te kaupapa whakarekereke whānau a te Kāwanatanga, *It’s Not Ok*, tētahi rauemi mā te hunga hauā me ngā kaitiaki e kīia ana ko te *Domestic Violence and Disabled People.*[[75]](#endnote-76) E whakamana ana tēnei rauemi i ngā mōrea ake mō te hunga hauā, otirā mō ngā wāhine hauā, ā, he mea waihanga ki te whakawhānui i ngā mōhio o te hunga hauā hoki i ō rātau motika, kia mōhio hoki rātau ki ngā whanonga tūkinotanga.

I te tau 2018, i hono atu te Kaihautū Tika Hauā ki Te Manatū Whakahiato Ora ki te whakatū i te Rōpū Tohutohu mō te Ārai i te Whakarekereke Whānau hei whakarite i ngā urupare manaaki i te hunga hauā. Ahakoa kua whakaurua e ētahi kaupapa ārai whakarekereke te āhukahuka i te hauātanga, kāore he rautaki ā-motu hei whakatikatika i te whakarekereke me te tūkinotanga i te wahine, kōtiro rānei. I whakaaturia te kore i whakatauhia o ngā raruraru nui mō ngā wāhine hauā, tae atu ki te whakarekereke, i roto i ngā hui whakawhitiwhiti kōrero me te rangahau mō tēnei pūrongo.

Kei te whakaaroarohia e tētahi rūnanga kōrero wāhine hauā, e tautokona ana e CCS Disability Action, kia whakamanatia tana hanganga hei whakatutuki i ngā āhuatanga o tētahi whakahaere hunga hauā. Ko te kaupapa o taua rōpū he whakarite ka whakaurua mai ngā reo me ngā take o ngā wāhine hauā ki roto i ngā pūnaha whakatau tikanga. E kī ana tētahi pūrongo o nā tata nei mai i te YMCA ko Aotearoa anake te whenua i waitohu i te Kawenata Hauātanga kāore he whakahaere wāhine hauā.[[76]](#endnote-77)

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Āta whakawhitiwhiti me ngā wāhine hauā (me ngā kōtiro ina tika ana) mō te waihanga ture me te kaupapahere, whakatau tikanga, aroturuki kaupapa me ngā whakaritenga ārai whakarekereke.
2. Whakakaha i ngā kaupapa tauwhitiwhiti e whakauru mai i ngā tirohanga hauā i roto i ngā kaupapa hāpai i te ōritenga ira tangata me ngā tirohanga ira tangata i roto i ngā kaupapa hauātanga, tae atu ki te whakaemi me te tātari raraunga.
3. Mahi tahi me te hunga hauā ki te ōtita i te whakatapoko ki te hunga hauā o ngā ratonga ārai whakarekereke, urupare hoki (tae atu ki ērā e whakaratoa ana e ētahi kē atu) hei whakarite he tuwhera, ka āheitia, ā, e āhei ana ngā kaimahi ki ngā whakangungu e tika ana.
4. Mātua whakarite ka tukuna ngā ratonga hauora wāhine katoa me ngā ratonga hōkakatanga me te whakaputa uri (tae atu ki ērā e tukuna ana e ētahi atu) i roto i ngā whakaurunga whakatapoko, ā, e wātea ana ngā mōhiohio mō ēnei ratonga mā ngā takotoranga ka taea e te katoa.
5. Whakauru mai i ngā whakaritenga motuhake wā poto (mahi whakaū) mō te whakatere ake i te whai wāhi ōrite mai o ngā wāhine hauā ki te mahi.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 7: Ngā tamariki hauā

Ngā tautoko mātauranga tūturu, whaikiko mā ngā tamariki hauā. Kia tino nui ake ngā tautoko mā ngā mātua he tamariki hauā ā rātau–kei a mātau noa iho kei te waha i tēnei, ka mutu he itiiti noa ngā tautoko e tukuna whānuitia, ā, he uaua ki te toro atu.

Kaiwhakautu rangahau

I ngā taiopenga he urunga mō ngā tāngata whai kaitiaki anake—he whānau kē tō tāku tamāhine.

Kaiwhakautu rangahau

Hei whakamutu i te whakahāwea me te whakarite ka whakaūngia ngā motika me te mana o ngā tāngata hauā ahakoa he matua hauā, tamaiti hauā rānei.

Kaiwhakautu rangahau

## Kōrero whakataki

E whakaū ana te Ūpoko 7 he whai motika ōrite ngā tamariki hauā ki ngā tamariki kāore he hauātanga.

## Kōrero whānui

He nui ngā tauārai e pā mai ana ki ngā tamariki hauā mō te tino whakatutuki i ō rātau motika. He mea waiwai te whakarite ka uru te reo o ngā tamariki hauā ki ngā tukanga tuku whakatau e pā ana ki a rātau, me te waihanga i ngā wāhi haumaru me te tautoko, mō te whakaoati i tō rātau whai wāhi whānui, whaitake hoki ki te iwi whānui.

Kāore anō kia tukuna e te Komiti Hauātanga tētahi Kōrero Whānui mō te kaupapa o ngā tamariki. Engari, he maha ngā Kōrero Whānui kua tukuna e te Komiti mō Ngā Motika o te Tamaiti.[[77]](#endnote-78) Ko te maha o ēnei e pā ana ki te hiahia kia whai reo te tamariki, ā, kia nui haere atu te whai wāhi ki ngā whakatau tikanga i a rātau e tipu haere ana.

## Te wāhi o te Ūpoko 7 onāianei i roto i te ture, tikanga hoki

I ēnei tau kua taha ake nei, kua tino nui te arohia o te tūranga o ngā tamariki i roto i ngā whakatau tikanga e pā ana ki a rātau, otirā e pā ana ki ngā take manaaki me te tiaki i a rātau me ngā take ture taiohi, ā, he nui ngā mahi whakahou i ngā ture kua oti.[[78]](#endnote-79) Ko tētahi wāhanga pai o tēnei ko te pīra i te ture i whakaaetia te tango i ngā tamariki hauā mai i ō rātau whānau ka whakanoho ki raro i te kāwanatanga tiaki i ētahi āhuatanga.[[79]](#endnote-80)

I whakarewahia e te Kāwanatanga te *Rautaki o te Oranga o te Tamaiti me te Taiohi* i te 29 o Hereturikōkā 2019. Kei roto i te Rautaki tētahi [pou tarāwaho whakakotahi](https://childyouthwellbeing.govt.nz/our-aspirations/strategy-framework) me tētahi āhuatanga mō te whakahāngai i ngā mahi puta noa i ngā tari kāwanatanga katoa hei tautoko i ngā tamariki me ngā taiohi katoa o Aotearoa e pai ai tō rātau ao. Kei roto ko tētahi matakitenga tūmanako, ngā mātāpono e iwa, me ngā putanga oranga e ono e whakarārangi ana i ngā mea e hiahiatia ana e ngā tamariki me ngā taiohi kia pai ai tō rātau ao.

Kei roto i tēnei Rautaki ko tētahi [Kaupapa Rārangi Mahi Onāianei](https://childyouthwellbeing.govt.nz/actions), e rārangi ana ko ngā kaupapahere, kaupapa me ngā mahere hei āwhina ki te whakatutuki i tana matakitenga me ngā putanga. Neke atu i te 75 ngā tūmahi me ngā tūmahi tautoko e 49 kua whakahuihuitia e te kaupapa e arahina ana e ngā tari kāwanatanga e 20. I whakaūngia ēnei tūmahi e ngā pūtea nui i roto i te Tahua 2019. Ka whakatutukihia e te Kāwanatanga ēnei me te tāpiri anō ki ēnei tūmahi i roto i ngā tau kotahi ki te rima e heke nei.

E āhukahukatia ana i roto i te pūnaha mātauranga me pai ake te tautuhi i ngā tamariki me ngā taiohi he matea ako ō rātau, me te aha me whai pūtea hei whakarite i ēnei matea ako kua tautuhia. Ko te *Mahere Mahi Tautoko Akoranga* a te Kāwanatanga tētahi o ngā tauira o tēnei kaupapa e marohitia ana.[[80]](#endnote-81)

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 7

Ko te kōrero a te Komiti Hauātanga i mua i te māharahara rātau ka uaua ki ētahi tamariki hauā, otirā ngā tamariki Māori hauā, te toro ki ētahi ratonga kāwanatanga, tae atu ki ngā ratonga hauora me te mātauranga.

I kī te Kāwanatanga i roto i tana whakautu kua anga whakamua ētahi mahi, ā, ka whai whakaaro rātau ki te tūtohutanga a te Komiti Hauātanga ki te Kāwanatanga ina whakahoutia e rātau te *Mahere Mahi Hauātanga*.[[81]](#endnote-82)

## He kōrero mō te whakatinanatanga o te Ūpoko 7 i Aotearoa

He oranga ngākau te whakamanatanga o ngā tamariki me ngā taiohi hauā i roto i te *Rautaki Oranga o te Tamaiti me te Taiohi*. E kī ana te IMM kei te takiwā o te 450 ngā tamariki i kī he hauātanga tō rātau i uru ki ngā whakawhitiwhiti mō te waihanga i tēnei. Kei te rikarika katoa te IMM ki te whakatinanatanga o ngā mahi ka puta i te Rautaki, ā, e tino whakatenatena ana kia waihanga ngātahitia ēnei mahi i te taha o ngā tamariki hauā me ō rātau whānau ki te whānuitanga e taea ana.

He rerekē anō pea ngā putanga ka pā ki ngā tamariki me ngā taiohi hauā i roto i ngā wāhanga pērā i te mātauranga. I te nuinga o te wā he uaua te rangona o ō rātau reo. Kua kōrero kē te IMM i mua mō te kore o ngā raraunga wehewehe hei whāngai ki ngā kaupapahere me te tuku ratonga mā ngā tamariki hauā. Hei tauira, kāore e whakaemihia ana e Oranga Tamariki ngā raraunga wehewehe mō ngā tamariki hauā e uru ana ki raro i tā rātau manaaki, tiaki rānei. I whakamōhio atu Te Tāhuhu o te Mātauranga i te IMM kāore e whakaemihia e rātau ngā raraunga wehewehe rēhitatanga, paetae, whakawātea, whakatārewatanga, pananga, whakarerenga rānei mō ngā tamariki me ngā taiohi hauā. Nō reira kāore tonu pea e kitea ngā wheako o ngā tamariki i roto i ngā pūnaha tuku ratonga a ngā tari. Me āhei tātau te whaiwhai haere i ngā putanga mō ngā tamariki me ngā taiohi hauā mō te kaupapa o te tuku ratonga pai ake.

He mārama te āhukahuka a te Oranga Tamariki (National Care Standards and Related Matters) Regulations 2018 i ngā whakawhitiwhiti o ngā tamariki hauā e tiakina ana e te kāwanatanga. E whakaritea anō e ngā Rekureihana kia pūrongotia ngā raraunga wehewehe mō ngā tamariki hauā e tiakina ana e te kāwanatanga ki te Kaiaroturuki Tamariki Motuhake. He whanaketanga pai ēnei.

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Nui ake te whakaemi i ngā raraunga wehewehe matawhānui ake mō ngā taiohi hauā hei whāngai i ngā mōhio kia whaitake te wawao tōmua, otirā i roto i ngā wāhanga o te mātauranga, te manaaki me te tiaki, me te ture taiohi.
2. Te aro tonu ki te whakauru mai i ngā tikanga kia noho ai ko te reo o te tamaiti ki waenga pū o te waihanga kaupapahere.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 8: Te whakapiki mōhio

*Ko te āhua o te whakaaro o te iwi whānui te tauārai nui e pā mai ana ki ahau. Ka tino pau tō kaha i te tohutohu/whakamārire/parahau/whakauru haere tonu. Koinei te tino take e noho wehe nei ahau.*

*Kaiwhakautu rangahau*

Te kūare noa o te iwi whānui ki te maha o ngā tāngata kua whai pānga, e whai pānga ana rānei e ngā hauātanga.

Kaiwhakauru ki te hui

## Kōrero whakataki

E kīia ana te Ūpoko 8 me whakaako ngā kāwanatanga i ā rātau kirirarau mō ngā motika me te mana o te hunga hauā, me te whakamana i ō rātau whakatutukitanga, pūkenga hoki. Me whai anō ngā kāwanatanga i ngā whakaritenga tōtika hei pare atu i ngā momo whakaaro totoka, whakawā wawe me ētahi atu mahinga ka whakamamae pea i te hunga hauā.

Hei whakatutuki i ngā motika kei roto i te Ūpoko 8, me mana ngā kaupapa wā roa, matawhānui hoki e arahina ana e te hunga hauā me ō rātau whakahaere māngai puta noa i ngā wāhanga katoa o te iwi whānui.

## Te hira o te Ūpoko 8 ki te hunga hauā i Aotearoa

E whakatakotohia ana e tēnei ūpoko te tūāpapa e tutuki ai ētahi atu o ngā motika kei roto i te Kawenata Hauātanga. Engari, kei reira tonu ngā momo whakaaro totoka me te whakawā wawe hē, tūkino mō te hauātanga e aukatia ana te whakaaetia o ngā tāngata hauā mō rātau anō me ngā mea ka taea e rātau. Ko te whakatairanga i te mōhio ki ngā take hauātanga me te āhukahuka i ngā tauārai kei reira e aukati ana i te tino whai wāhitanga mai o ngā tāngata hauā ki roto i ngā āhuatanga o ia rā, he mea nui mō tētahi iwi whānui kore whakahāwea.

## Te wāhi o te Ūpoko 8 onāianei i roto i te ture, tikanga hoki o Aotearoa

Kāore tētahi mea i roto i ngā ture o Aotearoa e āta whakarite ana, taunaki rānei kia hāpaitia i roto i te pūnahanaha te hauātanga me ngā motika me te mana o te hunga hauā. Ahakoa ko te whāinga o te Harmful Digital Communications Act 2015 he aukati i te whakaweti tuihono me te kī ko te hauātanga tētahi o ngā wāhi arotahi.

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 8

I roto i tana Rārangi o Ngā Take, i tono te Komiti Hauātanga kia tukuna e te Kāwanatanga ngā mōhiohio mō:[[82]](#endnote-83)

* 1. Ko ngā whakaritenga e hāngai ana ki ngā tāngata tūmatanui me te tūmataiti i whakahaerehia hei ārai i te whakamā, whakaaro totoka, whakawā wawe, waiaro kino, whakaweti, taihara whakarihariha, kōrero whakarihariha me te reo whakaweti ki te hunga hauā, i roto i ngā āhuatanga katoa o te ora, tae atu ki te āteatāururangi;
  2. Te whakauru i te hunga pāpāho ki ngā rautaki whakapiki mōhio, tae atu ki ngā whakahau;
  3. Ka whāia ngā whakaritenga hei whakatairanga me te whai kia mārama ake ai he ōrite te uara o te ao o te hunga hauā ki ētahi atu, me te whakakore me te ārai i ngā whakamātau e tuari ana i te whakaaro 'kāore he take' o te ao o tētahi tangata hunga'.

I urupare te Kāwanatanga mā te kōrero mō *Think Differently* (2010–2015), *Like Minds, Like Mine* (1997–ki nāianei), te whakahau *Disability Confident* (2016–2017), Te Wiki o Te Reo Rotarota o Aotearoa (NZSL), me te Rōpū Tohutohu Ārai i te Whakawetiweti. I kōrero anō te Kāwanatanga mō tētahi kaupapa a te HRC e arotahi ana ki te whakatikatika i ngā waiaro mō te hauātanga. E āhukahuka ana rātau mā te pūtea rā anō ka haere tonu ngā mahi, engari e ai ki te mōhio o te IMM kāore anō kia whakaaetia he pūtea.

## **H**e kōrero mō te whakatinanatanga o te Ūpoko 8 i Aotearoa

Kua whakaritea te whakapiki mōhio i ētahi wāhi, otirā i roto i ngā whakahau wā roa pērā i a *Like Minds, Like Mine* e arotahi ana ki te whakahāwea i te hauora hinengaro me te whakamā. Ko ētahi atu whakahau e arotahi ana ki ngā hauā whānui, pērā i a *Think Differently* and *Disability Confident*, kāore i whānui, i whāroa rānei ki tērā e hiahiatia ana hei hāpai i ngā huringa waiaro pūnahanaha.

Ka puta ngā kōrero pai mō te hauātanga i roto i te pāpāho i ētahi wā, engari kei reira tonu ngā pūrongo e whakaparahako ana i te hauātanga me te hunga hauā, me te auau o te whakamahi i ngā kōrero whakatakē pērā i te '*herea ki te kōrea*'. Ahakoa kua 20 tau te whakahau *Like Minds, Like Mine* e haere ana, he rite te tūhono o te hunga pāpāho i te mate hinengaro ki te whakarekereke, he tukituki tēnei i ngā whakaaturanga. I roto i tana pūrongo i te tau 2019, i te Wāhanga IV—*Underlying causes of disability-specific forms of deprivation of liberty*—Catalina Devandas-Aguilar, te Māngai Motuhake o Te Kotahitanga o ngā Iwi o te Ao mō ngā motika o te hunga hauā, i kite ia: [[83]](#endnote-84)

*Ko tētahi āhuatanga taketake o te whakawā wawe i ngā tāngata hauā ā-hinengaro ko te tino pōhēhē he mahi whakarekereke rātau. Kua kitea kei te hē tēnei pōhēhē, otirā e ai ki ngā whakaaturanga ko rātau kē ngā pārurenga o te whakarekereke*.

Ko tētahi tino māharahara ko ngā kōrerorero mō te End of Life Choice Act 2019 me ngā momo whakamātautau hapūtanga hou mō ngā mate iranga, tae atu ki te Mate Pūira Kehe (Down Syndrome).[[84]](#endnote-85) I roto i ngā kōrerorero mō ngā take e rua nei ko te whakaaarohanga he aha te ora rangatira, ā, ko te whakaaro o ētahi mema o te hapori hauā he whakaiti i tō rātau ao me te whakatairanga i te whakamate me te materoto i mua o te whakarite i te mana ōrite i roto i te iwi.

E ai ki ngā tohu nui ake te whakamamae matihiko i waenga nui i ngā taiohi he hauātanga kotahi ō rātau, neke atu rānei, ā, i whakaaturia e tētahi rangahau o nā tata nei tērā:[[85]](#endnote-86)

*…i kī anō ngā kaiwhakautu hauā i whakautu i te rangahau tuihono he nui ake te pā mai o te whakarihariha tuihono ki a rātau tēnā i ngā kaiwhakauru kāore he hauātanga. …15% o ēnei kaiwhakautu i whakaekehia e te whakarihariha tuihono tēnā i te 10% o ngā kaiwhakautu kāore he hauātanga.*

He maha te hunga hauā i kī he nui te kūare mō te hauātanga i waenga i te hunga e torotoro rātau i roto i ngā tari kāwanatanga me te rāngai ture. I roto i te hui whakawhitiwhiti i tū mō te whāngai kōrero ki tēnei pūrongo, i kī anō ngā kaiwhakauru kei te aukati tonu ngā waiaro ā-iwi i te hunga hauā mai i ngā wāhanga katoa o te iwi whānui me te hapori. I kī tētahi kaiwhakauru i a ia e kōrero ana mō ngā whare noho:

…i tono mō ngā whare rēti 100 —engari auare ake. E pōhēhē ana ngā rangatira o ngā whare ka mate rātau ki te whakatikatika i te whare, ā, ka whakahēngia he kore i tika mō rātau. Ko te raruraru i konei ko ngā pōhēhē, ehara ko te urukore.

I whakaarahia e ngā kaiwhakautu rangahau ngā waiaro ki te hunga hauā, ā, koinei te wairua o ngā kōrero urupare mō ngā take waiaro me te whakapiki mōhio:

Kāore e mārama te kitea o tōku hauātanga, kāore e kaha ki te tū roa, me te noa roa, me whakamahi i ahau i te ararewa, tē taea e au te hīkoi tawhiti i runga ara raima, papa mārō. Ko te kōrero a ngā tāngata he māngere ahau mō te whakamahi i te ararewa. Ka mate ahau ki te parahau i te take e kore e taea e au ētahi mea… kua kore ōku whakaaro ki aku mahi me te noho ngaio ka warea kī ngā āhuatanga mō ōku hiahia.

Ka taea e au anō te manaaki i ahau mēnā he whai urunga me te whai wāhitanga ki te whakatūtaki i aku whakapātaritari. Hei aha māku te whakapakoko i ahau, te whakanui rānei i tōku māia, te aroha mai rānei. Ko ngā waiaro o te tangata te tauārai kino katoa.

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Tīmataria tētahi whakahau ā-motu i waihanga ngātahitia e:
   1. hāpai ana i ngā motika me te mana o te hunga hauā, tae atu ki te whakaari i te uara o te kanorautanga;
   2. ātetehia atu ngā tirohanga kino mō te uara o ngā ao o te hunga hauā kua whakaaturia i roto i ngā tautohetohe e pā ana ki te End of Life Choice Act 2019 me te tātari hapūtanga; ā, kia
   3. wawe tonu, kia hāngai tonu te ātete i ngā tirohanga tūmatanui e pā ana ki te hauā ā-hinengaro me te whakarekereke.
2. Me whakauru ko ngā kaupapa i hangaia e te hunga hāua–ki roto i te marautanga kura me ngā whakangungu mātauranga tuatoru, otirā (engari kia kaua e whāiti ki) kia whakaturehia te whakangungu i ngā kaiako katoa me ētahi ngaiotanga e mahi tahi ana me te hunga hauā.
3. Me tuku i ngā rauemi tāpiri hei whakarite ko ngā whakahau ārai i te whakawetiweti ka tino whakauru mai, me te whakatutuki i ngā hiahia o te hunga hauā.
4. Me whakarite, i roto i ngā whiriwhiringa o te whakaurunga mai o te ture kōrero whakarihariha whānui, taihara whakarihariha hou rānei, ka whakauru atu anō ngā kōrero whakarihariha hauātanga, taihara whakarihariha rānei.
5. Me whakarato ngā whakangungu e whakahaerehia ana e te hunga hauā, mā roto i Te Kawa Mataaho, mō te Kawenata Hauātanga mā ngā kaimahi kāwanatanga.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 9: Whakatapoko

I te nuinga o te wā e aukatia ana te hunga kāore e taea/hiahia ki te whakamahi hangarau.

Kaiwhakauru ki te hui

*Me tino whakaū—he ara mō te hunga kāpō ki ngā tūnga ikiiki. Arā, kia kaua ngā wāhi kāore i te haumaru me te kore ara, kaua ngā whakawhitinga takaāwhio tino uaua, ētahi atu rori e pokea ana me te kore rama.*

*Kaiwhakautu rangahau*

*Ko taku tino māharahara mō te āhei atu ki ngā mōhiohio ka taea e te katoa. Me whiwhi ahau i ngā whakamōhiotanga mō ngā rerekētanga i roto i te takiwā noho. Ina karia e te kaunihera ō tātau ara, ka tukuna mai ngā pānui tuhi ā-ringa ki roto i ā mātau pouaka mēra, ā, me kī kāore e tino pānuitia ana. Ka whakamōhiotia mai mātau e ētahi kiritata, engari kei te whai kē rātau i ō rātau ao.*

*Kaiwhakautu rangahau*

## Kōrero whakataki

Me whakarite ngā Kāwanatanga kia āhei ngā tāngata hauā ki te noho motuhake me te whakauru ki ō rātau hapori. Ko te tikanga o tēnei ko ngā wāhi e wātea ana ki te iwi whānui, tae atu ki ngā whare, rori, ngā kura me ngā hōhipera, me mātua whakatapoko ki te hunga hauā.

## Kōrero whānui

E whakaae ana te IMM kua anga whakamua i roto i ngā tau ki te whakapiki i te whakatapoko ki ētahi wāhi tūmatanui, engari kei reira tonu te hiahia kia ōrite te whakatapoko mō te hunga hauā puta noa i te motu.

## Te hira o te Ūpoko 9 ki te hunga hauā i Aotearoa

He mea hira te whakatapoko hei whakarite ka taea te hunga hauā te whai wāhi ki te ao tūmatanui, te mahi, hāereere, ā, kia whiwhi mōhiohio hoki rātou i runga i te tikanga ōrite ki ētahi atu.

## **Te wāhi o te Ūpoko 9 onāianei i roto i te ture, tikanga hoki o Aotearoa**

He ture, he tikanga hoki e whakahaere ana i te whakatapoko i Aotearoa.

* Te Building Act 2004 me te Building Regulations 1992
* Local Government Act 2002
* Resource Management Act 1991
* *New Zealand Urban Design Protocol.*[[86]](#endnote-87)
* *Guidelines for facilities for blind and vision impaired pedestrians*[[87]](#endnote-88)
* The *Pedestrian planning and design guide*[[88]](#endnote-89)
* Te *Rautaki Hauātanga*; te Tūtohinga Whakatapoko me te *Aratohu Whakatapoko: E ārahi ana ki te tuku mōhiohio ka taea e te katoa*[[89]](#endnote-90)
* Te paerewa hangatanga o Aotearoa (NZS 4121:2001 *Design for access and mobility—Buildings and associated facilities*)

I mahi tahi te Hononga DPO me Hīkina Whakatutuki ki te waihanga i tētahi aratohu kia tōtika ai te whakamahi i ngā mātāpono hoahoa ahuwhānui, i roto i te rauemi *Buildings for everyone: Designing for access and usability*.[[90]](#endnote-91)

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 9

I roto i tana Rārangi o Ngā Take, i pātai te Komiti Hauātanga kia tukuna e te Kāwanatanga ngā mōhiohio mō:

* ngā whakaritenga hei whakarite ka hangaia ngā whare tūmatanui katoa kia whakatapoko, ka ōtita motuhaketia, ā, ka whakaūngia;
* mō te whakatinanatanga o te Building Act 2004 me te Building Code; tae atu ki ngā wāhi e iti iho ana i te 10 ngā tāngata e mahi ana i reira, ā, e aweretia ana i tēnei wā;
* ngā whakaritenga i whakaūngia kia tino whānui te whakatapoko ki ngā wāhi haumaru, manaaki, whakatapoko, kākāriki, tūmatanui hoki, ā, kia whai whakaaro ki ngā tauārai ake ka pā ki ngā wāhine, tamariki me ngā tāngata hauā pakeke ake;
* upane hei whakarite ka whakaūngia te whakamahinga whānui o te ariā o te hoahoa ahuwhānui e ngā mana i ngā taumata katoa o te whakaratonga ratonga tūmatanui, tae atu ki te maha o ngā pahi me ngā tēkehi ka uru he kōrea; me
* ngā whakaritenga hei whakaū ko ngā pūnaha tīkiti tāhiko mō ngā ikiiki tūmatanui me ngā mōhiohio haerenga/hāereere/wātaka ka taea e te katoa.

I roto i te whakautu a te Kāwanatanga ko ngā mōhiohio mō te Ture Hangatanga, e whakarite ana i te whakatapoko tōtika me te whakapai haere i ngā whare. I whakaūngia e te Kāwanatanga kāore he whakaritenga ki te whakatika i te Ture Hangatanga hei tango i te aweretanga mō ngā wheketere iti me ngā whare ahumahi iti.[[91]](#endnote-92) Kāore i whāia he whakaritenga mārama hei whakarite i te urunga ahuwhānui ki ngā wāhi tūmatanui, ā, ko te nuinga kei raro i te mana o ngā kaunihera, ā, e whakaritea ana e te Local Government Act me te Resource Management Act.

## He kōrero mō te whakatinanatanga o te Ūpoko 9 i Aotearoa

Kua oti ētahi whakaritenga mai e te Kāwanatanga, ngā kāwanatanga ā-rohe me ngā kaiwhakahaere ikiiki kia pai ake te whakatapoko.

E hāpai ana te *Rautaki Hauātanga o Aotearoa 2016–2026* i te hoahoa ahuwhānui. Kua whakaritea kia whakaatahia e ngā whare o Kāinga Ora (ko te Kaporeihana Whare o Aotearoa i mua) i ngā mātāpono o te hoahoa ahuwhānui, ā, kei te whiriwhiritia e te Kāwanatanga me pēhea te whakauru ki roto i ngā whakariterite mō ngā kāinga KiwiBuild. I whakaae te Rūnanga Matua kia ‘*tīmataria te hoahoa o tētahi ara kia whānui ai te kaupapa whakatapoko i Aotearoa, i te taha o te hunga whai pānga*’, ā, kei roto pea ko te ture whakatapoko.[[92]](#endnote-93)

He pai te kite i te pikitanga o te ōrau o ngā pahi ka taea e ngā kōrea. Engari, he uauatanga tonu ka pā ki te maha o ngā kaiwhakamahi ikiiki tūmatanui hauā e uru ana ki ngā ikiiki, te whakamahi i ngā pūnaha tīkiti urukore, me te kōhukihuki ki te rerekētanga ā-rohe o ngā pūnaha tīkiti, hekeutu hoki. Ka whakatikia hoki ngā tāngata kei ngā tuawhenua mō te āhei atu ki te ikiiki tūmatanui.

E 345 ngā tēkehi me ngā huhuti kōrea i Aotearoa i 2018, kua heke tēnei mai i te 435 i te tau 2017. E 2361 ngā pahi ikiiki tūmatanui ka uru ngā kōrea, he pikitanga mai te 2210 i te tau 2017, ā, he 94.5 ōrau tērā o ngā pahi tūmatanui katoa i Aotearoa.[[93]](#endnote-94) I tēnei wā, he rerekē i tēnā rohe, i tēnā rohe te whakamahinga o ngā tāpaetanga whakatapoko me ngā pūnaha tīkiti tāhiko. E tūmanako ana te Kāwanatanga ā tōna wā ka ōrite te whakaratonga utu mō ngā ikiiki tūmatanui puta noa i te motu, ā, ka taea ngā tīkiti e te katoa.

Engari, he nui ngā māharahara kei reira mō te whakaurunga o ngā tīkiti tāhiko urukore me ngā taupaepae whakamahi-whaiaro pērā i ērā e whakamahia ana e Air New Zealand, te umanga rererangi matua i Aotearoa. Ko te Kāwanatanga te kaipupuri hea matua o Air New Zealand, ā, e herea ana rātau ki te whakarite kia whakatutukihia e rātau tō rātau kawenga hei kaiwaitohu i te Kawenata Hauātanga e pā ana ki te whakatapoko ki te ikiiki.

Kei muri rā anō ngā mahi hangahanga tūmataiti i ngā whare tūmatanui mō te āhukahuka i te whakaritenga kia whakaurua te whakatapoko i te wāhanga hoahoa, ā, otirā kia whakaritea ka whai ngā kāinga hou i ngā mātāpono hoahoa ahuwhānui.

Ko tētahi tino kōrero i puta i ngā hui whakawhitiwhiti kōrero ko te hiahia o te hunga hauā ki ngā ikiiki whakatapoko kia putaputa ai rātau, kia rangatira ai ō rātau ao. Ko ētahi atu take i whakaarahia ko te hiahia ki ngā mōhiohio ka taea e te katoa, te uru ki ngā whare me ngā wāhi tūmatanui. I whakaarahia anō te nui o te utu o te hangarau whakatapoko me te tokoiti o ngā tāngata hei tuku i aua hangarau.

Kei te nui haere ake ngā waka-iti me ngā pūrere, pērā i ngā ī-papaneke, he maha ēnei e whakamahia ana i runga ara hīkoi, ā, ko te mutunga atu he raruraru haumaru mō ngā kaiwaewae hauā, otirā ina whakatūhia ana.

He maha ngā tauira i puta i kaiwhakauru ki ngā hui me ngā kaiwhakauru ki te rangahau mō te kore i whakatikatikahia ngā whakaritenga whakatapoko, kāore i tika rānei te whakatikatika. I kī tētahi tangata, *‘He pai noa iho te kī he rōnaki kei reira mō te kuhu ki te whare, engari mēnā he taumaha rawa ngā kūaha ka raru koe’.*

## Ngā tūtohutanga

E tūtohu ana teIMM i te Kāwanatanga kia:

1. Waihanga me te whakaae ki ngā whakamāramatanga matawhānui mō te hoahoa me te whakatapoko ahuwhānui, ā, kia ōrite te whakamahi i ēnei whakamāramatanga.
2. Whakahoutia te Paerewa o Aotearoa NZS4121:2001 me te waihanga i ngā tūmomo paerewa whakatapoko hāngai matawhānui e kapi ana i ngā āhuatanga katoa o te uru ki te hapori ki te iwi hoki.
3. Whakarite ka whakatinanahia ngā hoahoa whakatapoko me te ahuwhānui i roto katoa i:
   1. ngā whanaketanga whare noho hou;
   2. ngā wāhi tūmatanui;
   3. ngā pūnaha ikiiki me ngā tīkiti;
   4. ngā wāhi whakamahi-ngātahi; me
   5. ngā hangarau me ngā tauwhitiwhititanga.
4. Whakatinanahia ngā rautaki pakari me ngā rārangi wā hei whakahou ake i ngā hanganga tūmatanui onāianei hei whakaū i ngā paerewa hoahoa whakatapoko pai rawa.
5. Whakatinana i ngā pūnaha hei whakarite kia auau te aroturuki, te ōtita hoki/rānei ki ngā paerewa whakatapoko o ngā whare whai whakatapoko tūmatanui, me ngā wāhi mahi, ā-iwi, ā-rēhia hoki me ngā ratonga tūmatanui.
6. Waihanga ngātahi i ngā pūnaha whakatapoko i te taha o te hunga hauā, me te whai whakaaro ki te hunga e mahue ana ki waho pērā i ngā tamariki.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 10: Te motika ki te ora

E āhei tonu i raro i te ture o konei te kokoti-uru me te whakamaimoa taiaki o ngā tamariki hauā katoa. Me pupuri ngā whakaaturanga.

Kaiwhakautu rangahau

## Kōrero whakataki

E kī ana te Ūpoko 10 ka whānau mai ia tangata me te whai motika ki te ora. Me mātua whakapūmau e ngā Kāwanatanga kia tino ōrite tēnei mō te hunga hauā me te hunga.

## Kōrero whānui

E hāngai ana tēnei ūpoko ki ngā take pērā i te whakamātautau hapūtanga, whakakore hapūtanga, te whai wāhi ki ngā whakamaimoa hauora, te āwhina ki te mate whakamomori me te whakamate tonu. He tino hira tēnei ki ngā tāngata hauā o Aotearoa i tēnei wā nā ngā rerekētanga ki ngā tātaritanga hapūtanga, me te pāhitanga o te End of Life Choice Act 2019.

## Te hira o te Ūpoko 10 ki te hunga hauā i Aotearoa

Ahakoa he hiranga taketake te motika ki te ora i ngā wā katoa, nā ngā tautohetohe o tēnei wā e pā ana ki ngā tātaritanga hapūtanga me te āwhina ki te whakamate kua piki te hiranga o tēnei ūpoko i tēnei wā.

## Te wāhi o te Ūpoko 10 onāianei i roto i te ture, tikanga hoki o Aotearoa

E tiakina ana e te Ture Pire Tika Tangata o Aotearoa 1990, otirā i te wāhanga 8, te motika o ngā tāngata katoa o Aotearoa kia kaua e kukua te ora.

Ka āhei pea i raro i te End of Life Choice Act 2019 kia tono te tangata kia āwhinatia ia ki te whakamate i a ia anō mēnā he mate tuamatangi tōna e mate ai ia i roto i te ono marama, ā, mēnā e ū ana ia ki ētahi atu whakaritenga āheinga. Kāore te tangata i te āhei atu kia whakamatea ia i runga i te take he hauātanga tōna, tae atu ki tētahi hauā ā-hinengaro, kua tino pakeke rānei. Ka mana anake te Ture mēnā ka tautokona e te nuinga o ngā kaipōti i roto i tētahi tāpaetanga pōti ā-motu hei te pito o 2020.

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 10

I roto i te pūrongo tuatahi a te Kāwanatanga ki te Komiti Hauātanga e kī ana i raro i te Ture Pire Tika Tangata o Aotearoa kāore e kukua te ora o te tangata—he motika e ōrite ana mō ngā tāngata katoa. I roto i tana pūrongo *Kitenga Whakamutunga* i te 2014 mō Aotearoa, kāore i kōrero te Komiti Hauātanga mō te Ūpoko 10.

## He kōrero mō te whakatinanatanga o te Ūpoko 10 i Aotearoa

He maha ngā wāhi e māharaharatia e whakararuraru pea i te motika ki te ora e manaakitia ana e te Ūpoko 10.

E māharahara ki te pānga pea o te End of Life Choice Act 2019 ki te motika ki te ora mō te hunga māuiui, mate hinengaro hoki.[[94]](#endnote-95) I whakaaturia e te tāpaetanga kōrero a Te Kāhui Tika Tangata mō tēnei ture ngā take pērā i ēnei: [[95]](#endnote-96)

* he kore whakamaru kei pēhia;
* ngā whakaaro he whakahōhā noa iho i roto i te taiao; ā,
* kua heke te mana o te tuakiri me te kore kōwhiringa ōrite mō te hunga hauā i te kore tautoko whai pūtea i te hauātanga me ngā kōwhiringa whakamauru mamae.

Ko ngā tatau e whakataurite ana i te tūmanakohanga ora o te hunga hauātanga hinengaro ki te hunga kāore he hauātanga, i whakaputaina e Te Manatū Hauora i te tau 2011, e whakaatu ana i tētahi hapanga nui i waenga i te tūmanakohanga ora o ngā tāne kāore he hauātanga(18 tau, neke atu), me ngā wāhine kāore he hauātanga (23 tau, neke atu) me te hunga whai hauātanga hinengaro. Kei reira anō tētahi hapanga ōrite mō te hunga hauā ā-hinengaro.[[96]](#endnote-97)

Ko te whakamahinga o te tātari hapūtanga hei kimi i te rerekētanga ā-iranga, otirā te Mate Pūira Kehe, tētahi wāhanga e māharaharatia ki te hunga hauā me ō rātau whakahaere.[[97]](#endnote-98) I kitea e tētahi pūrongo o nā noa nei i whakaritea e te Law Foundation ētahi wāhi hira e māharaharatia ana mō te hiahia ki ngā kōrero wetewete iranga whaitake mō ngā mātua ka kōwhiri kia whakamātautautia, me te whakarite kia kaua e puta ake i te tātaritanga ngā putanga raweke ira.[[98]](#endnote-99)

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whakarite ka whai whakaaro ki te pānga kino pea o tētahi ture e whakaae ana i te āwhina ki te whakamate ki te hunga hauā.
2. Whakarite mā te aroturuki whaitake, ki te whakamanatia te End of Life Choice Act 2019, kāore he pānga nui rawa ki te motika ki te ora mō te hunga hauā.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 11: Ngā āhuatanga o te mōrea me ngā ohotata oranga tangata

…kāore tonu ngā tāngata i te mōhio he aha te tikanga o te turi ki a rātau i te mea he hauātanga huna kē te ture. Te kore kaiwhakamāori i Te Reo Rotarota o Aotearoa i roto i ngā ohotata, whakatūpato aituā [he raruraru tērā].

Kaiwhakautu rangahau

## Kōrero whakataki

E herea ana ngā kāwanatanga e te Ūpoko 11 kia whai i ngā whakaritenga hei whakamaru me te whakarite i te haumaru o te hunga hauā i roto i ngā āhuatanga mōrea, tae atu ki ngā pakanga, ngā ohotata oranga tata me ngā aituā ao tūroa.

He mea whakaatu i roto i te kōrero whakataki, i whakaotihia tēnei pūrongo i mua tonu o te pakarutanga mai o te urutā Kowheori-19. E mōhio ana te IMM i tino pā tēnei raruraru ki te hunga hauā o Aotearoa. Kāore i whakatārewatia te whakaputanga o te pūrongo, engari ko te whakatau kē kia whakawhāiti ngā kaha o IMM ki tētahi kaupapa Kowheori-19 e pā ana ki ngā wheako o te hunga hauā me te urupare a te Kāwanatanga ki ngā hiahia o te hapori hauā i tēnei wā. Kua tīmata ngā mahi mō tēnei pūrongo.

## Kōrero whānui

Ko te mahi ki te tiaki me whakarite i te haumarutanga o te hunga hauā i roto i ngā āhuatanga mōrea me mātua whakahaere me te whai whakaaro ki ngā herenga i raro i ngā ture o te ao, tae atu ki ngā ture oranga tangata ā-ao me ngā ture tika tangata.

## Te hira o te Ūpoko 11 ki te hunga hauā i Aotearoa

Nā ngā rū o Waitaha i te tau 2010 me te 2011, me te parekura i te whare kōrana i te Poutūterangi o te 2019 i tino kitea te hiranga o te Ūpoko 11 mō ngā tāngata hauā o Aotearoa. Me ōrite te whiwhi mōhiohio a te hunga hauā ki ētahi atu tāngata mō ngā whakaritenga me ngā whakatūpatotanga me whai i roto i tētahi ohotata, mā tētahi āhuatanga e mārama ai ki a rātau, ā, e ōrite ana ki ētahi atu.

## Te wāhi o te Ūpoko 11 onāianei i roto i te ture, tikanga hoki

Kātahi ka tino hē rawa atu ngā uauatanga mō te hunga hauā i roto i ngā mōrea me ngā aituā ao tūroa, tae atu ki ngā whare tūmatanui, ngā whakaurunga me ngā ratonga kāore i pai te hoahoatia, he urukore rānei.

Whai muri i ngā rū o Waitaha, i whakatūhia e te umanga Kanohi ki te Kanohi[[99]](#endnote-100) te Earthquake Disability Leadership Group. Ko te arotahi taketake o tēnei rōpū he whakarite ka manaakitia, ka whakatapoko hoki te hanga anō i a Waitaha ki te hunga hauā. I te tau 2016, i whakaurua te rōpū ki tētahi tarahiti kaupapa aroha ka whakawhānuitia tā rātau kaupapa ki a Aotearoa whānui.

I whakaputaina e Te Tari Mō Ngā Take Hauātanga ngā mōhiohio takatū aituā mō te hunga hauā mō te wiki ‘*Get ready*’ o Aotearoa.[[100]](#endnote-101) I tua atu i tēnei, he mōhiohio kei te paetukutuku ‘*Get ready*’ e pā ana ki te takatū mō te aituā mā te hunga he waimaerotanga ō rātau.[[101]](#endnote-102)

I te Mahuru 2019, i whakaritea e te CBM NZ[[102]](#endnote-103) tētahi haerenga akoranga me tētahi hui whiriwhiri kōrero a te Disability Inclusive Disaster Risk Reduction (DIDRR). I whakahuitia e tēnei hui whiriwhiri kōrero ngā whakahaere ā-hauā e rua, te rūnanga Pacific Disability, ngā hoa nō Piripine me ngā māngai nō te Kāwanatanga o Aotearoa. I roto i te hui whiriwhiri kōrero, i tuarihia tētahi kete mō te DIDRR me te hunga i whai wāhi mai.[[103]](#endnote-104)

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 11

Kāore i tukuna e te Komiti Hauātanga ngā kitenga whakakapi mō te Ūpoko 11 i roto i tana Concluding Observations on New Zealand i te 2014.

Engari, i roto i tana whakataunga 28/4[[104]](#endnote-105) i tono Te Kaunihera Tikanga Tangata ki Te Tari o Te Māngai Matua mō Ngā Tika Tangata kia whakaritea mai he rangahau mō te Ūpoko 11 o te Kawenata Hauātanga mō ngā āhuatanga mōrea me ngā ohotata oranga tangata, i te taha o ngā whenua me ētahi atu hunga whai pānga hāngai.[[105]](#endnote-106)

## He kōrero mō te whakatinanatanga o te Ūpoko 11 i Aotearoa

Nā ngā rū o Waitaha i te tau 2010 me te 2011 kua tino mārama ake te take mō te DIDRR i Aotearoa. He nui ake ngā uauatanga ka pā ki te hunga hauā o Aotearoa tēnā i te hunga kāore he hauātanga i Aotearoa whai muri i tētahi aituā, ā, i roto hoki i te wāhanga whakarauora anō, pērā i te iti noa o ngā mōhiohio kei ngā takotoranga ka taea e te katoa, ngā whakaurunga me ngā ratonga urukore, me te uaua o te toro ki ngā ratonga tautoko tōtika. Kei reira tētahi hiahia i te ao ki te hoahoa me te whakatinana i te ‘whakaiti mōrea aituā me ngā tikanga manawaroa'' manaaki hauā, ā, kua whakatikatikahia tēnei i roto i te Rautaki Manawaroa Aituā ā-Motu.[[106]](#endnote-107) E mārama ana i roto i te pūrongo *Monitoring Human Rights in the Canterbury Earthquake Recovery* a Te Kāhui Tika Tangata me whakarewa ake e Aotearoa ngā hiahia o te hunga hauā i roto i ngā mahi a te DIDRR.[[107]](#endnote-108)

## Ngā tūtohutanga

E tūtohu ana teIMM i te Kāwanatanga kia:

1. Mahi tonu me te Hononga DPO mō te Disability Inclusive Disaster Risk Reduction (DIDRR), ā, me whakawhānui i ngā mahi hei tuku i tētahi urupare matawhānui ki ngā tūmomo mōrea oranga tangata me ngā aituā ao tūroa.
2. Waihanga me te whakatairanga i ngā kaupapa e āta tautoko ana i te whakanui ake i te manawaroa mō ngā tāngata hauā, ngā whānau, ngā rōpū me ngā hapori hei whakangāwari i ngā mōrea me ngā pānga o ngā aituā ao tūroa, ētahi atu ohotata oranga tangata rānei.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 12: Te mana ōrite i raro i te ture

*E tukuna ana e te Ūpoko 12 o te UNCRPD [Kawenata Hauātanga] te motika ki te hunga hauā kia ōrite te whai mana i raro i te ture pērā i ētahi atu. I Aotearoa, he maha ngā tāngata i Aotearoa e herea ana e ngā whakatau kōti i raro i te Protection of Personal and Property Rights Act 1988 (Ture PPPR) kāore i te āhei atu ki tēnei motika…*

*Kaiwhakautu rangahau*

*Kāore koe i te ōrite i raro i te ture; kei te whakawairangitia koe kia rata ai.*

*Kaiwhakauru ki te hui*

*Ka pēhia ō hiahia—mō wai te painga?*

*Kaiwhakauru ki te hui*

*Me whakakore te ture Tiaki Motika me te Rawa Whaiaro.*

*Kaiwhakauru ki te hui*

*Kāore rātau e whakarongo, ka takahia te whānau.*

*Kaiwhakauru ki te hui*

## Kōrero whakataki

E whakaritea ana e tēnei ūpoko kia whakamanatia e ngā kāwanatanga ngā tāngata hauā hei tāngata i raro i te ture i ngā wāhi katoa, me te tuku ara ki ngā tautoko hei whakatinana i tēnei mana kia ōrite ki ētahi atu. Me mātua whai ngā whakaritenga katoa hei whakaute i ngā motika o te tangata, hiahia, manakohanga, me te ārai i ngā tūkinotanga, ngā take whai taharua, whakaawe hē rānei i te whakatinanatanga o taua mana ā-ture. Mēnā he whakatiki kei reira me wā poto noa tērā, ā, kia motuhake, kia tōkeke te arotake me te tirotiro.

## Kōrero whānui

Ki tā te IMM mō te tino whakatinana i tēnei ūpoko me tino nui te takahuritanga i roto i ngā ture me ngā tikanga o Aotearoa, mai i te whakatau tikanga mō rātau ki te tautoko i te whakatau tikanga, e tino whakaaronui ana i te rangatiratanga o te hunga hauā, me te motika ki ngā tautoko whakatau tikanga. I ngā tau kua taha ake nei, kua tukuna te tātaritanga o tēnei ūpoko e te Kōrero Whānui 1 a te Komiti Hauātanga,[[108]](#endnote-109) ā, me te pūrongo a te Māngai Motuhake i te 2018 ki Kaunihera Tika Tangata.[[109]](#endnote-110) E rua, e rua i kī e kore rawa he āhuatanga i roto i te ture e whakaaetia ana te mauhere, te kaikino rānei nā te hauātanga, e ū ana ki te Kawenata Hauātanga.

## Te hira o te Ūpoko 12 ki te hunga hauā i Aotearoa

E kore rawa e taea tēnei ūpoko te whakamaihi. He mea taketake te āhei atu ki ngā pūnaha rawaka, kanorau, pūmau hoko o ngā whakatau tikanga e tautokona ana kia whai wāhi mai ai ngā tāngata hauā katoa o Aotearoa ki ngā whakatau katoa e whai pānga ana ki a rātau. Otirā mō rātau he hauā ā-hinengaro, hirikapo, ā-ako, hinengaro hauā rānei, e mauherea tonu ana i rō wāhi herehere, e kaikinotia ana, ā, me te kore whai tautoko, whai taunaki motuhake hoki.

## Te wāhi o te Ūpoko 12 onāianei i roto i te ture, tikanga hoki o Aotearoa

Kāore e whakaaetia ana i raro i te Ture Tika Tangata 1993 te whakahāwea nā te hauātanga te take. E whakaūngia ana te kore whakahāwea, me te motika ki te whakahē i ngā whakamaimoatanga rongoā, e te Ture Pire Tika Tangata o Aotearoa 1990.

Ahakoa tērā, e mana ana ēnei ture i tēnei wā e whakaae ana i ngā whakaritenga rerekē, arā, i ētahi āhuatanga, te mauhere, kaikino me te whakatau tikanga mō rātau.

* E āhei ana i raro i te Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003 kia tōhipa te hunga hinengaro hauā (kua aromatawaitia te IQ he 70, i raro iho rānei) i te pūnaha ture i whakapaetia, i whakaharaina ranei mō tētahi hara, tae atu ki ngā whakamaimoa me te whakarauora whakature, ā, i roto hoki i ngā whakaurunga whakamau. Ehara tēnei Ture mō te hunga kāore i takahi i te ture, i te mea ki te mauhere rātau he takahi tērā i ō rātau motika tangata. Engari ko te māharahara o te IMM ko te mutunga atu pea o te whakawhānui i ngā whakatau tiaki whakature, e ai ki tētahi aromatawai mō te mōrea haere tonu, ka puritia pea te hunga hinengaro hauā mō ngā wā roa e roa atu ai pea i te wā o te whiu ka tukuna e te pūnaha ture taihara.
* E whakaritea ana e te Mental Health (Compulsory Assessment and Treatment) Act 1992 ngā aromatawai whakature me te whakamaimoa i te hunga e kīia ana he mate hinengaro rātau e ai ki tēnei Ture. He wāhi kuhunga te whakamaimoa whakature ki roto i ngā ratonga hauora hinengaro mō te hunga e whakamōrea ana i tō rātau ake ora, i ētahi atu rānei. E māharahara ana te IMM kāore ētahi wāhanga o te Ture i te ōrite ki ngā whakaaro onāianei mō te hauora hinengaro me ngā motika tanga. He whakauru mai i tētahi kaupapa tauira hauora ki te hauora hinengaro, ā, ka āhei te whakamahi i te whakaturetanga.
* E āhei ana i raro i te Substance Addiction (Compulsory Assessment and Treatment) Act 2017 kia whakaturea te whakamaimoa i ngā tāngata mēnā ka ‘tino raru tō rātau kaha ki te tuku whakatau mō te whakamaimoa i tō rātau waranga, ā, ka ū ki ētahi atu whakaritenga. Kāore tēnei ture e hāngai ana ki te Kawenata Hauātanga, ki te kaupapa whakaaro o te hauora hinengaro onāianei rānei. Kāore hoki he whakaaturanga pūtaiao pakari hei tautoko i te tika o te whakamaimoa whakature o te hunga i warawara ki ngā matū.
* Kei roto i te Motika 7 o te Tikanga o te Hauora me Ngā Tika Hauā—te motika ki te kōwhiri i runga i te mōhio me te tuku whakatau i runga i te mōhio—ko tētahi aweretanga e whakaaetia ana tētahi kaituku ratonga ki te tuku ratonga me te kore whai whakaaetanga mai i te kaiwhiwhi e ai ki tō rātau whakapono kāore e taea e te tangata te whakatau tikanga mōna anō.

Kei roto i ēnei ture katoa ko ētahi whakamarutanga, tae atu ki ngā whakaritenga hei rapu, mēnā ka taea, ngā whakaaro o te tangata hauā, te whakahaere ā-waho me ngā wā arotake tauwhāiti. Engari, kāore ēnei whakaritenga e whakaata ana i te ngākau mōhio onāianei mō te motika ki te toro tautoko hei whakatau tikanga, te neke rānei kia mōhio ai ki te hiahia, manakohanga o te tangata kaua te whakatau kōrero i te whakaaro mōna te painga. Ka taea te ū ki te Kawenata Hauātanga mā te whakakore i tēnei pou tarāwaho whakatau tikanga whakakapi, ahakoa kāore he paiherenga ināianei ki te whakatutuki i tēnei.

Engari, i whakaae te Kāwanatanga i roto i te *Mahere Mahi Hauātanga o Aotearoa 2019-2023* ko te whakakore me te whakakapi i te Mental Health (Compulsory Assessment and Treatment) Act 1992 tētahi o ana urupare matua e toru ki te pūrongo a te uiui ki te hauora hinengaro me te waranga, *He Ara Oranga.*[[110]](#endnote-111)

I tonoa inā tata nei e te Minita o te Ture kia arotakehia e Te Aka Matua o Te Ture ngā ture e pā ana ki ngā tāngata pakeke he waimaero te whakatau tikanga.[[111]](#endnote-112)

Me mātua uru te hunga hauā ki ēnei mahi mai i te tīmatanga, ā, ko te tūmanako ka hangaia tētahi pou tarāwaho ahuwhānui e aro ana ki te whakatutuki i te motika ki ngā tautoko rawaka me te tino whai wāhi atu ki ngā whakatau tikanga. E ai ki te Ūpoko te 12, me mātua whakamana he āhuatanga wehe kē te kaha hinengaro me te whai reo ā-ture i roto i tētahi pou tarāwaho.

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 12

I roto i te pūrongo Kitenga Whakamutunga i te 2014 mō te pūrongo tuatahi mai i Aotearoa, i tūtohu te Komiti Hauātanga kia:[[112]](#endnote-113)

…kia wawe tonu te whakarite a te Kāwanatanga kia whakahoutia ake ngā ture hāngai me te whakakapi i ngā whakatau tikanga whakakapi me ngā whakatau tikanga whai tautoko. Me puta i tēnei ko ngā tūmomo whakaritenga rerekē e whakaute ana i te tino rangatiratanga, hiahia me ngā manakohanga o te tangata, ā, e tino ū ana ki te ūpoko 12 o te Kawenata, tae atu ki te whakaute i te motika o te tangata, i tōna ake kaha, ki te tuku me tango i tōna whakaaetanga i runga i te mōhio, otirā e pā ana ki te whakamaimoatanga hauora, te whai wāhi ki te ture, te mārena me te mahi…

Ko te hiahia o Ngā Rārangi Take o te 2017 ko tētahi pūrongo kōrero mō ngā whakaritenga whakatikatika ture me te whakawhānui ake i te urunga i ngā tautoko hāngai mō te hunga hauā katoa kia whai mana ai rātau i raro i te ture me te tino whai wāhi ki te whakahaere i ā rātau ake take.

## He kōrero mō te whakatinanatanga o te Ūpoko 12 i Aotearoa

Kei reira anō ētahi tūmahi pai mō te whakakaha i te taha motika tangata o ngā ture onāianei, me te whakapai ake i te āhei atu ki ngā whakatau tikanga whai tautoko i ētahi wāhi.

* I te tau 2016, i whakaputaina e tētahi rūnanga whakatau tikanga tētahi whakaaro whānui i waenga i te hunga whai pānga rerekē me te tuku wāhanga anō ki te waihanga rauemi. Engari, ā, kāore i roa ka tau pāraharaha noa ngā mahi. Kei tētahi kaupapa hou i te tau 2019, i raro i te Manatū Whakahiato Ora, te mahi iti nei ki te tuku whakamāramatanga mō te whakatau tikanga me te ārahi i ngā tikanga i roto i ngā āhuatanga kaupapahere onāianei. Ko tētahi mea pai, kei roto i tēnei kaupapa ko ngā tūmomo tari kāwanatanga me te hunga whai pānga rerekē, ā, ko te tikanga mā tēnei ka tipu te kaha me te rangatiratanga i roto i te wāhanga whanaketanga.
* I roto i te tauira o Mana Whaikaha i waihanga ngātahitia tētahi tauira hou mō ngā ratonga tautoko hauā, kua whāia tētahi ara pūnahanaha ake mō ngā whakatau tikanga whai tautoko, tae atu ki ngā pūtea tauwhāiti mō ngā tautoko motuhake ka utua mō te whakatau tikanga. Engari i roto i te pae tata i te iti rawa, ka whai painga ko te hunga hauā tokoiti noa iho.
* I te tau 2017, i tukuna e Te Manatū Hauora tētahi pepa matapaki e rapu whakaaro ana mō te whakapai ake i ngā whakamarutanga o ngā motika tangata kei roto i te Mental Health (Compulsory Assessment and Treatment) Act 1992, ā, kei te whakatikatika haere i tēnei wā ana Aratohu hei whakamahi i roto i te Ture.[[113]](#endnote-114)
* E ai ki tērā kua kōrerohia ake nei, i te tau 2019 i whakaaetia e te Kāwanatanga te tūtohutanga kei te pūrongo He Ara Oranga kia arotakehia te Mental Health (Compulsory Assessment and Treatment) Act 1992. Kei te whakauru mai te hunga i whai wheako ki roto i ngā whakawhitiwhiti kōrero tuatahi, engari ka uaua pea te tino whai wāhi mai o te hunga hauā nā te tere me te āwhina e hiahiatia ana mō te whakauru mai ki tēnei whakahaere. E hiahiatia ana ngā huringa nui, wawe tonu hei whakarite kāore e aukatia ana te hunga hauā ka tino pākia e tēnei ture mai i te whakauru mai i runga i te tikanga ōrite. E tūtohu ana mātau kia whakamanahia te hunga e whai wheako ana ki ngā ahotea ā-hinengaro kia whakauru mā ō rātau whakahaere ake, me te whai āwhina tōtika hei tautoko i taua urunga mai.

Heoi, he koretake te katea o te anga whakamua mō te whakatipu i te mōhio ki ngā whakatau tikanga whai tautoko. Kāore anō kia kitea te whāwhaitanga e hiahiatia ana, ngā pūtea, te arotahi pūmau rānei e hiahiatia ana hei kōkiri whakamua i te āhei atu ki tēnei motika taketake.

He tino nui rawa te rahinga whakaturetanga e ai ki ngā paerewa ā-ao (tino hē rawa mō te Māori), ā, kua piki haere i roto i te wā, e nui haere ana ngā māharahara kua tikanga kē pea te whakaturetanga ehara i te parepare whakamutunga.[[114]](#endnote-115) Waihoki, ko te whakaaro pea neke atu i te 75 ōrau o te hunga kei raro i ngā whakatau whakamaimoa whakature kei te whai i te kaha whakatau tikanga whakamaimoa.[[115]](#endnote-116)

Kei te nui haere ake ngā whakaaturanga mō ngā kino o te whakaturetanga, me ngā ara whaitake rerekē ki tērā.[[116]](#endnote-117) Ko ngā kaupapa e whakaatu ana i ngā tikanga pai i roto i ngā whakatau tikanga whai tautoko, pērā i ngā tātaku tōmua, kāore i te ōrite i raro i te ture perā i ngā mana whakatau tikanga whakakapi. Kei te pēnei tonu ahakoa te whakamana a Ngā Tikanga me Ngā Ratonga Hauora me te Hauā Mō Ngā Motika Kiritaki i te motika ki te tuku tātaku tōmua.

E ai ki tērā i kitea i roto i ngā tirohanga i kohia mō te whakarato manaaki ā-whare mā ngā kaumātua me te kore whai whakaaetanga, kāore pea e ōrite ana te whai i ngā tikanga whakamaru, e auau ranei te aroturuki.[[117]](#endnote-118)

I te wā o ngā hui whakawhitiwhiti kōrero a te IMM, i kōrero ngā tāngata hauā mō te 'whakaiti' a ngā tikanga uruhi i rātau i raro i te ture.

I tukuna anō ngā tauira mō te whakahau a ngā mātanga hauora i ngā whakatau tikanga whakakapi—hei tauira, kāore ngā rata i hiahia ki te tuku ratonga hauora matua ki te kore e whakaaetia e tētahi atu.

Kei te kūare, he kore e pūmau rānei, ki te motika o te hunga hauā kia tino whai wāhi me te noho ōrite i roto i ngā whakatau tikanga e whai pānga ana ki a rātau.

He whāiti te āhei atu ki ngā tautoko whakatau tikanga aropā, ara kē rānei, ngā whakaaro kē, ngā taunakitanga motuhake rānei. Kua hangaia e ngā whakahaere o ngā tāngata hauā ngā rauemi e tautoko ana i ngā tāngata i roto i te whakatau tikanga, engari kāore i te whai pūtea mō tēnei mahi kia whānui ai te tuku ki tērā e hiahiatia ana.

Nā te iti rawa o ngā whakapaitanga ki te whakaiti i te uruhitanga, te whakakaha rānei i ngā whakamarutanga kei ngā ture onāianei, kei ū pea te whakatau tikanga whakakapi tēnā i te whakakore atu. Hei whakaū i tēnei motika me kaha tonu te neke ki te whakakore i te whakatau tikanga whakakapi, me te whakatipu i te ahurea, tikanga, hanganga hoki e āta tautoko ana i te tino rangatiratanga o te hunga hauā me te whakaaetanga herekore, i runga i te mōhio hoki.

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whakakorehia, kia whakakapihia hoki ngā ture e whakaae ana i ngā wawaotanga uruhi i ahu mai, ā, e whakaū ana hoki i ngā whakaaro kino, takarepa hoki mō te hunga hauā, me te tuku i ngā wawaotanga 'whakamaimoa' whakature, tae atu ki te:
   1. Mental Health (Compulsory Assessment and Treatment) Act 1992 (e mōhio ana kua ū tēnei i roto i te Mahere Mahi Hauātanga);
   2. Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003;
   3. Substance Addiction (Compulsory Assessment and Treatment) Act 2017; me
   4. ngā wāhanga o te Ture Oranga Tamariki 1989 — Children’s and Young People’s Well-being Act 1989 e whakamana ana i te mauherenga pohewa, whakawehenga taratahi, mauhere, ngā mahi rānei ka kīia pea he kino, ngākau whakawhiri, mahi whakakino, whiu kino rānei.
2. Me tono ko te arotake a Te Aka Matua o Te Ture i ‘ngā pakeke he waimaero te kaha whakatau tikanga’:
   1. kia waihanga ngātahitia me te hunga hauā;
   2. ka whāngaia e tētahi ara motika tangata e whakamana ana i ngā motika a-ture ahuwhānui mō te toro ki ngā tautoko hei whakatau tikanga, me te whakanui ake i te whakaurunga;
   3. he whakaata i te mōhio ki te whakatau tikanga whakakapi hei kōwhiringa whakamutunga anake ina pau katoa ētahi atu ara whakatau tikanga whai tautoko, ā, ko ngā whakatau tikanga whakakapi me tino hāngai rawa ki te whakamāramatanga pai rawa o ngā motika, hiahia, manakohanga hoki o te tangata;
   4. kia whakaurua te hiranga o ngā arotake auau me ngā tikanga aroturuki pakari; me
   5. te whai whakaaro ki tētahi pou tarāwaho kua whakakotahitia ka taea te whakamana ahakoa te pūtake mō (wā poto, wā roa rānei) te whakatau tikanga whakakapi.
3. Me whakarite kei te whai pūtea pūmau te hunga hauā me ō rātau whakahaere māngai hei ārahi i te whanaketanga o te kaha ki te whakatau tikanga whai tautoko mō ngā tāngata hauā, whānau me te hunga whai kawenga pērā i te ohu mahi hauora me te hauā, te umanga ture, me ngā whakanōhanga pūtea.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 13: Te whai wāhi ki te ture

Te whai wāhi ki ngā āwhina ā-ture—he $500 i te haora te utu o ngā rōia, ā, kāore e taea e te ture hapori te āwhina.

Kaiwhakauru ki te hui

Ko te Auckland Disability Law (ADL) anake te pokapū ture hapori i Aotearoa e tuku ana i ngā ratonga ture me ngā mahi ki te Hunga Hauā me te Turi mō ā rātau take ture ā-hauā.

Kaiwhakautu rangahau

## Kōrero whakataki

E whakawhānui ake ana ngā wāhanga i roto i ngā ture motika tikanga ā-ao e tautoko ana i te whai wāhi ki te ture, pērā i te motika ki tētahi rongoā whaitake me ngā tukanga tika, me te motika kia rangona i roto i ngā whakahaerenga e whai pānga ana ki te tangata.

## Kōrero whānui

E whakatikatika ana te Ūpoko 13 i te whai wāhi ki te ture i roto i te horopaki o te hauātanga hei motika tangata, me te whakatau i ngā paiherenga pūmau me ngā herenga ki runga i ngā Rōpū Kāwanatanga. I tōna iho, e hāngai ana te ūpoko ki te manaaki tōtika i roto i tētahi ture/haepapa. Kāore anō tēnei kia kōrerohia i roto i tētahi Kōrero Whānui e te Komiti Hauātanga.

Ko ētahi tauārai mō te whakatinana i tēnei motika ko:

* te urunga ā-tinana;
* ngā mōhiohio;
* ngā waiaro;
* whakawhitiwhiti kōrero;
* te whai wāhi ki ngā tohutohu ture; me
* ngā take ture, tukanga hoki.

## Te hira o te Ūpoko 13 ki te hunga hauā i Aotearoa

He uaua pea te whakawhitiwhiti me te pūnaha ture mō te tangata ahakoa ko wai. Mō te tangata hauā, ka tino nui te ahotea me te whakamataku mōna.[[118]](#endnote-119)

E ungaunga ana kia whai wāhi atu te hunga hauā, ā, kia manaakitia tōtikahia rātau, kia hāngai hoki mō tā rātau whakawhitiwhiti rerekē, ako, mārama me ētahi atu whakaritenga whai wāhi i roto i te pūnaha ture.

Te āhua nei he maha te hunga hauā kei roto i ngā pūnaha ture taiohi me te pakeke. O ēnei, ko tētahi rahinga nui pea ko te hunga hauātanga io tōpū[[119]](#endnote-120) (neurodisability).

Kua kitea e ngā rangahau ā-ao ngā uauatanga o te whakawhitiwhiti ā-waha mō ngā taiohi 50 ki te 60 ōrau kei roto i te pūnaha ture taihara. E ai ki ngā rangahau o nā tata nei i Aotearoa he 64% o te hunga taiohi i aromatawaitia i roto i tētahi whare ture taiohi he nui te waimaero reo, tēnā i te 10% o ngā taiohi katoa.[[120]](#endnote-121)

E whakaaturia ana e ngā rangahau i Aotearoa he nui ake ngā wharanga roro whetuki (TBI) ki te taupori mauherehere tēnā i te taupori whānui. O ngā tāngata hara tāne o Aotearoa, 63.8 ōrau i pā mai te TBI ki a rātau, ā, he 33 ōrau he maha ngā wharanga.[[121]](#endnote-122)

He tino nui te utu o te kore e whakatinanahia o ngā motika i roto i tēnei ūpoko ki te hunga hauā. Hei tauira, i te tau 2014 i whakakorehia e te Kaunihera a te Kuini o Piritana Nui tētahi whakaharaina kōhuru mō tētahi tangata nō Aotearoa, a Teina Pora, ā, kāore i kitea e pāngia ana ia e te Fetal Alcohol Spectrum Disorder (FASD).

I whakaawe tēnei mate i ana whākinga i whakaputaina e te tangata i whakapaetia i taua wā:[[122]](#endnote-123)

…e kore e taea te whakahē ko ngā whakaaturanga tino hira i pāngia e tētahi momo FASD kāore he pānga nui ki te tōtika o te whakaharaina.

I mauherea takahētia a Mr Pora mō te 21 tau, ā, neke atu i te $2 miriona te utu paremata i whakawhiwhia ki a ia mai i te Kāwanatanga.

## Te wāhi o te Ūpoko 13 onāianei i roto i te ture, tikanga hoki o Aotearoa

E herea ana ngā kaiwhakarato ratonga ture kia tika te manaaki i te hauātanga, ā, tae atu ki ngā ratonga tauwhāiti, whakaurunga hoki. Kāore e whakamāramahia e te Ture Tika Tangata 1993 he aha te 'tika', i te mea kei runga i ngā āhuatanga tauwhāiti.

E wātea ana te āwhina ture mā ngā tāngata e ai ki ngā whakaritenga ake pērā i te uauatanga ā-pūtea. Ko te momo pūtea me te rahinga ka taea te whakarite e ai ki ngā hiahia o te tangata, ā, mēnā ka whakararu te hauātanga i te whai wāhi atu o te tangata ki te ture.

E whakarite ana te Ture Tika Tangata i tētahi pūnaha whakapiki o te puretumu, mai i te takawaenga tae noa ki tētahi arotake ōkawa e tētahi rōpū motuhake—te Taraipiunara Arotake Tika Tangata.

Ka whakawākia e te Taraipiunara Arotake Tika Tangata ngā kerēme e pā ana ki ngā whatinga o te:

* Ture Tika Tangata 1993;
* Ture Matatapu 1993; [me te](http://www.legislation.govt.nz/act/public/1993/0028/latest/DLM296639.html)
* [Health](http://legislation.govt.nz/act/public/1994/0088/latest/DLM333584.html) and Disability Commissioner Act 1994.

Ka hāngai pea ngā kerēme ki te whakahāwea, mahi whakaito, ngā mātāpono tūmataitinga me Ngā Tikanga me Ngā Ratonga Hauora me te Hauā Mō Ngā Motika Kiritaki. Ka taea e te Taraipiunara te tuku utunga paremata mō ngā makeretanga i pā mai. Ko te nuinga o ngā whakawhiwhinga mō ngā wharanga ā-ngākau, whakaiti me te heke o te mana. E ai ki te rongoā whakamutunga, kua whakaae a Aotearoa ki te Kawa Kōwhiringa ki te Kawa Hauātanga.

Me pai ake te whiwhi raraunga a Aotearoa mō te nui o te hauātanga io tōpū hei whāngai i ngā ūnga me ngā tūtohu e pai ake ai te tuku ratonga i roto i te horopaki ture ki te hunga he hauātanga io tōpū tō rātau. He mea taketake ngā raraunga ki te tautuhinga me te wawaotanga tōmua, whaitake hoki. Mēnā kāore e tōmua te whai wāhi atu o te hunga he hauātanga io tōpū tō rātau ki ngā tautoko—hei tauira, ki te horopaki mātauranga— ka nui ake pea tō rātau whai wāhi ki te pūnaha ture me ngā putanga korekiko i roto. E mārama ana te IMM mai i ngā whakaaturanga paki o te Kōti Taiohi, ētahi rangahau hāngai, me ngā rangahau mai i ngā mana whakahaere taurite[[123]](#endnote-124) he nui rawa te kitea o te hunga he hauātanga io tōpū ō rātau i roto i tā tātau pūnaha ture.

Me tino whai wāhi te hunga hauā ki roto i ngā whakahaere ā-ture, ā, kia whakamōhiotia ngā mōhiohio mā ngā āhuatanga ka taea e te katoa e hāngai ana ki a rātau. Kua puta mai ētahi kaupapa pai hei whakapai ake i te whai wāhi atu ki te ture mō te hunga he rerekē ngā tikanga whakawhitiwhiti kōrero.

* He whakahaere kaiwhakatika reo kōrero a *Talking Trouble Aotearoa New Zealand* e tuku whanaketanga ohumahi ki te rāngai ture me ngā tūranga Kaiāwhina Kōrerorero i tohua e te kōti ki roto i Ngā Kōti Taiohi, ā-Rohe, Teitei hoki me ngā Hui ā-Whānau mā ngā kaiwhakaatu, whakapaenga rānei kei te hiahia āwhina kia whai mārama ai me te whai wāhi ki ēnei wāhi.
* E tukuna ana e te *Benchmark Project*, e utua ana e te New Zealand Law Foundation me te IHC Foundation, ngā tūmomo utauta hei whakamahi mā ngā mātanga ture hei whakarite ka tino whai wāhi te hunga whakaraerae ki tētahi horopaki ture (me ngā tāngata hauā) ki ngā raruraru ā-ture me ngā kōkiri whakawā e hāngai ana ki a rātau.[[124]](#endnote-125)
* He pokapū ture hapori a Auckland Disability Law e tuku ana i ngā tohutohu ā-ture koreutu, ā, ka taea e te hunga hauā. Koinei anake te mea pēnei i Aotearoa.
* Whai muri i ētahi mahi me te Kaihautū Tika Hauātanga i a ia e noho ana hei Whakaruruhau mō tētahi wāhanga o te Kāreti Pirihimana, kua kitea te pūmau o te tari matua ā-motu o Ngā Pirihimana kia whai i ngā kaupapa whakapakari kaimahi e whakahaerehia ana e ngā tāngata hauā kia pai ake ai te whakawhitiwhiti kōrero me te hunga hauā.

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 13

I roto i tana Rārangi o Ngā Take, i pātai te Komiti Hauātanga mō ngā mōhiohio e pā ana ki ngā whakaritenga i whāia:

* 1. kia arotakehia ngā hātepe mō te aromatawai i te paremata a ACC hei whakarite kei te wātea ngā āwhina ture rawaka, e tino wātea mai ana ngā tukanga ki ngā kaikerēme katoa, ā, kei roto i tētahi aronga ā-tika tangata i roto i te tikanga;
  2. e ngā taraipiunara tetahi ara urupare me te ngāwari mō te tuku whakaaturanga, ā, me te tuku i ngā āwhina ture koreutu hei whakarite ka tino āhei atu ki ngā rongoā ā-ture katoa—otirā e te hunga hauā e noho rawakore ana me rātau e tiakina ana e te kāwanatanga;
  3. hei whakaemi raraunga e pā ana ki te nui rawa o te hunga taiohi hauā ā-hinengaro, hinengaro hauā hoki/rānei i roto i te pūnaha ture taiohi. I tēnei wā kāore he tikanga ōrite, pakari hoki mō te whakaemi i ngā raraunga hauātanga wehewehe i waenga tari i roto i te pūnaha ture taiohi; me
  4. te whakahaere i ngā kaupapa whakangungu mō te Kawenata Hauātanga e Te Kura Kaiwhakawā, i te taha o ngā whakahaere hauā, ā, mō ngā motika o ngā tāngata hauā ka whakawākia e ngā kōti me ngā taraipiunara o te Kāwanatanga.

I roto i tana whakautu, i kī te Kāwanatanga:

* e pūmau ana a ACC ki tētahi tūtohinga whakatapoko;
* kei ētahi āhuatanga tauwhāiti e tohu ana mēnā e āhei ana te tangata ki te whiwhi āwhina ture;
* kāore e whakaemihia ngā raraunga e pā ana ki te nui rawa o te hunga taiohi hauā ā-hinengaro, hinengaro hauā hoki/rānei i roto i te pūnaha ture taiohi. me
* kua whakamōhiotia atu Te Kura Kaiwhakawā e te Kāwanatanga mō te tūtohutanga.

## He kōrero mō te whakatinanatanga o te Ūpoko 13 i Aotearoa

Ahakoa he maha ngā kaupapa wawaotanga me ngā rangahau iti whaitake, hei tā te IMM he wāhi uaua tonu te pūnaha ture o Aotearoa hei whakarite haere mā te hunga haua.

Me nui ake ngā haumitanga hāngai i roto i te tohu me te whakarato i ngā whakarite e hiahiatia ana e te hunga hauā. E hiahiatia anō ngā whakangungu matawhānui mā ngā rōia, ngā kaimahi kōti me te rōpū kaiwhakawā mō ngā manaaki tōtika me ngā pānga ki te hunga hauā.

He nui ngā tōmuritanga (e hia tau i ētahi āhuatanga) me ngā whakahaere a ngā rōpū whakatau rongoā e whirinaki ana te hunga hauā, pērā i Te Taraipiunara Arotake i Ngā Tikanga.[[125]](#endnote-126) I roto i te whakautu ki ngā tono raraunga a te IMM, e mōhio ana te Taraipiunara nā te tōmuri ki te tohu i tētahi Tiamana Tuarua hou (Whiringa-a-nuku 2019), hei te wāhanga tuatahi rā anō o te 2020 ka kitea he ‘anga whakamua tōtika’ ki te nui o ngā kēhi/whakataunga e whakatinanahia ana.

## Tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Kōkirihia tētahi arotake rautaki i te pūnaha ture hei whakarite he whakatapoko, ā, ka hāngai ki te hunga hauā hei whakarite i te ōrite o te āhei atu. Kei roto i ngā mahi ka tūtohua, engari kaore e herea ki ēnei anake:
   1. te whakapai ake i te whakaemitanga o ngā raraunga e Te Tāhu o te Ture me ngā kōti;
   2. kia whakahaerehia ngā 'ōtita whakatapoko' whakahauanga, e utua ana hoki, i ngā kōti katoa me ngā whakaurunga a Te Tāhū o te Ture me Te Ara Poutama Aotearoa;
   3. te whakarite ka tino wātea ngā mōhiohio mō te rāngai ture ki te katoa, mō ngā āhuatanga takitahi me ngā tūmomo ara ka whāia e te tangata mā te pūnaha ture whānui;
   4. te tuku i ngā whakangungu mō ngā motika hauātanga me te whakatapoko i roto i te rāngai ture, tae atu ki ngā pānga o ngā whakahāwea maha;
   5. te whakatenatena me utu i te pikitanga nui o ngā pūkenga ture mō ngā motika hauātanga, motika tangata hoki;
   6. te whakatū me te tuku pūtea mō tētahi ratonga kaitaunaki mā te hunga hauā;
   7. te arotake i ngā tauārai e whai pānga ana ki ngā rōia i roto i ngā umanga tūmataiti e urupare ana ki ngā kiritaki hauā;
   8. te whakapiki i ngā rauemi mā ngā kaiwhakarato ture hapori e tuku ana i ngā wawaonga ture ā-hauātanga; me
   9. te whakapiki i te mōhio ki te 'hauātanga io tōpū' i roto i te pūnaha ture me ngā urupare whakamātau hirikapo me ngā whakawhitiwhiti tauwhāiti ki te hunga he waimaero io tōpū ō rātau.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 14: Te tikanga herekore me te maru o te tangata

*Ko te mutunga o te maha o ngā taiohi he hauātanga huna tō rātau pērā i te Fetal Alcohol Spectrum Disorder (FASD) me te takiwātanga ko te whare herehere, i te mea kāore rātau i whiwhi i ngā tautoko i hiahiatia e rātau.*

*Kaiwhakautu rangahau*

*Kei te hē tonu te whakamahi [whakawehenga], otirā mō te hunga kua pāngia e te mate wareware.*

*Kaiwhakautu rangahau*

## Kōrero whakataki

E whakamana ana te Ūpoko 14 kia tiakina ngā mana herekore o te hunga hauā e te ture, ā, kia ōrite ki ētahi atu. Ki te whakakāhoretia ngā tikanga herekore me ū tērā ki te ture, ā, kia kaua e parahautia te whakakāhoretanga o ngā motika tangata nā te hauātanga te take.

## Kōrero whānui

He mea tino hira tēnei ūpoko i te mea he aro ki te hunga hauā kei rō whare herehere, kei te mauhere ki rō ratonga hauora, hauātanga rānei, ētahi atu wāhi mauhere rānei. Ka noho whakaraerae hoki ngā tāngata hauā i roto i ēnei wāhi ki te whakahāwini, te tūkinotanga rānei. Me tuku ngā whakaritenga tōtika hei whakarite kāore e ahu mai i te hauātanga o te tangata ki ngā whakakāhoretanga pokerehū o ngā tikanga herekore.

## Te hira o te Ūpoko 14 ki te hunga hauā i Aotearoa

Me oti ngā huringa ki te whakatūturutanga o ngā motika o tēnei ūpoko ki te wāhi ā-ture onāianei o Aotearoa, e whakahetia ana ngā Ture maha mō te kore whai mātāpono motika tangata, te kore whai whakaaetanga koreutu, i runga i te mōhio. He mea tino nui te tiaki i ngā tikanga herekore me te maru o te hunga hauā kei roto i ngā wāhi whakatiki, ā, me aroturuki haere tērā.

## Te wāhi o te Ūpoko 14 onāianei i roto i te ture, tikanga hoki

Kāore e tika ana te whakaata a ngā ture me ngā tikanga onāianei i Aotearoa i te Ūpoko 14 o te Kawenata Hauātanga. I takea mai te pou tarāwaho ā-ture onāianei o Aotearoa (otirā te ture e pā ana ki te hauora me te hauātanga) ki tētahi whakahaere whakatau tikanga whakakapi, kaua te whakatau tikanga whai tautoko. E ai ki te Ūpoko 12, he maha ngā Ture me arotake,[[126]](#endnote-127) e arotahi ana ki te whakakapi i te tauira hauora me ngā whakaaro hauātanga hou, pērā i te tauira whakarauora.

E mōhio ana te IMM kei te arotake te Kāwanatanga i tēnei wā i te Mental Health (Compulsory Assessment and Treatment) Act 1992. Engari, he pōturi rawa te anga whakamua whānui i tēnei wāhanga, ā, ko ētahi ture i whakamanahia e te Kāwanatanga whai muri i te whakamanatanga o te Kawenata Hauātanga ka takahi i ngā motika o te hunga hauā ki te tikanga herekore me te maru. Kāore he kaupapa pūnahanaha o te arotake me te whakahounga o te ture hei whakarite ka kitea ngā ture kāore i te ū, ā, ka āta whakatikatikahia kia ū ki te Kawenata Hauātanga.

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 14

I roto i te tana pūrongo Kitenga Whakamutunga i te 2014, i tūtohu te Komiti Hauātanga i a Aotearoa kia:[[127]](#endnote-128)

…whai i ngā whakaritenga ā-ture, whakahaere, whakawā hoki e hiahiatia ana i tēnei wā tonu hei whakarite kia kaua te tangata e mauherea i roto i tētahi whakaurunga hauora nā te hauātanga, e whakapaetia ana he hauā rānei.

I te māharahara te Komiti Hauātanga i whakahētia te Ture Hauora Hinengaro nā te kore whai i ngā mātāpono motika tangata me te tūtohu:[[128]](#endnote-129)

…ko ngā ratonga hauora hinengaro ka tukuna i runga i te whakaaetanga herekore, i runga i te mōhio o te tangata i raro i te Kawenata.

E tūtohu ana anō kia whakahoutia te Ture Hauora Hinengaro kia ū ai ki te Kawenata Hauātanga.

I te māharahara anō te Komiti Hauātanga kei roto i te pūnaha ture taihara i Aotearoa ngā āhuatanga e whakatauhia ana kāore te hunga hauā i te 'tika kia whakawākia', ā, nā tēnei ka whakakāhoretia ā rātau tikanga herekore. I kī kāore te pūnaha i te mōhio kia whakaharaina rā anō te tangata hauā mō tētahi taihara ka whakakāhoretia ai ana tikanga herekore, whai muri i tētahi whakawātanga taihara, me ngā whakamaru me ngā whakaoati katoa e hāngai ana ki te katoa. I runga i tēnei, i tūtohua e te Komiti Hauātanga kia arotakehia ngā whakamaru me ngā whakaoati mō te hunga hauā i roto i te pūnaha ture taihara o Aotearoa. I tūtohu anō e rātau kia mātua tōtika te whakarite a Aotearoa i te hunga hauā kei rō whare herehere.

## He kōrero mō te whakatinanatanga o te Ūpoko 14 i Aotearoa

He nui ngā mahi hei whakatutuki. Mai i te pūrongo whakamutunga a Aotearoa ki te Komiti Hauātanga, kua uru mai te Substance Addiction (Compulsory Assessment and Treatment) Act 2017. E whakaaetia ana e te Ture kia whakaturea te aromatawai me te whakamaimoa i te tangata e tukituki nei ki te kaupapa whakaaro hauora hinengaro onāianei. I tukuna e te IMM ngā tāpaetanga ā-tuhi ki te Ture, e kōrero ana mō ngā take e pā ana ki te Ūpoko 14 o te Kawenata Hauātanga. I whakapuakina e tā mātau tāpaetanga kōrero ngā kōrero o mua a te Komiti Hauātanga mō te Ture Hauora Hinengaro, me tō matau whakapono ka puta anō ngā whakahē a te Komiti Hauātanga mō ngā āhuatanga uruhi o te Ture, otirā he ture atu anō ā Aotearoa e whakaaetia ana te aromatawai me te whakamaimoa whakature. Kei te Wāhanga 120 o te Ture Manatū Hauora me whakahaere te Manatū Hauora i tētahi arotake o ngā whakahaere me te tōtikatanga o te Ture, me te pūrongo ki te Minita o te Manatū Hauora, ina eke te toru tau e mana ana te ture.

He nui ngā mahi a Aotearoa, pērā i anō i ētahi atu whenua, kia ū ia ki te Ūpoko 14. Anei te kōrero a te Māngai Motuhake a Te Kotahitanga o ngā Iwi o te Ao mō Ngā Motika o Te Hunga Hauā, a Catalina Devandas-Aguilar, i roto i tana pūrongo ki te Kaunihera Tika Tangata i te 2019 mō te āhuatanga o te ao:[[129]](#endnote-130)

Ko te whakakāhore i te tikanga herekore i runga i te take waimaero he takahitanga tino nui tērā i ngā motika tangata. He rite tonu te whakauruuru i ngā tāngata hauā ki ngā whakanōhanga me ngā whakaurunga mate hinengaro, ka puritia rānei ki te kāinga me ētahi atu wāhi hapori, nā runga i tētahi hauātanga, e whakapaetia ana rānei he hauā. He nui rawa te kitea i ngā wāhi whakakāhore tikanga herekore tūturu, pērā i ngā whare herehere, ngā pokapū whakarau manene, ngā wāhi whakarau taiohi me ngā whakanōhanga kāinga tamariki. I roto i ēnei wāhi katoa, kei te pā mai ki a rātau ngā takahitanga motika tangata atu anō, pērā i te whakamaimoa uruhi, whakawehenga me te mauhere.

I puta anō aua māharahara o Ms Devandas-Aguilar e ngā tāngata o te hapori Turi i Aotearoa, ki ō rātau whakaaro kāore i te manaakihia tōtikahia te whakaratonga o ngā ratonga hauora hinengaro me ngā ratonga tautoko e ū ana ki ngā tikanga me te noho wātea mai i roto i ngā reo e pai ana mō te hunga Turi.

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whakatinanahia te tūtohutanga ōkawa, i tukuna i roto i Te Pūrongo a te Uiui Kāwanatanga ki te hauora hinengaro me te Waranga, hei pīra me te whakakapi i te Mental Health (Compulsory Assessment and Treatment) Act 1992, i te taha o te hunga whai pānga ki te ahotea hinengaro, ā, me te whāwhai ki te whakahaere i ngā whakawhitiwhiti kōrero whānui me ngā tāngata whaikaha.
2. Ko ngā kōwae 33 me te 34 o te pūrongo Kitenga Whakamutunga a te Komiti Hauātanga, hei whakakore i te whakarau i roto i ngā whakaurunga hauora nā te take hauātanga (tika tonu, pōhēhē rānei), te tuku whakamaimoa anake i runga i te whakaaetanga herekore, i runga i te mōhio, me te whakakore i te whakamahinga o te whakawehenga me te mauhere i rō whakaurunga hauora.
3. Mātua whakarite kia whānui tonu te whakatinana i te arotake e whakaritea ana e te wāhanga 120 o te Substance Addiction (Compulsory Assessment and Treatment) Act 2017.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 15: Kia kaua e pā mai te whakamamae, te mahi kino, ngākau whakawiri, whakakino, whakawhiu rānei

Kia mōhio he whakamamae, he mahi kino te whakawehe me te mauhere, ā, kāore tērā i te tika. Me kati ngā aweretanga.

Kaiwhakauru ki te hui

Ngā tikanga tūkino—te here i te tangata, te tango kākahu hei wero rongoā.

Kaiwhakauru ki te hui

Me whakawhānui te whakamāramatanga o te whakawehenga me te mauhere ki tua atu o te āhuatanga ā-tinana—me whakauru mai ko te āhuatanga pāpori, ā-ngākau, whakakāhore.

Kaiwhakauru ki te hui

## Kōrero whakataki

E kī ana te Ūpoko 15 kia kaua e whakamamaetia, e whakaitia, e mahi kinotia rānei te tangata, ahakoa he hauā, kāore rānei. E whai motika anō te hunga hauā kia kaua e whakauru ki ngā rangahau hauora, pūtaiao rānei. Me whakamaru ēnei motika e ngā whakaritenga whakahaerenga whaitake, ā-ture, ā-whakawā hoki.

## Kōrero whānui

He mea nui tēnei ūpoko i te mea kei Aotearoa ētahi ture (kua kōrerohia i roto i Ngā Ūpoko 12 me te 14) e whakaaetia ana te aromatawai me te whakamaimoa whakature.

Kaua rawa te hunga hauā kei raro i aua aromatawai, whakamaimoa rānei e pā ki ngā whakamamae, mahi kino, ngākau whakawiri, mahi whakakino, whakawhiu rānei. E hāngai anō te Ūpoko 15 ki ngā mauhere hauā, i ngā wā maha me tōtika te whakarite i a rātau kia taea ai tā rātau toro ki ngā ratonga katoa i roto i te wāhi whare herehere.

## Te hira o te Ūpoko 15 ki te hunga hauā i Aotearoa

E hiahiatia ana te whakatūturutanga o ngā motika hei tiaki i te hunga hauā i whakakāhoretia ā rātau tikanga herekore. Ko te hunga hauā e noho ana i rō whare herehere i ētahi atu whakaurunga whakarau ētahi o ngā tāngata tino whakaraerae rawa i Aotearoa, ā, kāore i te tino whai wāhi atu ki aua ratonga anō, whakaurunga hoki pērā i te iwi whānui.

## Te wāhi o te Ūpoko 15 onāianei i roto i te ture, tikanga hoki

I tēnei wā, kāore he whakaritenga ā-ture i whāia hei whakakore atu i te whakamahinga o te whakawehe, mauhere, ngā whakatau haumaru i te pō, ngā moenga herehere me ngā whakamaimoa kore-whakaae. Engari, ko te tūtohu a te Kāwanatanga kei te pūmau ia ki te whakaiti i te whakawehe, ngā mauhere me etahi atu whakaritenga ōrite. I te Paengawhāwhā 2019, i whakakorehia e Te Ara Poutama Aotearoa ngā moenga herehere mai i ngā Intervention and Support Units (ISU) i rō whare herehere.[[130]](#endnote-131) Waihoki, kua whakaputaina e te Kāwanatanga ngā aratohu mō ngā tukanga haumaru i te pō, ā, e whai ana ki te whakakore i tēnei tikanga i mua o te 2022.[[131]](#endnote-132) Kua tīmata kē tētahi mahi ki te whakatiki i te whakamahinga o ngā mauhere pūkaha i rō whare herehere mā te Corrections Amendment Bill. [[132]](#endnote-133)

Kua whakatūhia e Te Kupu Taurangi o Aotearoa tetahi kaupapahere *Zero Seclusion*, e mahi ana i te taha o ngā poari hauora ā-rohe 19 me Te Pou o te Whakaaro Nui (he kaupapa whakapakari ohu mahi ā-taunakitanga ā-motu mā ngā rāngai hauora hinengaro, waranga me te hauātanga i Aotearoa). Ko te whāinga a Te Kupu Taurangi he whakakore i te whakawehenga i mua o te 2020 mā te mahi tahi me ngā rōpū o ngā kiritaki, ō rātau whānau me ngā kaituku ratonga. E ai ki ngā kōrero o runga ake, he wawata noa iho tēnei wā. Neke atu i te tekau tau te whakakorenga o te whakawehe i te kaupapahere Kāwanatanga o Aotearoa, ā, kua neke atu i te 20 tau e kōrerohia ana te whakaiti i ngā tikanga whakatiki i roto i te hauora hinengaro. I whakamanahia e Aotearoa te Kawenata Ārai i te Whakamamae me Ētahi Atu Mahi Whakawiri, Ngākau Whakawiri, Te Mahi Whakakino, Whakawhiu rānei a Te Kotahitanga o ngā Iwi o te Ao (te Kawenata Ārai i te Whakamamae) i te tau 1989.

Ahakoa ngā whakaaturanga e tohu ana neke atu i te 90 ōrau ngā mauherehere he mate mauroa, ngā mate waranga matū,[[133]](#endnote-134) ā, he tino maha ngā mauherehere he whai hauātanga kē, kei te tirotiro haere tonu Te Kaihautū Mana Tangata (i roto i tōna tūranga hei Tikanga Ārai ā-Motu i raro i te Crimes Torture Act 1989) i ngā mauherehere hauā e noho ana i ngā wāhi whare herehere kāore i te pai. I ngā tirotirotanga o nā tata nei, he maha ngā mauherehere hauā, e āwhinatia ana e tētahi kōrea, he wāhanga tinana horihori rānei, i uaua te uru ki ngā ratonga hira i roto i tētahi whare herehere.[[134]](#endnote-135) Hei tauira, i kitea kāore i whai wāhi atu ngā mauherehere Turi ki ngā ratonga whakamāori a Te Reo Rotarota o Aotearoa, ngā mōhiohio rānei mō ngā tukanga ohotata, ina kāore e rangona e rātau ngā pūoho.[[135]](#endnote-136) E tohu ana tēnei kāore i te whai whakaaro ki te manaaki tōtika i ngā wā katoa. Engari, i kitea e Te Kaihautū Mana Tangata tētahi tauira o te tikanga pai mō te manaaki tōtika i te Auckland South Corrections Facility i whakauru i ngā waea i rō rūma herehere me ngā atahanga kaiwhakamahi. He kaupapa pai tēnei e whakarite ana ka taea e ngā mauherehere hauā te whakawhitiwhiti kōrero tōtika.[[136]](#endnote-137)

Kua whakaarahia e Te Kaihautū Mana Tangata ngā māharahara ka kitea ngā mauherehere, ngā kiritaki rānei i rō ISU i runga kāmera i a rātau e kirikau ana, i te wharepaku rānei.[[137]](#endnote-138) Ko te whakarite a Te Kaihautū Mana Tangata he mahi kino, whiunga whakaiti rānei tēnei.

I puta anō te kōrero tūmatanui a Te Kaihautū Mana Tangata mō ngā āhuatanga o te hunga e noho ana i rō whakaurunga hauora hinengaro herehere me ngā whakaurunga hauātanga hinengaro ā-here. Hei tauira, i te tau 2016 i kī ia 'he whakamamae, he ngākau whakawiri hoki' i noho he tangata ki rō rūma iti noa ngā taputapu me tētahi mēterehi i runga papa, i te taha o tētahi wāhanga whakarata i tētahi whare herehere i Te Whanganui-a-Tara.[[138]](#endnote-139) I pēhia haeretia te ngākau o tēnei tangata e ngā mahi me te wawā o ētahi atu kiritaki, ā, i pau kē te nuinga o te wā me te kore whakaohooho i te hinengaro, tinana hoki. I te tau 2018, i nekehia ia mai i tētahi wāhanga herehere i reira ia mō te wā neke atu i te waru tau ki tētahi wāhi noho tika ake i roto i te hapori me ngā kaimahi tautoko tōtika me ngā ratonga.[[139]](#endnote-140) Kei te noho māharahara tonu Te Kaihautū Mana Tangata mō ētahi atu tāngata maha i roto i ngā ratonga hauātanga hinengaro a-here mō ngā wā roa ake, ā, kei te whakahaerehia he whakatewhatewha pūnahanaha ki ngā whakaurunga me ngā ratonga e kapi ana i ngā mātai ake maha.[[140]](#endnote-141)

He māharahara pūmau hoki o Te Kaitiaki Mana Tangata mō te noho apiapi i rō whakaurunga hauora hinengaro ā-here he mahi whakaiti tēnei i raro i te Kawenata Ārai Whakamamae, pērā anō i te whakamahi i ngā rūma, pērā i ngā rūma mō te awatea, ngā tari, ngā rūma whakawehe rānei hei moenga wā roa, wā poto rānei mō ngā kaiwhakamahi ratonga.[[141]](#endnote-142) Kua whakaarahia ngā māharahara e pā ana ki te pupuri i ngā kaimahi me te maha o rātau e mutumutu ana, ā, ko te mutunga atu ka whakamahia ngā kaupare māhie hei āwhina ki te here i ngā tāngata i roto i ētahi whakaurunga. [[142]](#endnote-143)

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 15

I roto i tana pūrongo Kitenga Whakamutunga i te 2014, i kōrero te Komiti Hauātanga kei te whakamahi tonu a Aotearoa i te whakawehenga me te mauhere i ētahi whakaurunga hauora me te hauātanga ā-here. I kī ahakoa kua heke te whakamahi i tēnei tikanga, kāore i pai te āhuatanga i taua wā. Ko te tūtohu a te Komiti Hauātanga me wawe tonu te whai i ngā mahi ki te whakakore i te whakamahinga o te whakawehenga me te mauhere i ēnei whakaurunga i Aotearoa.

## He kōrero mō te whakatinanatanga o te Ūpoko 15 i Aotearoa

Kei reira tonu ngā mahi hei whakarite ka whakaūngia te Ūpoko 15 i Aotearoa. Ahakoa kua iti haere pea te whakamahi o ngā tikanga whakatiki, me te whakamutu i te whakamahi here i runga moenga i rō whare herehere me ngā whakawehenga i rō kura, kāore anō kia whakakorehia e te Kāwanatanga te whakawehe me te mauhere.

I te tau 2017 i oti i a Tākuta Sharon Shalev, he tohunga taihara rongonui i te ao me te mātanga mō ngā whare herehere, tētahi arotake motuhake mō ngā tikanga whakawehe me te mauhere i Aotearoa. Nā Te Tari o Te Māngai Matua mō Ngā Tika Tangata a Te Kotahitanga o ngā Iwi o te Ao i utu te arotake. I whakaaturia e te pūrongo a Tākuta Shalev, Thinking outside the Box: A review of seclusion and restraint practices in New Zealand, ngā raruraru nui maha.[[143]](#endnote-144) I roto i tēnei ko te maha o te whakamahi i te whakawehe me te mauhere, ngā wāhi ōkiko rawakore mō ngā tāngata nō ngā rōpū whakaraerae, me ngā māharahara mō te whakapūkete mōhiohio e pā ana ki te whakawehe me te mauhere i roto i ngā tūmomo wāhi rerekē.[[144]](#endnote-145)

He hokorua ake te pā mai ai te whakawehenga ki te iwi Māori me ngā iwi o Te Moananui-a-Kiwa tēnā i ētahi atu tāngata o Aotearoa.[[145]](#endnote-146) I te tau 2017, i kitea e tētahi pūrongo i oti i a Te Pou o te Whakaaro Nui ahakoa kua iti haere te whakawehenga i ēnei tau nei, he maha ngā rerekētanga o te whakamahinga o te whakawehenga a poari hauora ā-rohe puta noa i Aotearoa.[[146]](#endnote-147) E taunakitia ana tēnei e ngā raraunga mai i Te Kōmihana Hauora Kounga me te Haumaru, e whakaatu ana i te heke haere o te whakamahi i te whakawehenga mai i te 2009, kua paepapa inā tata nei.[[147]](#endnote-148)

Te āhua nei kei te peke haere ngā mōhio i roto i ngā wāhanga rerekē e taea ai e te hunga hauā te tono wahi noho e ū ana ki ō rātau hiahia, otirā i a rātau i roto i ngā wāhi whakarau. Ko te tūmanako o te IMM ka kakama ngā whakahaere me ngā tāngata e mahi ana i ēnei wāhi kia whai whakaaro ki ngā motika o te hunga hauā, kaua te urupare noa iho ki ngā tono āwhina ina hiahiatia ana.

Kua kitea te anga whakamua i roto i te rāngai matauranga. I rāhuitia e te Education (Update) Amendment Act 2017 te whakawehenga me te whakarite i te whakamahi i te mauhere i ngā kura o Aotearoa. Nā tēnei, kaua rawa he kura e whakawehe, e wehe motuhake i ngā ākonga. I whakatauhia anō ngā whakatikitanga mō te whakamahi i te mauhere kia āhei anake ki te whakamahi i tēnei tikanga ina raraka ana te whakamamae.

He rite tonu te puta o ngā māharahara mō te whakawehenga me te mauhere i ngā hui whakawhitiwhiti kōrero. I kaha anō te kī a ngā tāngata i te hui he mahi whakawiri, he mahi kino te whakature i te whāngai rongoā ki te tangata, ā, ko te tikanga kia kaua tēnei e whakamahia ahakoa te wāhi. He maha ngā tāngata i te hui i kī ka taea te whakakore atu te whakawehenga me te mauhere mā ngā mātauranga me ngā whakangungu mā ngā kaimahi i rō whare herehere me ngā whakaurunga haumaru whakarau.

Mārama te kitea e te tangata he whānui kē atu tā rātau titiro ki te whakawehenga me te mauhere tēnā ki tā te ture e kī ana, i rō tiriti rānei. I kōrero ngā kaiwhakautu rangahau me ngā tāngata i ngā hui mō ngā whāititanga kei runga i ngā mana herekore o te tangata me ngā kōwhiringa a ngā ratonga, hei tauira, te whakakore i te āhei atu o te tangata hauā ki ngā taonga āwhina, ngā wā moe rānei e hāngai ana ki ngā kaimahi kaua ki te tangata hauā.

### **Tūtohutanga**

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Te whakakaha i tōna pūmau kia whakaitia te hunga hauā e mauherea ana, me te whakatere ake i te whakaitinga, tae noa ki te whakakorenga, o te whakamahi i te whakawehenga i ngā whakaurunga hauora me te hauātanga pūmau, mā ngā kaupapahere pakari, ka taea, whai wā hoki.
2. Ina whakakorehia ēnei tikanga, me whakarite kia whakaputahia e ngā poari hauora ā-rohe ngā tatauranga ā-tau e whakaatu ana i ngā whakatutukitanga ki ēnei kaupapahere, tae atu ki te pūrongo i ngā raraunga matawhānui. e pā ana ki ngā whakawehenga wā roa.

[Hoki ki ngā kaupapa](#ToC)

## Ūpoko 16: Kia kaua te whakahāwini, whakarekereke me te tūkino

*Te whakarekereke i te hunga haua—he tino nui te pā mai… Kāore he ratonga hei urupare ki ngā mahi tūkino i te hunga hauā, ka mutu he itiiti noa ngā mahi kei te oti ahakoa te kī a te Kāwanatanga kei te whakaurua tēnei ki te mahere mahi mō te taitōkai me te whakarekereke ā-whare. Kāore noa iho i te arohia atu te whakarekereke ki te hunga hauā…*

*Kaiwhakautu rangahau*

## Kōrero whakataki

E whakaritea ana e te Ūpoko 16 kia whai i ngā whakaritenga tōtika katoa ki te tiaki i ngā hunga hauā mai i ngā momo whakahāwini katoa. Kei roto i tēnei ko te whakarekereke, tūkino, me te kore manaaki e pā ana ki te ira tangata, pakeke rānei o te tangata hauā (tirohia te Ūpoko 6).

Me mātua whakarite te Kāwanatanga ka motuhake te aroturuki i ngā ratonga hauā hei whakarite kāore i te pā te hunga hauā ki te whakarekereke, tūkino, kore manaaki rānei ina whakamahi ana i aua ratonga.

## Kōrero whānui

Ka pā mai te whakarekereke, tūkino me te kore manaaki i te hunga hauā i roto i ngā wāhi ā-whare, te kāinga o te tangata hauā, i ngā wāhi mātauranga, mahi rānei. He uaua pea te kite i aua mahi tūkino, ā, he nui ake te tūponotanga o te pā mai o ngā mahi tūkino i te hunga hauā mō ngā wā roa ake.

I te nuinga o te wā ko ngā tāngata hauā tonu me ngā whakahaere whai pānga kei te whakaara i ngā mahi whakarekereke, tūkino, kore manaaki hoki i roto i te hapori hauā. He pāhekeheke te whiwhi pūtea a aua rōpū—hei tauira, kua whakamoea te Auckland Domestic Violence and Disability Group i te mea kāore i taea te whakahaere hei rōpū kaitūao.

E ai ki ngā pūrongo a ētahi arotake ā-ao e rua he whā te whakarea ake o te tūponotanga ka pā tētahi momo whakarekereke ki ngā tamariki hauā, ā, neke atu i te kotahi me te hāwhe te whakarea ake ka tūpono pā mai te whakarekereke ki te hunga hauā pakeke tēnā i te hunga kāore he hauātanga.[[148]](#endnote-149)

## Te wāhi o te Ūpoko 16 onāianei i roto i te ture, tikanga hoki

Ko te tino āhua o ngā kaupapa ārai whakarekereke me te tūkinotanga i utua e te Kāwanatanga he pōturi ki te whakatikatika i ngā raruraru whakarekereke, tūkino me te kore manaaki i te hunga hauā, ā, kāore te nuinga i whai wāhi atu ki ngā mōhiohio ka taea e te katoa, ngā wāhi whakatapoko rānei.

I te tau 2017, i tono te Komiti Ture me te Pōtitanga o te Whare Pāremata mō ngā tāpaetanga mō te Pire o Ture Whakarekereke Whānau. I tukuna e Te Kaitiaki Mana Tangata tētahi tāpaetanga kōrero me te tuku i ēnei huatau.[[149]](#endnote-150)

* Me whakarite ina whiwhi te tangata hauā i ngā manaakitanga, tautoko rānei i roto i tōna whare, kei raro tēnei hononga kaituku mahi/kaimahi i te ture, kia āhei ai te hunga hauā ki ngā whakamarutanga ā-ture ina whakarekereketia, tūkinotia, kāore e manaakitia rānei e te 'kaimanaaki' e utua ana.
* E rua ngā whiti me tāpiri atu ki te whakamāramatanga o te 'tūkino hinengaro' hei whakarite ka whakamarutia anō te hunga hauā me te hunga kaumātua e te Pire:[[150]](#endnote-151)
  + te mahi kino ā-pūtea, ā-ōhanga rānei (hei tauira, te aukati, te whakatepe rānei i te whai wāhi atu ki ngā pūtea, te aukati, te whakatiki rānei i ngā whai wāhitanga mahi, te āhei atu rānei ki te mātauranga; me
  + te aukati, te whakatepe rānei i te whai wāhi atu ki ngā tautoko, rongoā, whakawhitiwhiti, ngā āwhina nekeneke, utauta nekeneke rānei e hiahiatia ana e te tangata kia tū motuhake, kia rangatira hoki/rānei tōna ao.
* Me tuku ngā whakatau whakamarutanga kia taea e te katoa e pā ana ki te takotoranga o ngā puka me te reo e whakamahia ana, me kaupapa matua ngā hiahia wāhi noho o te hunga hauā ina tuku ana i ngā whakatau whakamarutanga, me whakarite kia whai whakaaturanga tautoko ngā whakatau tikanga i roto i te tukanga whakatau whakamarutanga.
* Me nui atu i raro i te ture ngā whakamaru i ngā pakeke he hiahia manaaki, tautoko hoki ō rātau, ā, e whai pānga ana (e noho mōrea ana rānei) ki te whakarekereke whānau, whakarekereke ā-whare hoki/rānei—hei tauira, me whakatau he taihara ki te kore whai i ngā mahi e tika ana ki te tiaki i tētahi pakeke 'whakaraerae' mai i te whakarekereke whānau.

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 16

I kōrero te Komiti Hauātanga mō ngā kaupapa kei raro i te Ture Whakarekereke ā-Whare 2013 hei āwhina i te hunga hauā e pākia ana e te whakarekereke, otirā ngā wāhine, kōtiro me ngā tāhae hauā. Engari, ko te māharahara o te Komiti Hauātanga kāore i te mārama i raro i te Ture 2013 mēnā e tiakina ana te hunga hauā e tūkinotia ana i roto i ngā whare manaaki/whai tautoko, ā, mēnā i uru ki roto i te whakamāramatanga o te hononga noho ko ngā hononga i waenga i te hunga hauā me ētahi atu kaiwhakamahi ratonga noho, ō rātau kaitiaki me ētahi atu kaimahi tautoko.

I tūtohu te Komiti Hauātanga kia whakakahatia e Aotearoa ēnei kaupapa hei whakamaru i te hunga hauā, otirā rātau e noho ana i rō whakanōhanga, mai i te whakarekereke me te whakamamae, me te whakauru i tētahi pūnaha e kite ana me te urupare tōtika ki ngā āhuatanga tūkino. I tūtohu anō kia taka ki raro i ngā ture, kaupapahere me ngā tikanga e pā ana ki te whakarekereke ā-whare ko ngā āhuatanga ā-whare ka pā ki te hunga hauā.

## He kōrero mō te whakatinanatanga o te Ūpoko 16 i Aotearoa

Mā te whakahipa i te ture Whakarekereke Whānau 2018, i whakamanatia i te 1 o Hōngongoi 2019, kua oti i te Kāwanatanga ētahi rerekētanga ki te ture kia pai ake te whakamaru i te hunga hauā mai i te whakarekereke, kore manaaki me te tūkino.

Kua whakawhānuitia te tikanga o te 'hononga ā-whānau' e whakamārama ana ka whakauru atu ngā tāngata kei roto i tētahi hononga kaimanaaki/tangata e manaakitia ana. E whakamanatia ana e te Ture kei roto anō i te whakarekereke ā-whānau ko te kaiponu i ngā manaaki, āwhina, rongoā, he pūrere rānei, tautoko rānei, te whakatiki rānei i te āhei atu ki te whai mahi, mātauranga rānei.

Engari, kāore he wāhanga i roto i te Ture mō te whakarite i ngā hiahia wāhi noho o te hunga hauā ina tono i ngā whakatau whakamarutanga, kāore hoki he whakarite whakamaru tauwhāiti hei whakaiti i te whakarekereke whānau ka pā ki te hunga hauā.

He tino nui tonu te pā mai o ngā whakarekereke whānau i Aotearoa, ā, he iti noa ngā raraunga e wātea ana e hia te hunga hauā kei te whai pānga atu. Mā te whakaemi a ngā Pirihimana i ngā raraunga wehewehe mō ngā wheako whakarekereke, tūkino hoki o te hunga hauā ka taea e te IMM te aroturuki tōtika ake.

## Tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Waihangatia ngā tūmomo kaupapa whakamaru i te hunga hauā mai i te whakarekereke ā-whare me ētahi atu momo whakarekereke kia ōrite ki te hunga kāore he hauātanga, ā, kia tautuhia e ngā tari me te urupare tika ki ngā mahi tūkino me te whakarekereke kei te pā ki te hunga hauā, arā mā te:
   1. whakarite kei roto i ngā kaupapa ārai i te whakarekereke me te whakarekereke ā-whānau katoa a te kāwanatanga ko ngā rauemi mā te hunga hauā e wātea ana ki te katoa;
   2. whakawhānui haere i te mōhio ki ngā tūkinotanga ka pā ki te hunga hauā me ngā tikanga hei whakatikatika i tēnei, ā, kia rawaka te tuku pūtea mā ngā whakahaere e arahina e te hunga hauā e mahi ana i roto i tēnei wāhi;
   3. whakanui ake i ngā pūtea mō ngā kaupapa e arahina ana e te hunga hauā hei whakarite ka pai ake ngā pūnaha mō te āhukahuka, ārai me te urupare wawe ki ngā mahi tūkino;
   4. whakarite ko ngā raraunga ka whakaemihia e ngā Pirihimana ka taea te whakaemi i ngā raraunga wehewehe kia taea ai te hopu tika me te tātari i te whakarekereke me te tūkino i te hunga hauā; me te
   5. whakarite ko te hunga e mauherea whakahauangatia nā te hauātanga te take ka āhei atu ki ngā kaitaunaki matatau mō te koreutu me te whakarite e kore e taea te aukati te haere atu a ngā kaitaunaki ki te kite i ngā kiritaki ina hiahiatia ana kia tū hei kaiwhakaatu mō ngā āhuatanga me ngā here.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 17: Te tiaki i te pono o te tangata

*Me whakatūturu te whakaurunga—mā te whakarite kia ōrite ngā whai wāhitanga mō te katoa, ā, kia kaua e mate te hunga hauā ki te whawhai mō ō rātau motika. Me whakarite ka herea ngā tari ki te whakatūturu i tēnei.*

*Kaiwhakauru ki te hui*

Āraia te whāngai rongoā whakawaimaero … He mahi kino te whāngai rongoā whakawaimaero, he mahi hara ki te tangata. Kaua e whakauauatia.

Kaiwhakauru ki te hui

## Kōrero whakataki

E kī ana i roto i te Ūpoko 17 kia kaua e whakaitihia te tangata hauā nā tōna hauātanga ā-tinana, ā-hinengaro rānei. Nō reira, me ōrite te manaaki i te hunga hauā pērā i ētahi atu, ā, kia whai motika ki te whakaaronuitia mō rātau anō, ā, kia ōrite te mana ki ētahi atu. Kei roto i tēnei ko te whakatau tikanga mō ngā pokanga ā-hauora me ngā wawaotanga e pā ana ki a rātau tonu, kia kaua rawa e riro mā te hauātanga, waimaero rānei e aukati i te whai wāhi o te tangata ki ngā tukanga whakatau tikanga.

## Kōrero whānui

Ahakoa kei roto noa i ngā ture, te āhua nei kei reira ngā āhuatanga kāore e tiakina ana e te mana ā-tinana i runga i te tikanga ōrite ki ngā tāngata kāore he hauātanga. He tino māharahara tēnei e pā ana ki ngā pokanga hauora haumanu-kore me te kokoti-uru haumanu-kore.

## Te hira o te Ūpoko 17 ki te hunga hauā i Aotearoa

He tino hira tēnei ūpoko ki te hunga kāore pea e tino kaha ana ki te whakaputa i ō rātau hiahia me ō rātau manakohanga, ina ko ētahi kē kei te kōrero mō rātau. E aukatia ana ētahi tāngata hauā i Aotearoa mō te whai mana ki ō rātau ake tinana nā ngā whakatau tikanga whakakapi. Kāore anō kia whakatinanahia te whakatau tikanga whai tautoko, ā, he māharahara tēnei kua whakaarahia e te IMM i roto i ana pūrongo whakamutunga e rua.

## Te wāhi o te Ūpoko 17 onāianei i roto i te ture, tikanga hoki o Aotearoa

E kī ana te Wāhanga 11 o te Ture Pire Tika Tangata 1990 'he whai motika te katoa ki te whakahē i ngā whakamaimoa hauora'.

Engari, kei te pūrongo tonu kei te pā tonu mai ngā kokoti-uru haumanu-kore me ētahi atu pokanga hauora me te kore whakaae a te tamaiti hauā, pakeke hauā rānei. Mō te hunga kei raro i te 18 tau, kāore e tino uru mai ngā kōti mēnā ko te whakarite kei te mahi ngā mātua, kaitiaki rānei mō te painga o te tamaiti. Mō te hunga pakeke atu i te 18 tau, ka taea te Protection of Personal and Property Rights Act 1988 te whakamahi kia tonoa te whakaaetanga a te kōti mō te kokoti-uru me te kore whai whakaaetanga a taua tangata.

I raro i te Contraception, Sterilisation, and Abortion Act 1977,ko te whakarite mō te kokoti-uru me te whakarite i te ārai hapūtanga mō te hunga hauā he whaimana i raro i te ture i ētahi āhuatanga. Nō nā tata nei noa iho, ka taea tonu e whakahaere tētahi materoto me te kore whai whakaaetanga mai i ngā wāhi e kīia ana he 'kaore i te tika ā-hinengaro' i raro i te Ture. Ko te whakatau anō a ngā kōti o Aotearoa ka āhei te kokoti-uru kore-whakaaetanga i raro i te ture: ina hiahiatia ana mō te hauora me te whakaae a ngā kōti, i tētahi āhuatanga ohotata, ina whakaaetia rānei e tētahi kaitiaki o tētahi tangata kia ora ai ia, kia kore rānei e whara kinotia.

Kei te mana tonu te whakamaimoa whakature me te whakarau takitahi i raro i te Mental Health (Compulsory Assessment and Treatment) Act 1992 me te Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003.

I te tau 2016, i whakaritea e Te Kaitiaki Mana Tangata tētahi urupounamu mai i tētahi kaituku ratonga hauātanga mō te kore raraunga mō ngā kokoti-uru whakature maha e whakamahia ana i runga i ngā wāhine me ngā kōtiro whai hauātanga hinengaro i Aotearoa. I whakamātau te kaiwhakarato ki te whai i ngā tatauranga mai i Te Manatū Hauora me Te Tāhu o te Ture, engari ko te kōrero mai kāore e puritia ana ngā mōhiohio e ngā manatū engari e ngā kōti, ā, i te tuku pūrongo mō ngā pokanga kokoti-uru ka rāhuitia ngā whakatau whakaaturanga tūroro.

He maha ngā urupounamu a Te Kaitiaki Mana Tangata ki Te Manatū Hauora me Te Tāhu o te Ture, e kī ana nā te kore raraunga i roto i tēnei wāhanga ka uaua te aroturuki i ngā motika hauātanga mō tētahi rōpū taupori kei te noho whakaraerae kē. Ko te whakarite a Te Kaitiaki Mana Tangata ko te kokoti-uru whakahauanga i ngā wāhine me ngā kōtiro hinengaro hauā i Aotearoa he 'take nui ki te iwi whānui', ā, me te kī anō i kōrerohia e te Komiti Hauātanga, i roto i tana pūrongo Kitenga Whakamutunga i te 2014, me ngana a Aotearoa ki te:[[151]](#endnote-152)

…whakamana ture e aukati ana i te whakamahi i te kokoti-uru i runga i ngā tama me ngā kōtiro hauā, ā, i runga i ngā pakeke hauā, i runga i te kore whai i tā rātau whakaaetanga i mua, i runga i te mōhio, herekore hoki.

I whakahaerehia e Te Manatū Hauora me Te Tāhu o te Ture he rangahau mō te maha o aua whakatau i whakahaerehia i roto i te rima tau, ā, kotahi anake te tauira o te kokoti-uru whakahauanga o tētahi wahine hinengaro hauā i kitea.[[152]](#endnote-153) Engari, ko te whakarite a Te Kaitiaki Mana Tangata he takarepa te pūnaha mōhiohio tāhiko mō te hopu i aua mōhiohio, me te kī tērā pea i whakahaerehia anō ētahi atu whakatau engari kāore i hopukia (me whakahaere tētahi arotake ā-ringa i ngā kōnae ōkiko hei whakarite mēnā i whakahaerehia ētahi atu whakatau). Hei tā Te Kaitiaki Mana Tangata *'he mea rerekē tēnei i te tau 2016 i te mea ka taea ngā raraunga tāhiko te whakaemi me te tātari',*[[153]](#endnote-154) me te kī atu me whakahou, me arotake aua tari e rua i ā rāua tikanga mō te hopu i ngā whakatau kokoti-uru.

I whakamaumahara anō Te Kaitiaki Mana Tangata i Te Manatū Hauora. me Te Tāhu o te Ture i roto i te *Mahere Mahi Hauātanga o Aotearoa 2014–2018* tētahi kaupapa matua hou hei whakamaru mai i te kokoti-uru haumaru-kore, ā, ko tūmanako ka pāhitia e Aotearoa tētahi ture e aukati katoa ana i te kokoti-uru. I whakamaumahara anō Te Kaitiaki Mana Tangata i ngā tari e rua mō te Ūpoko 31 o te Kawenata Hauātanga e whakarite ana *'Me whakaemi ngā tari Kāwanatanga i ngā mōhiohio e tika ana, tae atu ki ngā raraunga tatauranga me te rangahau, kia taea ai e rātau te āta whakatakoto me te whakatinana i ngā kaupapahere hei whakamana i te Kawenata [Hauātanga]'.*

Ko te take Tūmahi 7B o te *Mahere Mahi Hauātanga o Aotearoa 2014–2018* he 'hōpara i te pou tarāwaho e tiaki ana i te mana ā-tinana o ngā tamariki hauā me ngā pakeke hauā mai i ngā pokanga hauora haumanu-kore, tae atu ki te tuku whakaae'. Ko te arotahi tuatahi mō ngā kōwhiringa hei whakamaru mai i ngā kokoti-uru haumanu-kore me te kore e whai i te whakaaetanga a te tangata. Ahakoa i whakatūria tētahi Rōpū Tohutohu i te tau 2018 hei matapaki i te take tūmahi, e whakapono ana te IMM kua auporo te anga whakamua o tēnei kaupapa. Hei tā te IMM he mea waiwai kia urupare te Kāwanatanga ki te *Mahere Mahi Hauātanga o Aotearoa 2019–2023* mā te whakarite ka whakatutukihia tēnei tūmahi hei mahi tuatahi mō te ārai i ngā kokoti-uru whakahauanga.

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 17

I whakamāramahia i roto i te pūrongo tuatahi a te Kāwanatanga ki te Komiti Hauātanga ngā āhuatanga tino rerekē e tukuna ai pea taua whakamaimoatanga. I roto i te whakautu a te Komiti Hauātanga i tono i ngā raraunga mō te maha o ngā kokoti-uru i whakahaerehia i runga i ngā wāhine me ngā kōtiro hinengaro hauā me te kore e whai i tā rātau whakaaetanga. I kī te Kāwanatanga ahakoa i whakaemihia ngā mōhiohio mō ngā kokoti-uru, kāore e whakaurua ngā mōhiohio mēnā he hauā te tūroro.

Kei roto i ngā pātai i tukuna i roto i te hurihanga tuku pūrongo onāianei ko ngā whakaritenga i whāia hei whakamana i ngā ture e aukati ana i te whakamaimoa kore-whakaaetanga, tae atu ki te kokoti-uru, otirā e aro ana ki ngā tamariki hauā. I whakarārangi te whakautu i te pou tarāwaho e taea ai te whakamaimoa kore-whakaaetanga te whakahaere.

I pātai anō te Komiti Hauātanga mō te tikanga o te Ashley Treatment, ngā pokanga ārai tipuranga. I roto i te whakautu i kī kāore anō kia tino whakamātautautia te Ashley Treatment i roto i te Kōti Whānau o Aotearoa,[[154]](#endnote-155) ā, kāore anō kia mōhiotia whānuitia te whakamahinga engari ko te whakarite he tino rerekē. I kī rātau ka āhei ngā tāngata i whiwhi i tēnei whakamaimoatanga i tāwāhi ki te whiwhi whakamaimoa hauora i Aotearoa e ōrite ana ki ētahi atu. Kotahi anō te āhuatanga i Aotearoa e mōhiotia ana i whai tētahi tamaiti i te Ashley Treatment i tāwāhi.[[155]](#endnote-156)

## He kōrero mō te whakatinanatanga o te Ūpoko 17 i Aotearoa

Ahakoa kei reira tonu ngā āwangawanga mō ngā tikanga pea o te kokoti-uru whakahauanga, otirā mō ngā kōtiro me ngā wāhine hauā, kāore anō kia wātea mai ngā raraunga pakari mō te tukipū o tēnei tikanga.

Kua whakaritea ngā mahi hei whakauru mai i te kāwanatanga me ngā whakahaere o te hunga hauā hei kimi ara ki te whakatikatika i tēnei raru, me te tiaki i ngā tāngata hauā mai i te kokoti-uru haumanu-kore me te kore whai i te whakaaetanga a te tangata. He rārangi mahi tā Te Aka Matua e whai ake nei hei arotake i ngā ture e pā ana ki ngā tāngata pakeke he waimaero tō rātau kaha ki te whakatau tikanga.

E hia rau tāngata kei te pā ki te aromatawai me te whakamaimoatanga whakature, whakawehenga me te haumaru whakahikororo i raro i te Mental Health (Compulsory Assessment and Treatment) Act 1992 me te Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003.[[156]](#endnote-157) Ko te whakaaro he takahi te whāngai rongoā whakahauanga i te mana ā-hinengaro.

He nui te kōrero a ngā tāngata i ngā hui whakawhitiwhiti kōrero a te IMM mō tā rātau whakahē ki te whakawehenga, mauhere rānei, me te āhuatanga maha o ēnei, me te kī a tētahi i reira, 'Whakamutua! *Kua nui tēnā. Me whakamau ki runga tī-hāte.'*

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whakamanatia te ture e aukati ana i te whakamahinga o te kokoti-uru, tētahi pokanga hauora haumanu-kore i ngā tamariki me ngā pakeke hauā ki te kore rātau e whakaae atu i mua, i runga i te mōhio, herekore hoki.
2. Te whakapai ake i ngā tikanga o te whakaemi me te pūrongo tatauranga mō te kokoti-uru me ētahi atu pokanga hauora haumanu-kore i Aotearoa, me te whakarite he kirimuna ngā raraunga katoa ka whakaemihia kia kore e mōhiotia he tangata.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 18: Te nekeneke herekore me te iwi tūturu

## Kōrero whakataki

E whakaū ana tēnei ūpoko i te motika o te hunga hauā ki te whai me te huri i tētahi iwi tūturu kia ōrite ki ētahi atu, ā, kia kaua e whakakāhoretia pohewatia tō rātau iwi tūturu, nā tō rātau hauātanga rānei te take.

## Kōrero Whānui

Kāore e hāngai te whakatinanatanga o ngā motika i te Ūpoko 18 ki ngā ture o Aotearoa i ngā wā katoa mō te manene.

I te tauākī tukutahi mai i te Komiti mō te Whakamaru i Ngā Motika o Ngā Kaimahi Kaiheke Katoa me ngā Tāngata o ō Rātau Whānau me te Komiti Hauātanga, i whakaputaina ō rātau māharahara whānui mō ngā raru e pā ana ki te whakaaturanga, me ngā ratonga ki, ngā manene hauā me ngā rerenga i ngā whenua maha.[[157]](#endnote-158) I kōrero anō te tauākī tukutahi me whakatikatika te āhuatanga ki te hunga hauā i roto i tētahi pou tarāwaho ā-ao mā ngā rerenga me ngā manene, ā, me uru mai te hunga hauā ki te hoahoa me te aroturuki i tēnei pou tarāwaho.

## Te hira o te Ūpoko 18 ki te hunga hauā i Aotearoa

Ki te kore e whakatūturuhia ēnei motika, ka pā pea ngā tauārai tāpiri ki te hunga hauā e rapu ana i te kirirarautanga (mai i Te Tari Taiwhenua), kainoho rānei (mai i Te Ratonga Manene).

He maha ngā tāngata i roto i te hapori hauā e whakapono ana he kaupapahere ā Aotearoa e pā hūhunu ana ki te hunga hauā me ō rātau whānau. E māharahara ana ētahi tāngata hauā ki ngā whakaaro totoka kino pūmau e whakaheke ana i te wāriu o te hunga hauā. Hei tauira, ko te pōhēhē o Aotearoa mō te hunga hauā e kuhu mai ana ki Aotearoa he taumahatanga hei waha mā te iwi o Aotearoa me te kōtare i ana rawa.

## Te wāhi o te Ūpoko 18 onāianei i roto i te ture, tikanga hoki

Ko te pou tarāwaho o nāianei e pā ana ki te hekenga i Aotearoa kāore e tino whakaata i ngā tūmanako o te hunga hauā me ngā motika i raro i te Upoko 18 o te Kawenata Hauātanga. Nā te Ture Tika Tangata 1993 me te Ture Manene 2009 kāore e taea te tuku kerēme whakahāwea hauātanga ki te Taraipiunara Arotake i Ngā Tikanga e pā ana ki tētahi whakataunga manene.

Kāore a Aotearoa e tuku ki tētahi kaitono mō te kainoho (kirirarautanga rānei) tētahi āheinga i runga i taua mana, ā, me ū ngā whakaritenga. Kei reira anō pea tētahi hiahia pūmau kia kaua e tukuna te kainoho, kirirarautanga rānei ahakoa kua ū ki ngā whakaritenga, mēnā ki te tukuna taua mana kāore e puta he painga ki Aotearoa. E āhei ana Te Ratonga Manene i raro i te Ture Manene ki te whakahāwea i roto i te whakatau ko wai ka āhei ki te kuhu mai, me te noho mai, ki Aotearoa. Ehara i te mea he rerekē ngā whakaritenga pēnei i roto i ngā pūnaha manene maha puta noa i te ao, engari ka taea te whai pānga hūhunu ki te hunga hauā.

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 18

Kāore i tukuna e te Komiti Hauātanga he kōrero mō te Ūpoko 18 i roto i tana *Kitenga Whakamutunga* o te 2014.

## He kōrero mō te whakatinanatanga o te Ūpoko 18 i Aotearoa

I ēnei tau nei, he maha ngā kēhi i whakapāhotia e te hūnga pāpāho mō te hunga hauā (me ngā whānau whai tamariki hauā i whānau mai ki Aotearoa) i whakahētia tō rātau āhei ki te noho i runga i te take 'kāore i te eke ki tētahi taumata hauora e tika ana'.

Kei roto i te Aratohu Whakahaere a Te Ratonga Manene tētahi rārangi o ngā mate e kīia ana he nui rawa te utu, ngā pēhitanga hoki/rānei ki te ratonga hauora o Aotearoa.[[158]](#endnote-159) Ka whakakāhoretia pea te tangata kei a ia tētahi, ētahi rānei o ēnei mate mai i te noho i Aotearoa. Ko te whakarite mō te tangata ka pā mai te $41,000, neke atu rānei o ngā utu hauora i roto i te rima tau he nui rawa ngā utu hauora ka hua ake i a ia, ā, i te nuinga o te wā me whai i tētahi whakakorenga hauora i mua i te tuku i te mana kainoho, tētahi kōkota kuhunga rangitahi. E whakamahia ana e te Ratonga Manene tētahi rōpū rata mātanga ina whiriwhiri ana i ngā utu hauora.

Ko te whakahē i te hunga hauā mai i te kuhu mai ki Aotearoa noho ai mō tētahi wā, te noho tūturu rānei he tukituki ki ngā uara e whai pānga ana ki ngā uara whakamaru motika tangata ā-ao pērā i te Kawenata Hauātanga. Otirā kei roto i ngā whakahaere manene ko te whakatau i ngā whakaritenga kuhunga me ngā whakaritenga tīpakonga, kaua te hunga hauā e whai pānga ki ngā tauārai atu anō. I roto i ngā whiriwhiri mēnā e ū ana te tangata hauā ki ngā whakaritenga hauora, otirā ērā e pā ana ki te kainoho, me whakauru tētahi whakaūnga kia whai whakaaro ngā āpiha manene ki te Kawenata Hauātanga ina whiriwhiri ana mēnā e hiahiatia ana tētahi whakakorenga ā-hauora, ā, mēnā āe, me tuku.

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Arotakehia ngā ture me ngā kaupapahere hāngai e whakarite ana e kore whai pānga te hunga hauā ki ngā tauārai tāpiri i runga atu anō i ētahi atu ina tono ana mō te whakauru ki Aotearoa, ā, kāore e whāiti ana ki ēnei:
   1. te whakarite kei te whai whakaaro ngā āpiha ki te Kawenata Hauātanga ina tuku whakatau ana i raro i te Ture Manene
   2. te pīra i te wāhanga 392 o te Ture Manene kia taea ai e Te Kāhui Tika Tangata te whiwhi amuamu mō ngā take manene.
2. Te mahi tahi me ngā hunga hauā ki te waihanga i ngā tohutohu manene e whakatutuki ana i ngā paiherenga o te Kāwanatanga i raro i te Kawenata Hauātanga me te *Rautaki Hautanga.*

# Ūpoko 19: Te noho motuhake me te whakauru ki te hapori

Kāore e taea e taku tama ake ēnei te mahi; me whiwhi pūtea ia mō tētahi kūaha ka taea e ia te huaki, he papa rōnaki ka taea e ia te whakamahi, he waka rānei hei kawe pai i a ia. Ko te tikanga o tēnei ka tāhapa katoa mātau, i te mea kaore e taea e mātau ia te aukati mai i ā mātau mahi nō reira kāore he waiho noa iho.

Kaiwhakautu rangahau

Me whiwhi whakatikatikatanga ahau hei āwhina engari kāore ahau i te mōhio me pēhea te toro atu. Otira, he uaua mōku te tū i roto i te hīrere, aha atu, aha atu.

Kaiwhakauru ki te hui

*He uaua ki ahau ki te rapu i tētahi whare noho iti/whare noho kua whakahāngaitia i tōku takiwā. Kei reira tētahi hiahia kia nui atu ngā whare hoahoa ahuwhānui me te whakarite ka tuku pūtea tika mō ngā whakatikatika me te kakama me te tere o te whakaoti ina whakaaetia.*

*Kaiwhakautu rangahau*

## Kōrero whakataki

E kī ana te Ūpoko 19 kei te hunga hauā te motika ki te tuku whakatau te wāhi e noho ana rātau. Me whai wāhi atu te hunga hauā ki ngā ratonga tautoko mēnā me whai tautoko rātau ki te noho i roto i te hapori.

## Kōrero whānui

Ahakoa ko te tikanga kāore e hereheretia te hunga hauā, ā, e noho ana te hunga hauā i roto i te hapori, kei reira ngā raruraru whai wāhi me te hanganga e ārai ana i te whakatūturutanga i te Ūpoko 19, tae atu ki te kore whai whare noho whakatapoko, ngā tautoko hauā iti rawa me ngā whakaurunga hapori urukore.

## Te hira o te Ūpoko 19 ki te hunga hauā i Aotearoa

E whakapono ana te hunga hauā he mea nui kia noho rātau ki te wāhi e hiahia ana rātau, me te whai i ngā tautoko e hiahiatia ana kia taea ai tēnei.

## Te wāhi o te Ūpoko 19 onāianei i roto i te ture, tikanga hoki o Aotearoa

I tua atu i te hunga hauā e mauherea ana i raro ture tauwhāiti pērā i te Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003, me te Mental Health (Compulsory Assessment and Treatment) Act 1992, kāore he ture i Aotearoa e ārai ana i te noho a te hunga hauā i roto i te hapori ki tētahi wāhi e hiahia ana rātau.

Engari, kei reira ngā raruraru whaiutu, whakatapoko, tautoko hoki hei tino tauārai ki te whai a te hunga hauā i tēnei motika. He rerekētanga kei waenga i te whai wāhi i ngā tautoko mā te hunga e kapia ana e te Accident Compensation Act 2001 me rātau e kapia ana e ngā pūtea a Te Manatū Hauora. Kāore he ture e whakarite ana kia whakatapokotia ngā whare hou.

I whakaatu te *Rangahau Pāpori Whānui o Aotearoa:* 2016 he iti iho te oranga ngākau o te hunga hauā i te hunga kāore he hauātanga me te whai kaupapa mō tō rātau ao. He roa ake hoki te wā ki te hunga hauā e kore whai piringa tōtika.[[159]](#endnote-160)

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 19

I roto i tana Rārangi o Ngā Take, i pātai te Komiti Hauātanga ki te Kāwanatanga mō:

* te kaupapa *Enabling Good Lives*;
* te whakawhitiwhiti kōrero me ngā whakahaere whakakanohi i te hunga hauā, tae atu ki ngā whakahaere o te hunga hauā ā-hinengaro, hinengaro hauā hoki/rānei;
* ngā pānga o te rautaki whakakore hereherenga hei whakarite i te whai wāhitanga mai ki te hapori;
* te haumi ki te tautoko i te noho motuhake i roto i te hapori mā te whakamahi i ngā kaiāwhina, hoa me te whakaako, e ai ki te pakeke, ira tangata, mātāwaka hoki;
* ngā whare noho whaiutu tae atu ki ngā whakaritenga me ngā here whakatapoko mō ngā kaihanga tūmataiti;
* ngā rautaki hei whakarei ake i ngā ratonga hapori; me
* ngā raraunga mō te ōwehenga o te hunga hauā e whakapono ana he wairua manaaki me te urupare tō te iwi whānui, ā, me ngā raraunga tōkeke i wehea mā te ira tangata, pakeke, mātāwaka, hauātanga, me ētahi atu āhuatanga hāngai.

I whakautu te Kāwanatanga me ngā mōhiohio mō te whakawhānui i te kaupapa *Enabling Good Lives* me te whakauru mai i ngā kōrero mō te tahua pūtea, ngā kitenga o ngā rangahau o te rangahau o te tau 2008 a te Donald Beasley Institute e whakaatu ana i ngā pānga pai mai i te whakakore hereherenga,[[160]](#endnote-161) me te kaupapa tauira *Choice in Community Living*.

Mō ngā whare noho, i kōrero te Kāwanatanga i roto i tana whakautu mō te ū o ngā whare noho o Te Kaporeihana Whare (ko Kāinga Ora—Homes and Communities ināianei) ki ngā paerewa whakatapoko taketake me ngā whakaritenga wāhi noho wā poto, engari i kī anō rātau kaore he rautaki kāwanatanga hei whakarite i ngā whare whakatapoko me te whaiutu, ā, kāore he whakaritenga ā-ture kia whakaurua mai ngā whare whakatapoko ki roto i ngā kaupapa waihanga whare tūmataiti. He pūtea iti nei tā te Kāwanatanga mō ngā whakatikatika ki ngā whare, engari he whāiti noa ngā whakaritenga a Te Manatū Hauora me ACC.

## He kōrero mō te whakatinanatanga o te Ūpoko 19 i Aotearoa

He tino nui ngā uauatanga ka pā ki te hunga hauā mō te whiwhi whare whakatapoko whaiutu, ā, ko te mutunga atu pea ka noho kāinga kore me te noho murare. Kei a Kāinga Ora ētahi whare whakatapoko, engari he roa ngā rārangi tatari. Ehara i te mea he ū ngā whare katoa ki ngā hiahia o te hunga hauā e whiwhi ana i ēnei whare.

E ai ki ngā kōrero a te hunga hauā ko ngā whakatikatikatanga ki ngā whare i utua e Te Manatū Hauora he pōturi rawa i te nuinga o te wā, ā, kāore ngā kairetiwhare tūmataiti i te hiahia kia whakarerekēhia ō rātau whare. Nā te kore retihanga wā roa ka mate ngā tāngata hauā ki te wehe i tētahi whare reti i whakatikatikahia mō rātau, ā, kua kore pea e āhei atu ki ētahi atu pūtea whakatikatika whare.

He tauira ēnei o te whakahē a ngā kairetiwhare tūmataiti, ngā māngai reti whare rānei i te hunga hauā nā te hauātanga te take, nā te whakamahi rānei i ngā kararehe āwhina rānei pērā i ngā kurī ārahi, kurī nekeneke rānei.[[161]](#endnote-162)

Ko ngā pūtea hei tautoko i te noho motuhake i roto i te hapori he whakawhāiti i te āheinga o etahi tāngata hauā ki te noho i te wā e hiahia ana rātau, me te whakauru ki ngā mahi hapori. Kua roa kē e whakaputa ana te hunga hauā i ō rātau māharahara mō te rerekētanga o te nui o ngā tautoko me ngā utauta kounga i utua i raro i te Accident Compensation Act 2001, ā, ko te whakaaro he nui ake ki tērā e tukuna ana i raro i ngā pūtea tautoko ā-hauā a Te Manatū Hauora. He maha te hunga hauā e noho tonu ana i roto i ngā ratonga kāinga noho me te kore kōwhiringa, mana hoki mō te wāhi, te hunga me te āhua o tā rātau noho. Ko te hunga hauā tamariki ake me whai tautoko i te 24 haora kei te noho tonu i roto i ngā whare tiaki kaumātua nā te kore wātea o ngā tautoko i roto i te hapori.[[162]](#endnote-163)

I te tau 2019, i puta he kōrero i te whiriwhiri te Kāwanatanga ki te poro i ngā pūtea tautoko hauā hei whakarite i te poto o ana pūtea.[[163]](#endnote-164) Ahakoa kāore i whakatinanahia tēnei marohitanga, kei reira ngā māharahara kei te whakahekea ngā haora tautoko a ngā tāngata i runga i ngā āhuatanga hanganoa, e whakawhāiti haere tonu i tō rātau kaha ki te noho motuhake me te whai wāhi ki te hapori. Nā te tōmuri ki te toro i ngā utauta nekeneke kua kore e taea e ngā tāngata hauā te whakauru ki te hapori.

I kōrero atu ngā tāngata i ngā hui ki te IMM he pai ki a rātau te whakauru ki te waihanga ngātahi i ngā tauira tuku pūtea me ngā tautoko hauātanga e noho ai ko te tangata ki te whakarite ka pēhea te whakapau i āna pūtea (tae atu ki te tauira Mana Whaikaha e whakamātautautia ana i te rohe o te Puku o te Ika). Engari, kei te māharahara tonu rātau mō te pōturi kia whānui ake te whakatinana i tēnei tauira, ā, mēnā ka rawaka ngā pūtea kia āhei ai te tangata ki te noho motuhake.

E whakaritea ana e ētahi huihuinga, whakaurunga hapori ētahi whakatapokotanga mō te hunga hauā. Engari, he whāiti te tino whakauru atu ki te hapori nā te āhua o ngā whakaurunga whakatapoko e wātea ana, me ngā ikiiki whaiutu, me te kore e whai wāhi atu ki ngā kaiwhakamāori Reo Rotarota o Aotearoa, ngā whakamāramatanga ororongo me ngā kaimahi tautoko. Kei te tonoa te tangata ki ngā hokohoko tuihono kaua ki te hāpai i a rātau ki te mahi i ā rātau ake hokohoko kia ā-tinana, ētahi atu hokohoko rānei. He maha ngā tāngata he uaua ki a rātau te toro ki ngā ratonga noa i roto i te hapori—ehara ko ngā mahi ngahau noa iho, engari ngā ratonga hauora me te hauora niho—nā te kore pūtea me te whāiti o te āhei atu ki ngā tautoko me ngā ikiiki.

Ko te āria o 'ngā manaaki tōtika', te tikanga rānei o te whakahāwea, kāore i te tino mārama i ngā wāhi maha o ngā ao o Aotearoa, tae atu ki ngā ture. He maha ngā āhuatanga maha e mate ai te hunga hauā ki te taunaki mō tō rātau ake motika ki te noho i tētahi whare, i rō mōtera , te kai rānei i tētahi wharekai, koinei ētahi o ngā tauira. He roa pea te wā o ngā tukanga whakarite raru, i ētahi āhuatanga, ka uru mai Te Kāhui Tika Tangata ki te takawaenga, ā, ko te otinga pea ko tētahi whakaaetanga matatapu e kore e taea te whakamahi hei whakatau wenewene ā muri ake, kāore rānei e eke he whakaaetanga. Ko te aweretanga kotahi ki tēnei ko te rāngai pēke, kua whakatauhia ngā aratohu mārama mō te whakatapoko ka taea e ngā kiritaki te whakamahi.[[164]](#endnote-165)

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whakatinanahia te ture kia ū ai ngā whare noho hou katoa ka hangaia ki ngā paerewa hoahoa ahuwhānui (tirohia anō te Ūpoko 9).
2. Me whakarite a Kāinga Ora kia:
   1. whai i tētahi whakamāramatanga matawhānui o te hoahoa ahuwhānui;
   2. paihere wawe tonu ki tētahi kaupapahere o te whakatūturu i te hoahoa ahuwhānui i roto i ngā mahi waihanga whare hou katoa puta noa i ngā momo whare katoa;
   3. paihere ki te whakakapi, whakahou rānei i ngā whare kia eke ki ngā paerewa hoahoa ahuwhānui i roto i te tekau tau e heke iho nei;
   4. hoahoa i ngā whakatakotoranga whakatapoko mō ia momo whare e wātea ana (arā, kia ū ki ngā paerewa hoahoa NZS4121:2001);
   5. whakatinana i tētahi ōtita whakatapoko matawhānui o ana whare katoa;
   6. paihere ki te whakarite ka whakahoutia he ōwehenga o ō rātau whare kia ū ai ki ngā paerewa whakatapoko (arā, e ai ki ngā whakatakotoranga whakatapoko i hangaia i runga ake), kaua ērā kua whakaritea kētia e ai ki ngā hiahia o ētahi. Ko te ōwehenga o ngā whare whakatapoko, i te mea iti rawa, me wātea ki ngā kainoho Kāinga Ora whai hauā; me te
   7. whakaroa ake i te wā mō te hunga hauā me whiwhi whakahounga hāngai kia taea e rātau te noho i roto i ngā kāinga kua whakahoutia ki ō rātau whakatakotoranga.
3. Me whakatikatika, whakawhānui hoki/rānei i ngā kaupapa tuku pūtea katoa mō ngā utauta me ngā waka hauā hei whakarite ka whai wāhi atu te hunga hauā ki ngā utauta katoa e hiahiatia ana e rātau kia noho motuhake me te uru atu ki tō rātau hapori.
4. Me tino whakatinana i ngā tūtohutanga o te pūrongo a te Komiti Whiriwhiri mō Ngā Ratonga Pāpori 2008 (*Uiuinga ki te kounga o te whakarato manaaki kounga me ngā ratonga mā te hunga hauā*)[[165]](#endnote-166) hei whakaiti i te maha o te hunga hauā kua herea ki te noho i rō whare tiaki kaumātua.
5. Me whakauru mai ngā ture whakatapoko e whakarite ana i ngā ratonga hapori me ngā whakaurunga katoa kia whakatapoko ki ngā tāngata hauā katoa, ā, me te āta whakatau he aha ngā mea e tūmanakohia ana mō ngā kaituku ratonga katoa.
6. Me whāwhai te waihanga i ngā tauira tuku pūtea pūmau me te ōrite kia taea e ngā tāngata hauā katoa, ahakoa te pūtakenga mai, te toro ki ngā tautoko ngāwari me te kōmitimiti e takawaenga ana i te noho motuhake me te tino whakauru atu ki te hapori.
7. Me whakarite ka whiriwhiria e te kāwanatanga, ngā kaunihera ā-rohe me ētahi atu kaiwhakarato whare i te rahinga me te momo o ngā whare whakatapoko mā tētahi āhuatanga e taea ai e rātau te tātari e ai ki ngā hiahia o te hapori.
8. Me kaha ake te aro ki te hiahia kia hoahoatia, kia hangaia ngā whare kia whakatapoko te āhua, me te whakarite ka āhei atu ki te hunga hauā ki ngā pūtea nui ake, tere ake e rawaka ai te whakatikatika i ngā whare kia taea ai e rātau te nekeneke haere pai i roto i ō rātau whare.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 20: Te nekeneke a te tangata

Kia mārama mai me taea e mātau te puta atu ki te whakawhanaunga, kia kaua e mau atu ki te kāinga ko mātau anake. Nō reira ko te kaupapa matua kia māmā ake ai ki te whiwhi kawe, pērā i ngā tēkehi nekeneke koreutu e taea ai te noho i tō taha kia mutu rā anō koe mēnā he maha ngā wāhi hei pekapeka haere…Ko ngā haerenga he poto noa iho te tū ka mate koe ki te whakarite tēkehi kātahi ka tatari kia tīkina mai koe, ka haere ki tō peka tuarua, ka makere atu koe, kātahi ka tatari anō kia tīkina mai koe, ā, ka pērā haere, ā, he roa te rā, ka ngenge koe, nō reira he māmā ake te whakarite katoa i runga ipurangi mea rawa ake ka noho taratahi koe.

Kaiwhakautu rangahau

## Kupu whakataki

E kī ana tēnei ūpoko e whai motika ana te hunga hauā ki te nekeneke haere i roto i ō rātau hapori me te noho motuhake, ā, e herea ana ngā kāwanatanga ki te āwhina i a rātau kia tutuki ake ai i tēnei.

## Kōrero whānui

Kei te hōhā tonu ngā tāngata hauā o Aotearoa e pā ana ki te whakatutuki i tō rātau motika ki tō rātau ake nekeneke haere—otirā ngā rerekētanga i waenga i ngā utauta, waka me ngā whakatikatanga e wātea ana i ACC, tēnā i ngā tautoko e utua ana e Te Manatū Hauora.

## Te hira o te Ūpoko 20 ki te hunga hauā i Aotearoa

He mea nui te nekeneke haere ki te kaha o te hunga hauā ki te noho pai i ō rātau kāinga, ki te ako, mahi me te whai wāhi i roto i te hapori–nō reira, he tino hira tēnei ūpoko.

## Te wāhi o te Ūpoko 20 onāianei i roto i te ture, tikanga hoki o Aotearoa

E wehea te tuku pūtea mō ngā āwhina nekeneke me te whakangungu i Aotearoa ki ngā rōpū e rua:

* te hunga e āhei ana ki ngā tautoko i raro i te Accident Compensation Act 2001; me
* rātau ka whiwhi pūtea mai i Te Manatū Hauora me ngā poari hauora ā-rohe.

Kua whakaurua e te Kāwanatanga ngā kōrero mō te whakatapoko o te ikiiki tūmatanui me ngā kōwhiringa ikiiki kē mō te hunga hauā i roto i tana tauākī kaupapahere mō te ikiiki whenua i tukuna i te 2018.[[166]](#endnote-167) Ka whakaurua anō ētahi mana ā-rohe ngā kōrero mō te hunga hauā, pērā i te Transport Alignment Project 2018 o Tāmaki Makaurau.[[167]](#endnote-168) E ai ki te *Ūpoko 9* kua pai ake ētahi wāhi o te ikiiki tūmatanui, engari, kei te uaua tonu ki ngā kaiwhakamahi hauā i te ikiiki tūmatanui i ā rātau haere.

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 20

I tonoa te Kāwanatanga ki te tuku kōrero mō ngā whakaritenga i whāia hei takawaenga i te nekeneke a te tangata hei whakarite ka ōrite te whakarato ahakoa te pūtake o te hauātanga. I roto i te whakautu ko ngā kōrero a Te Manatū Hauora mō te tuku pūtea mō ngā utauta, whakatikatika whare me te hoko waka, whakatikatika rānei, me te whakaae he rerekē ngā pūtea i waenga i a ACC me Te Manatū Hauora.

## He kōrero mō te whakatinanatanga o te Ūpoko 20 i Aotearoa

Ko ngā whare urukore, te kore āhei atu ki ngā āwhina nekeneke, ngā ikiiki tūmatanui urukore me ngā ikiiki rerekē nui rawa te utu ētahi o ngā tauārai nui rawa ki te nekeneke haere a te hunga hauā.

He maha te hunga e pūrongo ana i ngā uauatanga nui mō te toro i ngā tautoko mō ngā whakatikatika waiwai e taea ai e rātau te nekeneke pai haere i ō rātau ake kāinga. Hei tā te hunga e whakawhirinaki ana ki ngā pūtea a Te Manatū Hauora he roa te wā mō ngā whakatikatika, ā, he iti iho te āhei atu ki ngā pūtea mō ngā whakatikatika, arā kei te noho i roto i ngā kāinga kāore i te tika ki a rātau, ā, kāore anō kia whakatikatikahia.

He rerekē anō te āhua o te tuku pūtea ki ngā whakangungu nekeneke me te whai wāhi atu ki ngā utauta, ko te kī a ngā kiritaki a Te Manatū Hauora he roa ake ngā rārangi tatari, he iti iho te whiwhi pūtea, ā, he iti iho ngā kōwhiringa utauta e tukuna ana, ā, he iti ake te utu o ngā utauta tēnā i ngā kiritaki ACC. Ka eke ki runga rawa mō te whiwhi pūtea ko ngā kiritaki a Te Manatū Hauora kei te mahi, kei te whakangungua rānei, ā, ko te mutunga atu he maha ngā tāngata hauā kei runga i ngā rārangi tatari roa.

Nā te iti o te mākete o Aotearoa ka whakatepe i te wātea mai o ngā utauta me te iti o ngā whakapoapoa e tukuna ana mā ngā kaiwhakawhanake, ahakoa kei reira anō ētahi tauira o ngā utauta auaha e hoahoatia ana i Aotearoa.[[168]](#endnote-169) Ko tētahi tauira ko te kōrea kore-ringa a Omeo Technology, e whakamahi ana i te neke a te tinana o te kaiwhakamahi hei whakahaere me te ārahi i te kōrea.[[169]](#endnote-170)

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whāwhai te arotake me te whakarahi ake i te haumi ki ngā ikiiki tēkehi whai utu āwhina me ētahi atu kaupapa ikiiki mā te hunga hauā kāore e whai wāhi atu ki ngā ikiiki tūmatanui kia whai wāhi atu ai rātau ki ngā tūmomo kōwhiringa ikiiki ōrite, whakawhiti i te 24/7 puta noa i te motu.
2. Akiaki i ngā kaunihera ki te whakapūmau i ngā whakaritenga whakatapoko i roto i ana tukanga whiwhi ratonga mō te ikiiki tūmatanui hei whakarite ka ōrite te whai wāhi atu o te hunga hauā ki te ikiiki tūmatanui.
3. Whakarite ko ngā umanga tēkehi katoa me mātua whai i te katoa, he wāhanga nui rānei o ngā waka he whakatapoko mō ngā kōrea, me te whakarite ka wātea aua waka e ai ki te nuinga atu o ngā waka.
4. Whakatauhia ngā ūnga tūmanako, whakatinanatanga hoki mō ngā mana kaunihera hei whakarite ko ō rātou rori, ngā hanganga ikiiki me ngā ara hīkoi ka hangaia, ka whakatikahia, ka tiakina kia ū ai ki ngā paerewa whakatapoko.
5. Me whakarite i ngā pūtea mō te whakangungu nekeneke me ngā utauta mā ngā tāngata hauā katoa, ahakoa te pūtake o te hauātanga, ā, ka whakakore atu i ngā rerekētanga i waenga i ngā kiritaki a Te Manatū Hauora me Te Kaporeihana Āwhina Hunga Whara (ACC).
6. Me tuku haumitanga atu anō ki ngā rangahau me te whanaketanga o ngā āwhina nekeneke me te waihanga, te hoko mai rānei i ngā āwhina nekeneke mai i tāwāhi.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 21: Te mana whakapuaki kōrero me te whakaaro me te whai wāhi ki ngā mōhiohio

*Me mutu te whakarōpū, ā, me whakarerekē te reo—me whai wāhi atu ngā tāngata katoa ki ngā mōhiohio me ngā utauta whakawhitiwhiti me ngā āwhina.*

*Kaiwhakauru ki te hui*

*He uaua te whiwhi mōhiohio e wātea ana ki te katoa—me kanohi kitea te hunga hauā i tō tātau whenua.*

*Kaiwhakauru ki te hui*

*He rerekē te whakawātea mai o ngā mōhiohio ki te katoa puta noa i ngā paetukutuku kāwanatanga. He māmā ētahi ki te whakamahi, ā, he uaua ētahi.*

*Kaiwhakautu rangahau*

*[E kōrero ana mō ngā paetukutuku kāwanatanga] Ehara i te mea e mārama ana ngā ūpoko katoa mō tētahi kaipānui mata. He uaua i ētahi wā te whakakikī puka. Kāore he ara whakapā kē atu anō mēnā kāore e mahi te paetukutuku. I ētahi wā he uaua ki te whakaoti i ngā whakautu ki ngā wāhi tika.*

*Kaiwhakautu rangahau*

## Kōrero whakataki

E tuku ana te Ūpoko 21 i te motika ki te hunga hauā ki te whakaputa i ō rātau whakaaro, me te rapu, te whiwhi me te tuari mōhiohio ki ngā puka e mārama ana ki a rātau me te whakamahi.

## Kōrero whānui

Me whai tēnei ūpoko i tētahi ara kāwanatanga whānui hei whakarite i te whai wāhi atu ki te rere utuutu o ngā mōhiohio me te whai ture hei whakaū ka whānui atu tēnei ki tua atu o te kāwanatanga, ā, ki roto i te iwi whānui tonu.

## Te hira o te Ūpoko 21 ki te hunga hauā i Aotearoa

Nā te kore e whiwhi mōhiohio me te kore e whakaputa whakaaro ka ārai i te tino whai wāhi o te hunga hauā hei kirirarau , me te whakatutuki i ō rātau motika ki te whakawhitiwhiti me te kāwanatanga me te iwi whānui.

## Te wāhi o te Ūpoko 21 onāianei i roto i te ture, tikanga hoki o Aotearoa

E whai mana ana ngā tari Kāwanatanga kia ū rātau ki ngā aratohu whakatapoko tukutuku. Ko te whai a te Tūtohi Whakatapoko a te Kāwanatanga he whakawhānui ake i ngā mōhiohio a te kāwanatanga e wātea ana ki roto i ngā tūmomo takotoranga ka taea e te katoa.[[170]](#endnote-171)

I tēnei wā, kāore he whiu ā-ture, ā-pūtea mō ngā kamupene tūmataiti kāore i te ū ki ngā aratohu whakatapoko e pā ana ki ngā paetukutuku, ngā mōhiohio rānei ka whakaputahia e rātau. Kāore hoki he whakaritenga ā-ture kia whakaurua e ngā pāpāho whānui ki roto i ā rātau kōrero e wātea ana i runga pouaka whakaata, i runga ipurangi rānei.

Nā te whakaurunga atu o te Kāwanatanga ki te Tiriti o Marrakesh ka māmā ake pea ki te toro atu me te tuari i ētahi momo mōhiohio ka taea e te katoa.[[171]](#endnote-172) Ko te whāinga o te tiriti he whakarite kia whai wāhi atu te hunga kāpō, he waimaero te kite, hauā ā-tā rānei ki ngā pukapuka me ētahi tuhituhinga ki ngā takotoranga ka taea e te katoa.

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 21

I roto i tana Rārangi o Ngā Take, i uiuitia e te Komiti Hauātanga ki te Kāwanatanga mō:

* ngā pūtea mō Te Reo Rotarota o Aotearoa (NZSL), tae atu ki ngā kaiwhakamāori;
* te wātea mai o ngā mōhiohio mā ngā tāngata whaikaha Māori, otirā rātau he waimaero ā-rongo, ā-kite;
* ngā mahi kei te whāia e herea ā-turetia te wātea mai o ngā mōhiohio ki te katoa, tae atu ki te whai wāhi atu ki ngā mōhiohio me te whakaputa whakaaro i roto i ngā tūmomo takotoranga pērā i te tuhi kāpō, Reo Māmā, whakaahuatanga ororongo, me ngā tuhinga hauraro; me
* ngā whakaritenga hei whakarite ka ū ngā whakahaere ki ngā paerewa whakatapoko tukutuku me te haumi ki ngā hangarau āwhina.

I whakaaturia i roto i te whakautu a te Kāwanatanga te pikitanga o te pūtea o te $30.2 miriona mō ngā kura tairongo me te NZSL i roto i te Tahua 2018, me te $1.25 miriona pūtea mā te Rautaki Poari a NZSL 2018–2023.[[172]](#endnote-173) I whakaaetia he poto ngā kaiwhakamāori NZSL, otirā ngā kaiwhakamāori reo-toru. E whakamanatia anō ngā uauatanga mō te mātau me te matatau o ngā kaiwhakamāori, me ngā rerekētanga o te whai wāhi atu ki ngā kaiwhakamāori NZSL whai tohu e ai ki te rohe. Kua whakaurua ngā hiahia o Ngā Tāngata Turi Māori me ō Te Moananui-a-Kiwa ki roto i ngā kaupapa matua a te Poari o NZSL, engari kāore he pūtea tauwhāiti mō te whai wāhi ki ngā mōhiohio mā te iwi Māori me ō Te Moananui-a-Kiwa.

I roto i te whakautu a te Kāwanatanga ki te Komiti Hauātanga i kī kei te whakapiki haere te whakamahi o te NZSL i Aotearoa, ā, he nui ake ngā kura e whakarato ana i te NZSL, ā, i kī anō kāore e kore ka piki anō te hiahia ki ngā kaiwhakamāori mā te tuku pūtea takitahi.

E kī ana te Kāwanatanga e tūmanako ana mā te whakaurunga o te Tūtohinga Whakatapoko ka nui ake te āhei atu ki ngā mōhiohio, me tētahi aronga ki te whakanui ake i te tuku mōhiohio kāwanatanga ki ngā takotoranga Reo Māmā, tuhi kāpō, NZSL, ororongo hoki.

I tukuna e te Kāwanatanga ngā pūtea o te $2.8 miriona i te 2019 mō ngā tuhinga hauraro me ngā whakaahuatanga ororongo. I tēnei wā e tukuna ana tēnei pūtea i ia tau, engari kāore e tukuna he kōrero whakatūturu ki te tari whai kirimana ki te ratonga tuhinga hauraro me ngā whakaahuatanga ororongo ka haere tonu ēnei pūtea i tua atu i te tau pūtea.

## He kōrero mō te whakatinanatanga o te Ūpoko 21 i Aotearoa

Ahakoa e whakaritea ana ngā tari kāwanatanga kia ū ki ngā aratohu whakatapoko tukutuku mai i te tau 2017, he āhuatanga o ngā mōhiohio kāwanatanga kāore i roto i ngā takotoranga ka taea e te katoa. Ko te tikanga ka āwhina te Tūtohi Whakatapoko ki te whakarite kia nui atu ngā mōhiohio kāwanatanga e tukuna ana ki ngā takotoranga ka taea e te katoa.[[173]](#endnote-174)

E whakamahia ana ngā kaiwhakamāori NZSL ināianei i roto i ngā hui pāpāho a te Pirimia i muri i ngā hui a te rūnanga matua o te Kāwanatanga, ā, i whakamahia i te tau 2019 mō ngā pānuitanga tūmatanui maha, tae atu ki ngā huihuinga whai muri i te parekura i Ōtautahi.

E whāiti ana ngā tuhinga hauraro me ngā whakaahuatanga ororongo ki ētahi hongere ruarua nei. E wātea ana ētahi tuhinga hauraro, engari kaua ngā whakaahuatanga ororongo, i runga i a TVNZ On Demand ka taea mā te ipurangi.

Kua whakamanatia e te Kāwanatanga te Tiriti o Marrakesh, ā, i tukuna he Whakaaetanga Roera ki te Ture Manatārua (Te Whakatinanatanga o Te Tiriti o Marrakesh) i te 12 o Hereturikōkā 2019. I whakamanatia tēnei tiriti ki te whakatika i te ture manatārua mā tētahi āhuatanga e whai wāhi atu ai ki ngā mahi kua tāia mā te tuku i roto i ngā takotoranga ka taea e te katoa. E whiriwhiri ana te Kāwanatanga ki te whakatinana i te ture whakatapoko e whai pānga ana ki te whakatūturutanga o te Ūpoko 21.[[174]](#endnote-175)

Ahakoa kei te anga whakamua, i whakaputahia e ngā tāngata i te hui whakawhitiwhiti a te IMM tō rātau hōhā mō te kore wātea o ngā mōhiohio ki te katoa hei whakarite ka tino uru atu ki te hapori. I kōrero ētahi mō ngā uauatanga ka pupū ina whakamahi ana i ngā hangarau hou whakaaunoa, he uaua, kāore e taea rānei, te toro ki ētahi ratonga, me te kī, *'Whakahokia mai ngā tāngata—ka māmā ake ngā whakahaere i tētahi mīhini'*.

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whakawhānuitia te Tūtohutanga Whakatapoko kia uru mai ai ngā kaunihera me ngā poari hauora ā-rohe.
2. Pāhitia ngā ture whakatapoko e whakarite ana i ngā kaituku mōhiohio tūmataiti, ngā paetukutuku me te hunga pāpāho ki te whakauru i te whakatapokotanga.
3. Whakamana i te hunga hauā kia tōtika ake te whakawhitiwhiti kōrero me ngā tari kāwanatanga mā te whakapiki i te nui o ngā takotoranga ka noho wātea kia taea e te hunga hauā te whakaputa ō rātau whakaaro i roto i Te Reo Rotarota o Aotearoa, me te whakamahi i te tuhi kāpō, Reo Māmā me ngā takotoranga ororongo kia whānui ake ai te torotoro.
4. Whakawhānuitia atu te whai wāhi ki ngā mōhiohio me ngā whakawhitiwhiti kōrero mā ngā Tāngata Whaikaha, tae atu ki te whakapiki ake i te whakaratonga kaiwhakamāori, tuhinga hauraro, whakaahuatanga ororongo, me te Reo Māmā ki te reo Māori.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 22: Te manaaki i te matatapu

*Kāore e taea e au te toro atu ki tētahi mea e hiahia ana ahau ki te kore ahau e whai tautoko mai i tētahi atu.*

*Kaiwhakauru ki te hui*

## Kōrero whakataki

Kei roto i tēnei ūpoko e kī ana kia kaua te tangata e whakararuraru i ngā take ake a tētahi atu, ahakoa he hauātanga ōna, kāore rānei. Ko te hunga e kaiponu ana i ngā mōhiohio mō ētahi atu, pērā i te āhua o tō rātau hauora, me noho matatapu ēnei mōhiohio.

## Kōrero whānui

E whakaritea ana te hunga hauā ki te whakawhitiwhiti me te maha o ngā tari (kāwanatanga, kāwanatanga-kore) ki te whiwhi tautoko, nō reira he mea nui te matatapu o ngā mōhiohio me ngā tikanga mō te āhua o te tuari mōhiohio hei tiaki i ngā motika o ngā tāngata.

## Te hira o te Ūpoko 22 ki te hunga hauā i Aotearoa

Kei ngā tāngata te motika kia noho matatapu ā rātau mōhiohio—otirā ā rātau mōhiohio hauora me te hauātanga.

## Te wāhi o te Ūpoko 22 onāianei i roto i te ture, tikanga hoki o Aotearoa

I Aotearoa, ko te motika o te tangata kia āhei atu ia ki āna ake mōhiohio kei raro i te maru o te Ture Matatapu 1993. Kei Te Mana Mātāpono Matatapu te mana i raro i tēnei Ture ki te tuku i Ngā Tikanga Whakahaere e whakatakoto ana i ngā ture mō te manaaki i ngā momo mōhiohio rerekē, tae atu ki ngā mōhiohio hauora, ā, me te tūhura i ngā whatinga o ēnei ture.

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 22

I roto i te pūrongo tuatahi a te Kāwanatanga ki te Komiti Hauātanga, i whakarārangi i ngā motika i raro i te Ture Matatapu me ngā motika tauwhāiti e pā ana ki ngā mōhiohio hauora. Kei roto anō e kī ana tētahi arotake a Te Aka Matua i whai whakaaro ai te Kāwanatanga o te rā ki te whakamahi hangarau e tuari ana i ngā mōhiohio hauora.

## He kōrero mō te whakatinanatanga o te Ūpoko 22 i Aotearoa

Kua whakarōpūtia ngā māharahara mō te matatapu mō te hunga hauā ki ngā wāhanga e whā:

* mō te hē o ngā whakahaere me ngā tāngata ki te pupuri tonu i ngā paerewa tika o te matatapu;
* ngā uauatanga ka pā mai mō te whakatinana i ngā motika tūmataitinga;
* te hiahia ki te whakauru mai i ētahi atu ki roto i ngā take tūmataiti nā te kore whai wāhi atu ki ngā mōhiohio, me
* te rite tonu o ngā tono mō ngā whakaaturanga āheinga.

I raro i te Ture Matatapu, me mātua whai ngā tari i ngā ture ina whakarite ana i ngā mōhiohio whaiaro. Engari ko te mea kē, he maha te hunga hauā e pūrongo ana i ngā takahitanga maha ki tō rātau matatapu. Kei te mōhio te IMM ki ngā kōrero mō te tuari kōrero a ngā kaituku ratonga mō ngā tāngata hauā me tā rātau kore e whakaae:

* i whakamōhio atu tētahi kaiwhakarite manaaki kāinga ki te kaitiaki tamariki, nāna i whakautu te waea i te kāinga, mō ngā rerekētanga ki te hōtaka a te kaimahi tautoko;
* kōrero ai ngā kaitaraiwa tēkehi mō ana haerenga ki te heri i ētahi atu tāngata hauā i taua wiki; ā,
* ka kōhimuhimu ngā kaimahi mō ngā kiritaki i roto i te wāhi kai.

Ko ēnei takahitanga, ahakoa ehara i te mea he taumaha te āhua, he tapu rānei, ka puta te whakaaro ka mātirotirohia ngā ao o te hunga hauā, ā, ka puta whānuitia kāore e pērā i ētahi atu. I roto i ngā hui whakawhitiwhiti me te rangahau ki te whāngai kōrero ki tēnei pūrongo, i kōrero ētahi tāngata hauā mō ō rātau māharahara e tukuna ana ā rātau mōhiohio matatapu ki ētahi atu whakahaere me tā rātau kore whakaae ina tukuna ā rātau ratonga mai i tā rātau kaituku ratonga matua ki ētahi atu kirimana.

I kōrero ngā tāngata mate hinengaro ka patua rātau e te whakamā nā te hē o te tuari i ā rātau mōhiohio tapu, ā, ka whakaitia, ka whakahāweatia hoki rātau e ngā kaituku ratonga, otirā ngā tari ehara i te hauora.

I pā kinotia te hunga hauā e ngā tūhuratanga a Te Manatū Whakahiato Ora ki ngā take matatapu o ngā kaiwhiwhi takuhe—i kitea e Te Mana Mātāpono Matatapu i takahia e tēnei tikanga te Ture Matatapu.[[175]](#endnote-176)

Ina takahia ngā motika matatapu, i kōrero te hunga hauā mō ngā uauatanga kia rangona, kia whakatauhia ā rātau amuamu. Ko te kōrero kāore ngā kaituku ratonga i te tino hiahia ki te whakatau i ngā take, ā, ka tukuna ngā amuamu ki Te Tari o Te Toihau Hauora, Hauātanga, ki Te Mana Mātāpono Matatapu rānei—e whakarite ana kia whakaatuhia e rātau ngā mōhiohio anō mō te tangata kia rangona ai tā rātau amuamu.

E pūrongo ana ētahi tāngata hauā ina whakamātau ana ki te whakatinana i ngā motika ki te uru ki ngā mōhiohio e puritia ana mō rātau (e ai ki te Ture Matatapu), e tukuna ana ngā mōhiohio i roto i ngā takotoranga kāore e taea e te katoa.

Ahakoa kua puta ētahi hua mō te āhei o te hunga hauā ki te tuku me te whai wāhi atu ki ā rātau mōhiohio i roto i ngā takotoranga ka taea e te katoa, ā, he pōturi ngā ahu whakamua i tēnei wāhi. Ko te nuinga o ngā puka tono mō ngā ratonga tautoko, āwhina pūtea rānei me ngā mōhiohio i whiwhi mai i te kāwanatanga me ētahi atu ratonga, kāore e taea e te nuinga o ngā kaiwhakamahi hauā. Ko te tikanga o tēnei ka uru mai he tangata atu anō ina whakawhitiwhiti ana me ngā tari kāwanatanga me ētahi atu tari. He maha ngā tāngata hauā, ina whakamahi ana i ngā hangarau, ka hiahia kē ki te whakakī tuihono i ā rātau puka i runga ipurangi mā ngā paetukutuku e wātea ana ki te katoa, me te whiwhi mōhiohio mā te īmēra ka taea e te katoa, kia kaua, hei tauira, e tono i tētahi whānau ki te pānui i ā rātau otinga whakamātautau hauora.

I kōrero te hunga hauā i whakahaua rātau kia tukutuku kape whakaaturanga hauora hei whakaatu i tō rātau āhei atu ki ngā tautoko. Ko te tikanga o tēnei ka nui atu ngā tāngata ka whiwhi i ā rātau mōhiohio ki tērā e tika ana, me te whakanui ake i te tūponotanga ka takahia te matatapu. Kei te mahi Te Toihau Tāngata (SIA) i te Kaupapahere Whakamaru Raraunga me te Whakamahi hei tautoko i ngā tāngata o Aotearoa kia māmā ake te puta o ō rātau ihu i te rāngai pāpori. Ka āwhina anō te hunga e mahi ana i roto i te rāngai kia pai ake tā rātau mahi tahi ki te whakapai ake i ngā ratonga mō ngā tāngata katoa o Aotearoa.[[176]](#endnote-177) I whai wāhi mai te hunga hauā ki ngā whakahaere whakawhitiwhiti kōrero, ā, ina whakatinanahia ko te tūmanako ka whakaiti tēnei i ētahi tauārai whakatūtaki ana i te hunga hauā i a rātau e whakamātau ana ki te toro i ngā ratonga me ngā mōhiohio.

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whakahaere i tētahi ōtita, he tātari i ngā āhuatanga hoki/rānei i ngā wheako o te hunga e pā ana ki te matatapu me te tuari mōhiohio.
2. Whakahau i ngā tari rāngai tūmatanui katoa ki te whakarite ko ngā mōhiohio whaiaro ka kohia e rātau, ka puritia rānei e rātau he haumaru, ka taea, ā, kia tino iti noa te raweketia.
3. Whakarite ngā tari rāngai tūmatanui me ngā kaiwhakarato ratonga kei te mārama rātau ki ō rātau kawenga i raro i te Ture Matatapu 1993 me te Tikanga Matatapu Mōhiohio Hauora, ā, ka whakaritea ki te whakaatu he pakari ā rātau kaupapahere whakangungu me te matatapu hei whiwhi i ngā pūtea kāwanatanga—otirā i ngā āhuatanga e tukuna mā ētahi kē hei whakarato. Kei roto i tēnei ko ngā hātepe amuamu pai ake, me ngā kōrero whakaū ko ngā mōhiohio ka tukuna ki ngā kaituku amuamu ka tukuna i ngā takotoranga ka taea e te katoa.
4. Whakahaua ngā tari rāngai tūmatanui ki te tuku i ngā tuhinga ōkawa katoa i roto i ngā takotoranga ka taea, me te kōwhiringa ki te whakaoti tuihono, te whakamahi i Te Reo Rotarota o Aotearoa, me ngā āwhina rānei a ngā kaimahi tino matatau.
5. Whakarite ka arotakehia te rahinga o ngā raraunga hauora me tuku e te hunga hauā kia taea ai te toro ki ngā ratonga me ngā tautoko, ā, ka whakatairite me te whai ki te whakaiti i te tāruaruatanga, me te whiwhi i ngā mōhiohio anake e hiahiatia ana, me te whakarite kei te ū ngā tikanga tuari raraunga haumaru.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 23: Te whakaaronui ki te kāinga me te whānau

*…He mea nui te āhukahuka kia whai wāhi te hunga hauā ki ngā whai wāhitanga ki te ako ki te tiaki tamariki, te whakaputa uri, aha atu, aha atu. He mea nui hoki tēnei mō te hunga waimaero hirikapo (takiwātanga, hauātanga akoranga) i te mea ka taea te whakakotiti tō rātau mārama nā te kore e whiwhi mōhiohio e wātea ana ki a rātau mā ngā āhuatanga e mārama ana ki a rātau.*

*Kaiwhakautu rangahau*

## Kōrero whakataki

E kī ana tēnei ūpoko e whai motika ana ngā tāngata hauā ki te noho me ō rātau whānau. Me āwhina ngā Kāwanatanga i ngā whānau me ngā whakararu me ngā ratonga hauātanga. Mēnā kāore e taea e tētahi tangata hauā te noho me tō rātau ake whānau, me āwhina te Kāwanatanga ki te whakarite manaaki i roto i te whānau whānui ake, hapori rānei. E kī anō te ūpoko me whai te hunga hauā i ngā motika orite ki ngā tāngata katoa e pā ana ki ngā mōhiohio hauora whakaputa uri, me te āhei ki te mārena me te whakatipu i tōna pā harakeke.

## Kōrero whānui

Mā te whakatinana i tēnei motika kei te tautoko i ngā whānau hauā i roto i ōna āhuatanga katoa, me te uara i te tūranga o te hunga hauā hei mātua, kaitiaki hoki, ā, hei kaiwhiwhi manaaki hoki.

## Te hira o te Ūpoko 23 ki te hunga hauā i Aotearoa

E whakapono ana te hunga hauā he tino hira te motika ki te noho me tō rātau whānau me te whakatipu i tō rātau ake pā harakeke mō te whakamana i te uara ōrite o te hunga hauā.

## Te wāhi o te Ūpoko 23 onāianei i roto i te ture, tikanga hoki o Aotearoa

I whakakorehia e ngā huringa ki te Ture Oranga Tamariki 1989 ngā wāhanga aukatinga (141 me 142) i te Hōngongoi 2019. Nā ēnei wāhanga i āhei ngā mātua ki te whakauru i ā rātau tamariki hauā ki ngā whakaurunga manaaki i waho i te kāinga i waho o te mana o te pūnaha manaaki a te Kāwanatanga. E whakamana ana ēnei rerekētanga i te ōrite o ngā motika o ngā tamariki hauā kia rite ki ō ētahi atu ki te noho me ō rātau whānau, ā, kia tiakina e Oranga Tamariki.

Ahakoa kāore e aukatia ana te āhei o te hunga tamariki ki te whāngai tamariki, kei roto tonu i te Adoption Act 1955, ngā wāhanga e rua ka whakahāwea i te hunga hauā.

* E whakaaetia ana e te wāhanga 8 te tikanga whāngai me te kore whai i te whakaaetanga a te matua mēnā ko te whakatau a te kōti kāore i tika te matua nā tētahi mate ā-hinengaro, ā-tinana hoki, ā, ko te tikanga he pūmau taua whakatau. Kāore he whakarite a te Kāwanatanga ki te arotake i tēnei wāhanga.
* I raro i te wāhanga 11 me whakatau te kōti mēnā ko ngā mātua e whai ana ki te whāngai ‘kei te tika ki te whakatipu, te tiaki me te ako i te tamaiti’.

Kāore e tika te whakamana a ngā tautoko hauātanga onāianei i te tūranga o te hunga hauā hei kaitiaki, mātua rānei, nō reira ka whakatū taiepa tēnei mō te hunga hauā e ngana ana ki te whakatipu i ō rātau ake whānau.

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 23

I roto i tana Rārangi o Ngā Take, i tono te Komiti Hauātanga mō ngā mōhiohio e pā ana ki te:[[177]](#endnote-178)

* 1. *Ko ngā whakaritenga i whakamanatia mō te tirotiro anō i ngā ture e rua, te Children, Young Persons and Their Families Act 1989 [ko te Ture Oranga Tamariki 1989 ināianei] me te Vulnerable Children Act 2014, hei whakarite ka ōrite ngā whakamaru mō ngā tamariki hauā ki ngā whakamaru o ētahi atu tamariki ina whakaurua kia tiakina i waho o te kāinga;*
  2. *Ko ngā whakaritenga i tutuki ki te pīra i te wāhanga 8 o te Adoption Act 1955 me te whakatika i te ture, hei whakarite ka ōrite te manaaki a te hunga hauā ki ētahi kaitono ki te whāngai;*
  3. *Ko ngā whakaritenga i whāia me ngā here a te ture, kaupapahere hoki i whakatauhia hei whakarite kia tukuna e ngā rata me ētahi atu mātanga hauora ngā mōhiohio whānui ki te hunga ka whiwhi i ngā otinga whakamātautau hapūtanga e tohu kei te hauā, otirā te Mate Pūira Kehe (Down’s syndrome).*

I whakautu te Kāwanatanga mā te kī kāore he whakaritenga ki te arotake i te Vulnerable Children Act 2014, i te wāhanga 8 o te Adoption Act 1955 rānei. E ai ki ngā kōrero i runga ake, kua tangohia ngā wāhanga 141 me te 142 o te Ture Oranga Tamariki mai i te ture. Mō te taha ki te tātari hapūtanga, i whakaūngia e te Kāwanatanga kei te piki haere te rahinga, ā, e tukuna ana ngā taipitopito whakapā mō te New Zealand Down Syndrome Association ki ngā mātua ka whakamōhiohia he Mate Pūira Kehe te pēpi.

## He kōrero mō te whakatinanatanga o te Ūpoko 23 i Aotearoa

He mea pai kua whakakorehia ngā wāhanga 141 me te 142 o e Ture Oranga Tamariki 1989, e ōrite ana te whiwhi motika o ngā tamariki hauā ki ētahi atu e pā ana ki te whakanoho i waho o te kāinga. Engari, kei reira tonu ngā māharahara mō te tōtika me te wātea o ngā whakanōhanga mō ngā tamariki hauā ka uru ki raro i te kāwanatanga, tae atu ki tō rātau āhei kia whakanohotia rātau ki roto i ngā whānau i te taha o ō rātau tuakana, teina kāore he hauātanga.

Kei reira anō ngā māharahara e pā ana ki ētahi tamariki hauā, ka taea te noho i te kāinga, te haere ki ngā kuranoho motuhake, nā te iti o ngā tautoko e wātea ana e noho tahi ai aua tamariki me ō rātau whānau.

Kei reira tonu ngā māharahara mō ngā mātua hauā, otirā rātau he hauātanga ā-hinengaro ō rātau, he nui ake te tūponotanga ka tangohia ā rātau pēpi i te whānautanga, ā, ka riro i ētahi atu kaitiaki (me te whāngai hoki) me tā rātau kore whakaae, nā te kore tautoko hei āwhina ki te tiaki tamariki. Tāpiri atu ki tēnei, kei te māharahara te hunga hauā e hiahia ana ki te whāngai tamariki ka mātirotirohia rātau.

Ko te kōrero a ngā mātua hauā me ngā whānau whai tamariki hauā he uaua te toro ki ngā tautoko e hiahia ana rātau. Kei roto i tēnei ko te iti o ngā tautoko ā-pūtea mā ngā kaitiaki he hauā kei roto i te whānau me te kore tautoko mā te hunga hauā tiaki tamariki. Hei tauira, kei reira ngā uauatanga mō te toro i ngā pūtea mā ngā kaiwhakamāori Reo Rotarota o Aotearoa kia taea e ngā tāngata hauā te haere ake ki ngā hui a ngā Pokapū Tākaro me ngā whakangungu,[[178]](#endnote-179) te whai wāhi rānei ki ngā huihuinga mātua i ngā kura.

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whakarite kei te whiwhi ngā whānau o ngā tāngata hauā i ngā pūtea me ētahi atu tautoko e hiahiatia ana hei tiaki i ā rātau tamariki—tae atu, engari kāore i te whāiti, ki ngā āwhina i te kāinga, ngā akoranga tiaki tamariki ka taea e te katoa, me te whai wāhi atu ki ngā tautoko whitiwhiti kōrero pērā i ngā kaiwhakamāori Reo Rotarota o Aotearoa.
2. Whakarite ka tiakina ngā motika o ngā tamariki hauā ki te noho tonu ki te kāinga o te whānau mā te tuku pūtea me ētahi atu tautoko ki ō rātau whānau.
3. Tuku whakaaturanga ki te IMM e whakaū ana kāore e tangohia ngā tamariki ki tētahi kāinga i runga i te hauātanga o tētahi o te whānau, nā te kore tautoko rānei.
4. Arotakehia te Adoption Act 1955 hei whakarite ka ū ki te Kawenata Hauātanga. Otirā, kia wawe te whaiwhai i ngā tūtohutanga a te IMM ki te arotake i ngā wāhanga 8 me te 11 o te Adoption Act kia kaua rawa e rāhuitia te whāngai tamariki nā te hauātanga anake te take, te kore whai whakaaetanga rānei a te matua.
5. Whakarite ka tukuna ngā whakangungu ki ngā kaimahi kōti me ngā kaituhi pūrongo ki te kōti mō ngā motika hauātanga me te Kawenata Hauātanga, hei whakarite ka ū ki tētahi ara motika tangata.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 24: Mātauranga

*He iti rawa te hunga e tuku ana i ngā ratonga maha rawa.*

*Kaiwhakauru ki te hui*

*He weriweri kē te wāhi akoranga onāianei mō tā mātau tamāhine whāngai. Kāore i arohia atu ia, i ngaro ia i roto i tētahi akomanga e 70 ngā tamariki me ngā kaiako e toru e pōteretere haere ana. Kāore i taea e ia te ako motuhake, ka mutu ka nui tōna anipā. I uru ia ki tētahi wāhi akoranga raupapa whai tautoko i tōna kura hou, ā, i tiketike ana mahi ako.*

*Kaiwhakautu rangahau*

*Ko te whakarite a ngā kaiako auraki mō taku tamaiti kāore ia e eke ki ngā taumata i te kura tuarua. I tautokona mai tētahi kaiako kē i a ia, ka eke ia.*

*Kaiwhakautu rangahau*

*Me whai tautoko atu anō kia haere ki ngā akoranga me te hunga kāore he hauātanga. I oti i ahau te Akoranga Noho Hauora mā Sport Wellington i tērā tau. He tino rawe kē! Kei te whiwhi hua i ahau me taku hauora. I tīmata tēnei i taku pātaitanga atu ki taku rata mō tētahi Rongoā Kākāriki.*

*Kaiwhakautu rangahau*

*Kāore e āhei atu taku tamaiti ki tētahi pūtea hei tautoko i a ia ahakoa he hauātanga hinengaro FASD (Fetal Alcohol Spectrum Disorder) tōna, ā, he hauātanga kōrero me te reo tōna, ka mutu kei muri ia i te marautanga mā te rima tau…*

*Kaiwhakautu rangahau*

*Kāore he rawa tōtika, he iti rawa ngā kaiako reo rotarota o Aotearoa. Me tino kounga te taumata o ngā kaiwhakamāori me ngā kaiako he rongo, kei te mahi me ngā ākonga Turi. He maha rawa ngā kaiako he rongo, he iti rawa te Reo Rotarota o Aotearoa, ka mutu i te nuinga o te wā kāore i te mārama ki ngā ākonga Turi e whakamātau ana ki te whakawhitiwhiti me rātau.*

*Kaiwhakautu rangahau*

## Kōrero whakataki

E āhukahuka ana te Ūpoko 24 i te whai motika o te hunga hauā ki te mātauranga manaaki, kounga pērā i ētahi atu. Me ōrite te whakarite whaitake i ngā hiahia o ngā ākonga, me te motika o ngā ākonga ki te whiwhi tautoko, te whāinga o te whakaurunga whānui.

## Kōrero whānui

E whakatau ana tēnei ūpoko i te paiherenga ki runga i ngā kāwanatanga ki te whakarite kāore e aukatia te hunga hauā mai i te pūnaha mātauranga whānui, ā, kāore e aukatia mai i te mātauranga whakature utukore kura tuatahi me te tuarua nā te hauātanga te take.

## Te hira o te Ūpoko 24 ki te hunga hauā i Aotearoa

Ka whakarite tētahi pūnaha mātauranga manaaki he ōrite te tuku whai wāhitanga ki ngā tamariki me ngā ākonga hauā pērā anō i ngā whai wāhitanga o ō rātau aropā kāore he hauātanga hei whakatutuki i ō rātau pūmanawa, kia tino whai wāhi ai ki te ao hapori, otirā te whai mahi a tōna wā.

## Te wāhi o te Ūpoko 24 onāianei i roto i te ture, tikanga hoki o Aotearoa

Me mātua whakaatu tētahi pūnaha mātauranga manaaki e ū ana ki ngā whakaritenga o te Ūpoko 24 o te Kawenata Hauātanga i te:

* ōrite o te whai wāhi atu ki tētahi mātauranga whakauru, kounga;
* manaaki tōtika mō ngā hiahia o ngā ākonga hauā;
* tuku tautoko i roto i te pūnaha mātauranga arowhānui; me
* ngā whakaritenga tautoko whai kiko, takitahi, e tukuna ana i roto i tētahi wāhi e whakawhānui i te whanaketanga mātauranga me pāpori, ā, e ū ana ki te whāinga o te tino whai wāhi atu.

Ki te kore e whai wāhi atu ki te mātauranga, ka tino itiiti noa ngā huarahi o te whai mahi me te whai wāhi ki ngā kōrerorero ōhanga, tōrangapū me te kaupapahere. He wāhanga nui tō mātauranga i roto i te whanaketanga pāpori me te tūtakitaki. Nā te kore i tutuki tēnei motika ka nui ngā pānga kino ka pā mai, ā, he pūmau, he tuku iho hoki mō ngā tāngata hauā tino maha.

Ko te whakaatu a te Komiti Hauātanga he mea hira ngā mātāpono e whā (ngā 'A' e whā) e whai ake ki tētahi pou tarāwaho mātauranga manaaki.[[179]](#endnote-180)

* Wāteatanga—e whakarite ana kia ‘mātua rawaka te wātea mai o ngā whakanōhanga mātauranga me ngā kaupapa.’. Kei roto i tēnei ko ngā kaiako me ngā rawa. Hei whakarite he rawaka te nui o ngā ratonga hei whakatutuki i ngā hiahia, me whakaemi raraunga me te aroturuki.
* Whakatapoko— e whakarite ana tēnei ka whai wāhi atu katoa ki te pūnaha mātauranga whakauru whānui, tae atu ki:
  + ngā whare me ngā hangatanga ōkiko;
  + ngā mōhiohio me ngā pūnaha whakawhitiwhiti kōrero;
  + ngā pūnaha ikiiki me ngā ratonga;
  + kia uru ngā ratonga tautoko me ngā manaaki tōtika i roto i ngā wāhi mātauranga katoa, tae atu ki ngā kaupapa hākinakina me ngā mahi ā-rēhia me ngā whakaurunga; me te
  + whakatapoko ōhanga mā te mātauranga kura tuatahi koreutu me te mātauranga kura tuarua koreutu (mea pai).
* Pai te hanga—kei roto i tēnei ko ‘ko tētahi paiherenga ki te hoahoa me te whakatinana i ngā whakaurunga ā-mātauranga katoa me ngā rawa me ngā ratonga mā tētahi āhuatanga e whai whakaaro ana me te whakaaronui ki ngā hiahia, tūmanako, ahurea, tirohanga, me ngā reo o ngā tāngata hauā.’.
* Urutau—e whakarite ana ka taea tētahi wāhi mātauranga te urutau ki ngā hiahia kanorau o ngā ākonga. E whakatenatena ana te Komiti Hauātanga kia whakatinanahia ngā mātāpono o te Hoahoa Ahuwhānui mō te Akoranga (Universal Design for Learning, UDL), tuku ana i ngā kaiako ki 'tētahi hanganga hei waihanga i ngā wāhi akoranga urutau me te waihanga tohutohu hei whakatutuki i ngā hiahia kanorau o ngā ākonga katoa'. E whakatenatena anō e te Komiti Hauātanga kia whakarērea ngā aromatawai me ngā whakamātautau arowhānui ka whai i tētahi kaupapa e āhukahuka ana i te anga whakamua o te ākonga ki ōna whāinga whānui, ngā huarahi rerekē mō te ako, ngā tohutohu ngāwari me ngā āhuatanga maha o te aromatawai i te ākonga.

I te tau 2016, i whakataputaina e te Komiti Hauātanga tētahi Kōrero Whānui mō te motika ki te mātauranga whānui.[[180]](#endnote-181) E aromātai ana te Kōrero Whānui me pēhea te āhua o te whakaurunga me te manaaki tōtika i ngā taumata katoa o tētahi pūnaha mātauranga.

Ko ngā raruraru pūnahanaha me te whakaurunga i roto i te pūnaha mātauranga o Aotearoa kura kōrerotia, kua hōparatia hoki i roto i ngā arotake me ngā pūrongo maha.[[181]](#endnote-182)

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 24

I puta ngā māharahara o te Komiti Hauātanga kāore he motika whakaū mō te mātauranga whakauru. I tūtohu i ētahi mahi atu anō hei whakatakoto i tetahi motika whakaū ki te mātauranga, hei whakanui ake i te tuku i te manaaki tōtika i roto i te mātauranga tuatahi me te tuarua, me te whakapiki i ngā taumata o te uru ki te mātauranga tuatoru mā te hunga hauā.

I te tau 2016, i tūtohu te Komiti mō te Kawenata a Te Kotahitanga o Ngā Whenua o te Ao mō Ngā Motika o te Tamaiti me ū te arotake i te Ture Mātauranga 1989 ki ngā whakaritenga me ngā mātāpono o te Kawenata Hauātanga. I te tau 2018, i tūtohu Te Kawenata ā-Ao mō Ngā Tika Ōhanga, Pāpori me te Ahurea me ōrite te ture o Aotearoa, otirā ētahi whakaritenga o te Ture Tika Tangata 1993 me te Ture Mātauranga 1989 e pā ana ki ngā motika o te hunga hauā.

I kī te Kāwanatanga kei reira tētahi motika whakaū ki te mātauranga kei roto i te Ture Mātauranga. Ina whiriwhiri ana i ngā whakaaturanga katoa e pā ana ki ngā putanga mō te hunga hauā i roto i te pūnaha mātauranga, e whakahē ana te IMM ki tēnei kōrero. Kāore anō puta he hua tōtika i tēnei ture, hei kaupapa tiaki matua, i roto i ngā tikanga mō te āwhina i ngā mātua, ā rātau tamariki hauā, me te whai wāhi atu o ngā whānau ki te motika ki te mātauranga whakauru.

## He kōrero mō te whakatinanatanga o te Ūpoko 24 i Aotearoa

I te 2016, i kī te IMM:

* kāore anō kia whakaturehia te motika ki te mātauranga whakauru; kāore hoki i tika te whakauru ki ngā rautaki kaupapahere me ngā mahere;
* kāore he whakaritenga raupapa me te whakatau tikanga i waenga i ngā rōpū rāngai hauātanga me te mātauranga;
* kāore i te pakari ngā tukanga whakaemi raraunga e taea ai te aromatawai whaitake me te aroturuki i te anga whakamua;
* kāore i oti he paku aha i roto i te toru tau i muri mai ki te whakatika i aua māharahara; ā,
* he uaua te aroturuki i te whakatinanatanga o tēnei ūpoko, nā te kore raraunga hauātanga mātauranga kounga. Me mōhio mātau he aha ngā tautoko e hiahiatia e tēnā, e tēnā.

Mai i te tau 2016 kei reira ngā raruraru nui e tārewa ana mō te mātauranga manaaki mō ngā ākonga hauātanga i Aotearoa. Kei roto ēnei:[[182]](#endnote-183)

* te tuku pūtea ki ngā pou tarāwaho kāore i ahu mai i ngā raraunga tukipū tika, ā, kāore he tikanga i tēnei hei urupare ki te nui haere o te rārangi ākonga, te tipu rānei o ngā hiahia;
* te tino iti rawa o te tuku pūtea i roto i te wā roa (ka mate ngā kura ki te rapu moni mai i ētahi atu wāhi o te tahua a te kura);
* te tino iti rawa o te tuku pūtea mai anō ki ngā kaiwhakamāori NZSL e aukati ana i ngā tamariki me ngā taiohi Turi ki te tino whakauru ki ā rātau akoranga. Hei tauira, ko ngā kaiāwhina e tino tautoko ana i ngā tamariki me ngā ākonga turi i te nuinga o te wā he āhua tapepa ake ō rātau pūkenga reo i ngā pūmanawa reo NZSL ake o ngā ākonga;
* kāore he kōwhiringa tōtika mā ngā tamariki me ō rātau whānau (kōwhiringa i waenga i te wheako koretake i te kura/akomanga auraki, te wehe rānei ki ngā kura motuhake);
* he tōmuri te kite, te whakatau rānei (ngā rārangi tatari roa me te iti o ngā ratonga hei urupare);
* tētahi Kaupapa Tuku Pūtea Pūmau kāore e taea e te nuinga o ngā tāngata;
* kāore i te urupare ki roto i te wā tika mō ngā wawaotanga mātanga me ngā tautoko;
* he tōmuri te tuku i ngā whakatikanga e hiahiatia ana ki ngā whare o te kura;
* he iti noa te utu i ngā kaiāwhina, he itiiti noa ētahi atu kaimahi tautoko, he kore haumi ki ngā whakangungu, me te iti rawa o ngā haora tautoko. Ko te tikanga o tēnei ka aukatia ngā tamariki hauā mai i ngā huihui whakawhanaunga, ka tōmua te uku ki te kāinga hoki/rānei, ko te mutunga atu ka mate ngā whānau ki te whakawhirinaki ki te utu moni whiwhi kotahi, ka tonoa rānei kia utua ngā ora mō e kaiāwhina;
* he takarepa ngā whakangungu me ngā rauemi mā ngā kaiako ki te urupare tika ki ngā hiahia o ngā tamariki. Ko te kōrero a ētahi kaiako kāore te Tikanga o te Kawenga Ngaio me Ngā Paerewa mō te Ara Kaimahi Kaiako i te hāngai ki te whakatipu i te ngākau titikaha o ngā kaimahi kei te mura o te ahi e whakatūtaki ana i ēnei uauatanga;
* nā te iti rawa o ngā raraunga tukipū me ngā mōhiohio mō te whai wāhi o ngā tamariki me ngā taiohi hauā me ngā putanga mātauranga. I roto i tana whakautu ki tētahi tono raraunga IMM, i whakaū Te Tāhuhu o Te Mātauranga i te kore raraunga mātauranga wehewehe whai kounga mā te hauātanga;
* kāore he pūtea tika me ngā whakaritenga tika mō ngā wāhi whakawhiti (kura kōhungahunga ki ngā kura tuatahi, kura tuarua me te mutunga o te kura me te whai mahi);
* ngā whakaaturanga paki o ngā tamariki hauā e whakahāweatia ana (me 'ngā marohi' ki a rātau kia haere ki tētahi atu kura, kia aukatia hoki/rānei mai i ētahi atu wāhanga o te pūnaha kura);
* ngā whakaaturanga paki i tino nui te kitea o ngā tamariki hauā i roto i ngā tatauranga aukatinga;[[183]](#endnote-184)
* he nui rawa te kitea o ngā tamariki hauā i roto i ngā tatau whakaweti me te whakapārurenga;
* ngā tūmanako iti o ngā ētahi kaiako me ngā mātua;
* kāore he tikanga takohanga i roto i te pūnaha mō ngā putanga o ngā taiohi hauā; me
* te kore o te kitea o ngā tamariki hauā i roto i ngā pūrongo o ngā kura (whai wāhi, whakauru me te whakatutukitanga).

Ko ngā whakautu e whakarārangi ana i ngā whakapātaritari mātauranga tino whānui i whiwhi i te IMM i roto i tana rangahau whakawhitiwhiti kōrero e whakaata ana i te āhua pūnahanaha o ngā raruraru. I whakaarahia e ngā tāngata ngā māharahara tōtika pērā i te kore o ngā tautoko hāngai ake, te kore whai kaiwhakamāori Reo Rotarota me ētahi atu rauemi whitiwhiti kōrero, te kore āwhina me ngā tautoko aropā hei wherawhera i ngā tautoko me ngā kōwhiringa, me te hiahia kia whakanui ake ngā whakangungu mā ngā kaiako mō te whakaurunga. I kī tētahi matua i runga i te rangahau tuihono a IMM ko te wairua o te pūnaha he pēnei i te mea ‘me whakamoemiti koe mō ngā tautoko ka whiwhi koe’. He maha ngā tāngata i kī i waingaiotia rātau mēnā he hauātanga tō rātau, me te kī anō ka tau mai te whakamā, pōkaikaha me te kore e ngākau titikaha nā tētahi pūnaha kore whakauru.

He rangirua, me te whakaiti mana hoki ngā whakaritenga tuku pūtea mō te tautoko i ngā ākonga hauā i roto i te mātauranga. Ko ētahi mate pērā i te Fetal Alcohol Spectrum Disorder (FASD) he iti noa, he kore rānei te whiwhi tautoko. Kāore e mārama ki te tangata mēnā ko wai te hunga e tika ana ki te tuku tautoko mō tētahi momo āhuatanga ko Te Tāhuhu o Te Mātauranga, ko Te Manatū Hauora rānei. He teitei rawa ngā taumata mō te whiwhi tautoko: *'Ka aha mēnā kāore te tangata e whiwhi pūtea i te mea kāore i tino hauā rawa?'*[[184]](#endnote-185)

Kei te arotahi tonu te hanganga mātauranga ki te whakaako i te tamaiti 'pakari' me te whakahāngai i te ākonga hauā ki roto i te kura, me ētahi whakaritenga kua whakaurua mai hei manaaki i ngā matea ako o te ākonga hauā. Kia mahi ai te pūnaha mō ngā ākonga katoa, me whānui te whakauru mā te āhukahuka me te mōhio ki te whānuitanga o ngā kanorautanga i roto i ngā āhuatanga mātauranga. E tohu ana ngā whakaaturanga ka mate ko ngā ākonga tokomaha nā te whakaako ki 'aua ākonga anō'.[[185]](#endnote-186) Hei whakarāpopoto ake, me neke te pūnaha mātauranga o Aotearoa mai i tētahi pūnaha aukati ki tētahi mea tino whakauru.

E māharahara ana te kitea inā tata nei o te hoki mai, i ētahi wāhanga, ki ngā tikanga mātauranga wehewehe.[[186]](#endnote-187) E whakaae ana te IMM—otirā i roto i te Mahere Mahi Tautoko Akoranga[[187]](#endnote-188)—he hiahia nō te Kāwanatanga kia pai ake te tautuhi i te hunga kei te hiahia tautoko (otirā te hunga hauātanga io tōpū), me te tuku tautoko ki a rātau i te wā tika me te āhuatanga tika. Engari, kāore i waihanga ngātahitia ēnei kaupapa i roto i te whakamanatanga, whakatinanatanga rānei. Kāore anō kia whakaurua mai ki ētahi atu ara mahi mātauranga, ā, te āhua nei kāore he urupare pūnahanaha ki tēnei take puta noa i te kāwanatanga.

Kei te kipakipahia haeretia e te Kāwanatanga ngā whakahounga tino nui ki te pūnaha mātauranga puta noa i ngā taumata maha. E mōhiotia whānuitia ana kāore te pūnaha mātauranga onāianei i te tino whakatikatika i ngā hiahia o ngā taiohi hauā. E whakaae ana te IMM ka taea e ēnei whakahounga te whakarite i ngā raru maha onāianei. He 30 tau te matakitenga a ngā whakahounga, nō reira he mea nui kia whāwhai te whakatikatika i ngā raruraru e pā nei ki te hunga taiohi hauā.

Kei te whakaurua e te Kāwanatanga ngā tāngata hauā ki roto i ngā tūmomo wāhanga o ngā whakahounga; engari i tēnei wā kāore i te tino mōhio he aha te huringa pūnahanaha whaitake mō ngā tamariki me ngā taiohi hauā katoa i roto i te pūnaha mātauranga me ō rātau whānau.

Me whakatikatika te Kāwanatanga i ngā waiaro huna me ngā whakahāwea, te whakapakari i te mātau ki ngā take hauātanga, te kanohi kitea, ngā tūmanako, me te whai takohanga mō ngā whanonga kore whakauru o ngā kaiārahi kura me ngā kaimahi. He mea pai ngā āwhina iti noa kua whakaurua mai, pērā i te whakariterite pai ake i ngā ratonga me ngā tautoko onāianei, ngā whakapaunga atu anō ki ngā whare onāianei, engari he iti rawa ēnei. Ko ngā tikanga pērā i te *Tikanga Kawenga Ngaio me Ngā Paerewa mō te Umanga Whakaako* me whakahou me te whakapakari kia aro ai ki ngā whakapātaritari ki te wairua whakauru i tautuhia e te rāngai.

Mēnā ka whakamanatia te waihanga ngātahi whaitake i roto i te wāhi mātauranga, ā, ka pai ake pea te āhua o ngā whakatau whakahou i te mātauranga o nā noa nei. Me whakatū Te Tāhuhu o Te Mātauranga i tētahi Rōpū Tohutohu Mātauranga Whakauru rāngai-maha o ngā rōpū hauā me ngā rāngai mātauranga.

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whāwhai te whakauru i tētahi motika ka taea te whakaū kia ngākau tuwhera te āhua o te mātauranga hei āhuatanga hira nō te pou tarāwaho ā-ture, me te whakarite i ngā rawa kia ōrite ai te wāteatanga.
2. Whakauru i te waihanga ngātahi ki ia wāhanga o te tukanga whakatikatika i te mātauranga.
3. Whakatū i tētahi rōpū wānanga, tae atu ki te hunga hauā mā ō rātau whakahaere whakakanohi me te tuku pūrongo tōtika ki te/ngā Minita o Te Tāhuhu o Te Mātauranga kia mahi i ngā kaupapa mātauranga hira.
4. Arotake, hei kaupapa matua, i ngā tauira tuku pūtea ki ngā ākonga onāianei hei whakarite ka tuku rātau i ngā tautoko whaitake kia ōrite ai te whai wāhi o ngā ākonga hauā katoa ki te mātauranga.
5. Whakarite i te whakatinanatanga o ngā rōpū whiriwhiri amuamu me te whakatau amuamu e marohitia ana te waihanga ngātahi i te taha o te hunga hauā me ngā whānau kia mātua whiwhi ai i ngā urupare i te wā tika, whaitake hoki ina kitea kāore i te tōtika te manaaki, me tētahi rongoā me te puretumu i roto i te wā tika, whaitake hoki.
6. Whakarite he haumaru, he nawenawe hoki te tuari raraunga me ngā mōhiohio mai i tētahi tirohanga ā-motika.
7. Whakauru mai me te whakapakari i ngā whakangungu whaitake, te whanaketanga me te anga whakamua mō ngā kaiako me ngā kaiārahi mātauranga hei whakarite he tiaki, he manaaki i te tamariki kanorau, tae atu ki aua hauātanga io tōpū, hauātanga huna rānei.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 25: Hauora

*Ka mahue te tangata ko ia me tōna kotahi, kāore mō te whakaongaonga i a ia rānei. Ka hōhā, ka pōkaikaha te tangata. Ā, mēnā ka auhi te tangata, ko te whakapae ko te mate te pūtake o te pukuriri me te auhi.*

*Kaiwhakauru ki te hui*

*Ngā whakapae me ngā whakaaro totoka. He mate hinengaro tōku, ā, ehara i te mea ka puta atu ahau ki waho me te unu i ōku kākahu, te kōhuru ranei i te tangata. Me rapu mōhio, me mōhio ki ahau.*

*Kaiwhakautu rangahau*

*Te whai wāhi ki te ratonga hauora whaiutu, i te nuinga o te wā kāore ahau e haere ki te rata nā te nui o te utu mō te kite i a ia me ngā rongoā, kua hē katoa ōku niho nā ōku mate, ā, he nui te mahi hei whakatikatika; engari, kāore he utu āwhina. Nā te kore ngāwaritanga i roto i te mātauranga, whai mahi rānei kia tū pakari i roto i ngā uauatanga hauora, ā, kia piki te ora ina māuiui ana.*

*Kaiwhakautu rangahau*

## Kōrero whakataki

E āhukahuka ana te Ūpoko 25 kei te hunga hauā te motika ki te whai i te taumata hauora ka taea me te kore aukatinga nā te take hauātanga te take. Me koreutu, me whaiutu rānei ngā ratonga hauora, te urupare ki ngā take ira tangata, ā, kia ōrite te whānui me te kounga ki ērā e wātea ana ki te hunga kāore he hauātanga.

## Kōrero whānui

He mea nui kia taea e te hunga hauā te eke ki te taumata hauora tinana me te hinengaro tiketike. Hei whakatutuki i ēnei motika, he mea nui kia whakangungua ngā mātanga hauora hei tuku i ngā manaakitanga kounga ki te hunga hauā pērā i te hunga kāore he hauātanga, i runga i te take whakaaetanga herekore, mārama hoki. Me wātea mai ngā ratonga hauora me te whakamaimoatanga ki te hunga he waimaerotanga tauwhāiti tō rātau, ā, me whakarite ngā ratonga ka kitea ngā mate, ka tautokona, kia tōmua tonu.

## Te hira o te Ūpoko 25 ki te hunga hauā i Aotearoa

Neke atu i te kotahi miriona ngā tāngata hauā i Aotearoa.[[188]](#endnote-189) Ko te hunga he hauātanga ō rātau, otirā he hauātanga ako/hinengaro, he kino ake ō rātau hauora i te iwi whānui ake o Aotearoa, ā, he poto ake ō rātau rā, he nui ake te tūpono pā mai o ngā mate mau tonu.[[189]](#endnote-190) He nui ake te tūpono pā mai o te hauātanga ki te iwi Māori me ngā iwi o Te Moananui-a-Kiwa tēnā i te iwi whānui ka mutu he tino hē kē ngā putanga hauora me te hauātanga i ngā wāhi maha.[[190]](#endnote-191)

## Te wāhi o te Ūpoko 25 onāianei i roto i te ture, tikanga hoki

Ka whakarite te Putanga 3 o te *Rautaki Hauātanga o Aotearoa* 2016–2026 i te 'hauora me te oranga'. He arotahi ki te turaki i ngā tauārai e aukati i te toro a te hunga hauā ki ngā ratonga hauora matua, me te whakarite ka tukuna ngā mōhiohio mō ngā ratonga hauora me te hauātanga ki ngā takotoranga ka taea e te katoa. E kī anō te Putanga 3 me whakaaronui ki ngā tāngata o ngā hapori Māori me Te Moananui a Kiwa, ā, me whai wāhi ki ngā ratonga e hāngai ana ki ngā ahurea.

E whakapau kaha ana Ngā Tikanga me Ngā Ratonga Hauora me te Hauā Mō Ngā Motika Kiritaki[[191]](#endnote-192) (Ngā Tikanga), mō ngā motika tauwhāiti 10 ina toro ana i tētahi ratonga hauora, hauātanga rānei i Aotearoa. E whiriwhiri ana Te Toihau Hauora, Hauātanga i ngā amuamu mō ngā takahitanga o Ngā Tikanga, ā, 92 ngā amuamu i tae atu ki a rātau mō ngā kaituku ratonga hauātanga i waenga i te 1 o Hōngongoi 2018 me te 30 o Pipiri 2019. 181 ngā amuamu i whiwhi i Ngā Kaitautoko[[192]](#endnote-193) mō ngā ratonga hauātanga mō taua wā anō. Ka kitea anō i roto i te pūrongo ā-tau 2018 a te Toihau ngā tātaritanga mō ngā amuamu hauātanga i whiwhi i te Toihau me Ngā Kaitautoko i roto i taua wā. [[193]](#endnote-194)

Ko te whai a te Take Tūmahi 9(c) o te Mahere Mahi Hauātanga o Aotearoa 2014–2018 he whakapai ake i te whai wāhi ki ngā ratonga hauora mā ngā tāngata he hauātanga hinengaro/ako tō rātau. Kua whakamōhiotia atu te IMM kua whiwhi i ngā minita Kāwanatanga ngā whakamāherehere mō ngā tūmahi e marohitia ana hei whakapai ake i ngā putanga hauora me te uru ki ngā ratonga mā ngā tāngata he hauātanga hinengaro/ako tō rātau; engari, kāore anō kia tukuna tēnei ki te IMM.

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 25

I roto i tana pūrongo Kitenga Whakamutunga i te tau 2014, i puta ngā āwangawanga o te Komiti Hauātanga mō ngā tauārai e pākati tonu ana i te hunga hauā—otirā te hunga hauā he hauātanga hinengaro/ako tō rātau—mai i te tino toro atu ki ngā ratonga hauora, tae atu ki ngā manaaki hōkakatanga me te whakaputa uri. I tūtohu te Komiti Hauātanga kia whāia ētahi atu whakaritenga hei tuku ki ngā tāngata hauā ngā ratonga hauora whānui mā ngā tāngata hauora katoa.

I taua wā anō, i puta ngā māharahara o te Komiti Hauātanga he tino kino ngā putanga hauora o te Māori i Aotearoa. I puta anō ngā māharahara o te Komiti Hauātanga mō te kaha pā mai o te hauātanga ki te taupori Māori nā ngā uauatanga oha-pori. I tūtohu te Komiti Hauātanga kia whakakahatia ngā whakaritenga hei whakarei ake i ngā putanga o te hunga hauā Māori me Te Moananui-a-Kiwa.

## He kōrero mō te whakatinanatanga o te Ūpoko 25 i Aotearoa

He nui ngā mahi e hiahiatia ana hei whakarite kia ōrite ngā putanga hauora o te hunga hauā ki te taupori whānui o Aotearoa, ā, kei te māharahara tonu te hapori hauā mō te kore anga whakamua i tēnei wāhi.

He nui tonu ngā māharahara o te IMM mō ngā rerekētanga hauora o te hunga he hauātanga hinengaro/ako tō rātau.

E āhukahuka ana te Kāwanatanga he nui ake ngā rerekētanga hauora mō te Māori, tēnā i ētahi atu rōpū taupori. Kei te waihanga te Kāwanatanga i tēnei wā i tētahi Mahere Mahi Hauora Māori hei whakatinana i te Rautaki Hauora Māori. I whakahoutia a *Whāia Te Ao Marama 2018-2022*: *He Mahere Mahi Hauātanga Māori* i te Paengawhāwhā 2018.

Kei te whakahaeretia e Te Rōpū Whakamana i Te Tiriti o Waitangi tētahi Uiui Kaupapa Ratonga me Ngā Putanga Hauora (Wai 2575) mō ngā rerekētanga pūmau e pā mai ana ki te Māori. E whakaatu ana te Wāhanga 1 i ngā wāhanga māharahara nui e pā mai ana ki ngā ratonga hauora matua, ā, ka whakatikatika te Wāhanga 2 i ngā putanga kā pā ki ngā tāngata whaikaha. Kei te whakahoutia anō *Pathways to Pacific Health and Wellbeing* kia pai ake te tautoko i ngā putanga mō te hunga hauā o Te Moananui-a-Kiwa.

He nui ngā mahi kua oti i Te Manatū Hauora ki te whakamana i ngā whakahaere o te waihanga ngātahi mā āna mahi hoahoa i roto i te takahuri i te pūnaha hauātanga mā ngā mātanga o Enabling Good Life. Engari, kāore anō kia whakaūngia e te Manatū ēnei mātāpono anō me ēnei tikanga ki roto i te waihanga me te whakatinana i ngā ture me ngā kaupapahere, me ētahi atu whakahaere whakatau tikanga puta noa i te pūnaha hauora me te hauātanga, e ai ki te Ūpoko 4(3) o te Kawenata Hauātanga.

Mō te taha ki te whaikanohi tōtika o te hunga hauā ki ngā mahi poari whakahaere i roto i te pūnaha hauora me te hauātanga, i raro i ngā whakaritenga o te Public Health and Disability Act 2000, kei te Minita Hauora te mana ki te tohu i ngā mema ki ngā tūmomo poari, komiti me ētahi atu poari whakahaere hauora me te hauātanga. Kei roto i tēnei ko ngā komiti a ngā minita, ngā poari hauora ā-rohe, ngā poari o ētahi atu whakahaere hauora me te hauātanga tūmatanui, me ngā poari uiui hauora. Kāore anō kia whakamanatia te whai kanohitanga ake o te hunga hauā ki ngā poari whakahaere hauora me te hauātanga, kāore i te whakaemitia auautia te āhua hauātanga o ngā mema, kāore hoki i te aroturukihia te whai kanohitanga. Waihoki, ina wātea mai ngā mōhiohio mō te whai kanohitanga o te hunga hauā, kāore taua whai kanohitanga i te ōrite, ā, kei kīia he whakapai kanohi noa iho, pērā i ngā rangatira Māori me Te Moananui a Kiwa i roto i aua āhuatanga anō.[[194]](#endnote-195),  
,[[195]](#endnote-196)

Otirā, ahakoa i te herea ngā poari hauora ā-rohe e te Public Health and Disability Act kia whai i tētahi Komiti Tohutohu Tautoko Hauātanga hei tohutohu i te poari mō te whakaratonga whaitake o ngā ratonga hauātanga, kāore e herea kia whai mematanga te hunga hauā i raro i te Ture.

E kī ana te Public Health and Disability Act kei ngā poari hauora ā-rohe te kawenga, i tua atu i ētahi mahi, ki te , 'hāpai i te whakauru me te whakatairanga ki te iwi whānui me te noho motuhake o te hunga he hauātanga ō rātau'.[[196]](#endnote-197) Engari, ka tuku pūtea tōtika atu Te Manatū Hauora ki te Disability Support Services, kaua mā ngā poari hauora ā-rohe—nō reira kua kore e mārama te wāhanga ki ngā poari hauora ā-rohe e pā ana ki ō rātau herenga mō te tuku tautoko ā-hauātanga. E pēnei ana ahakoa te wāhanga 22(1)(c) me te (d) o te Public Health and Disability Act e whakarite ana me hāpai tētahi poari hauora ā-rohe i ēnei whāinga e whai ake:

* kia whaitake te manaaki, te tautoko rānei i a rātau me whiwhi i ngā ratonga tautoko hauora matawhaiaro, ngā ratonga tautoko hauā rānei mō rātau anō; me
* te whakauru me te whai wāhi ki te iwi whānui me te noho motuhake a te hunga hauā.

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whakahoutia te Public Health and Disability Act 2000 hei whakauru i ngā whakaritenga whai kanohi ai te hunga hauā ki ngā tūru poari whakahaere puta noa i te pūnaha hauora me te hauātanga.
2. Whakauru mai i ngā tauira auaha mō te tuku pūtea me ngā tautoko hauātanga ngāwari, me te tuku pūtea tika ki aua tauira, kia taea e te hunga hauā te āhuatanga hauora tiketike rawa ka taea e rātau; me te whakatere ake i te whai wāhi atu ki tētahi ara Enabling Good Lives a-motu.
3. Tahuri ki te whakamārama i te tūmanako kei ngā poari hauora ā-rohe ki te tuku i ngā tautoko ā-hauātanga, otirā e pā ana ki te wāhanga 22(1)(c) ne te (d) o te Public Health and Disability Act 2000.
4. Whakatinanahia ngā tūtohutanga a te IMM o mua kē e whakatikatika ana i ngā rerekētanga o te tūmanakohanga ora mō te hunga hauā, otirā rātau he hauātanga hinengaro/ora me te hauātanga ā-pāpori ō rātau. Mahi me te hunga hauā me ō rātau whakahaere whakakanohi hei whakatū i tētahi kaupapa hauora matawhānui me te aroturuki.
5. Whaiwhai i ngā putanga o te Wāhanga 1 me ngā whakawātanga o te *Wai 2575* Te Uiui Kaupapa Ratonga me Ngā Putanga Hauora e heke iho nei.
6. Whakarite ka waihanga ngātahitia me ngā tāngata hauā ngā kaupapa e aro ana kia ōrite te whai wāhi ki ngā ratonga hauora mā te hunga hauā.
7. Whakarite i tētahi whakahaere waihanga ngātahi me te hunga whai wheako ki te hauātanga ā-pāpori mō te whakatinanatanga o ngā tūtohutanga o *He Ara Oranga: Te Pūrongo a te Uiui Kāwanatanga ki te Hauora Hinengaro me te Waranga*,[[197]](#endnote-198) me te whakarite ka tika te tuku pūtea ki a rātau ki te whakahaere i ēnei mahi.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 26: Te whakapakari ake me te whakaoranga

[Me whai] hanganga me ngā kaimahi tautoko kia taea ai te noho motuhake me te whakatapokotanga.

Kaiwhakauru ki te hui

Me mutu te whakatau i te tikanga kotahi ki runga i a mātau katoa. He rerekē katoa mātau. E hiahia ana mātau kia tino kaha rawa te noho motuhake, ā, ehara i te mea kāore i te uaua ki a mātau. Āwhinatia mātau kia noho tino takitahi tonu tō mātau āhua, ā, kaua rawa e whakamātau ki te whakatika i a mātau, engari me taituarā i a mātau.

Kaiwhakautu rangahau

## Kōrero whakataki

E kī ana te Ūpoko 26 me āhei te hunga hauā me te mau tonu ki tērā e tino taea ana te noho motuhake, te kaha ā-tinana, hinengaro, whakawhanaunga me te mahi, ā, me uru ki ngā āhuatanga o te ora. Me tuku ngā tautoko hei whakarite, whakakaha me te whakawhānui ake i ngā ratonga me ngā kaupapa whakapakari ake me te whakaoranga, otirā mō te taha ki ngā ratonga hauora, whai mahi, mātauranga, pāpori hoki.

## Kōrero whānui

He mea waiwai kia whai wāhi atu te hunga hauā ki te whakapakari ake me te whakaoranga ki tētahi taumata teitei. Hei whakatutuki i tēnei, he mea nui kia wawe tonu te tīmata o ngā ratonga whakapakari ake me te whakaoranga, ā, kia whai i tētahi ara pūkenga maha ki ngā hiahia me ngā kaha takitahi. Me tautoko ana te hunga hauā kia whai wāhi atu ki ngā āhuatanga katoa o te iwi whānui. He mea nui kia hāpaitia e te Kāwanatanga te waihanga i ngā whakangungu mā ngā mātanga me ngā kaimahi e mahi ana i roto i ēnei ratonga. Me whakatenatena anō te Kāwanatanga i te wātea mai, ngā mōhio me te whakamahinga o ngā pūrere me ngā hangarau āwhina i hangaia mā te hunga hauā e toro i ngā ratonga tautoko whakarauora.

## Te hira o te Ūpoko 26 ki te hunga hauā i Aotearoa

He mea waiwai te whakarite ka wātea mai ngā ratonga whakapakari ake me te whakaoranga tōtika, whakatapoko hoki ki te hunga hauā hei tautoko i ō rātau hiahia ā-tinana, ā-tairongo, ā-pūkenga, ā-hinengaro, ā-pāpori hoki. Ka taea e ngā whakaoranga whaitake te tuku ngā utauta hauā e hiahiatia ana e te hunga hauā kia taea ai te noho motuhake me te rangatiratanga.

## Te wāhi o te Ūpoko 26 onāianei i roto i te ture, tikanga hoki

Kua whakamōhio atu te Kāwanatanga ki te IMM e tuku pūtea ana rātau ki ngā tūmomo ratonga whakapakari me te whakaoranga hei āwhina i te hunga hauā kia noho tonu, kia hoki rānei, ki ō rātau ake kāinga, hapori rānei, kia noho motuhake, me te whakauru ki te mātauranga, te ohu mahi, me te iwi whānui. Anei ētahi tauira:

* ngā ratonga whakamaimoa me te whakaoranga;
* ngā ratonga utauta me te whakatikatika;
* ngā ratonga whakaoranga mā ngā tāngata hara hauā ā-hinengaro/ako; me
* te ratonga whakarauora atarua.

Ko ngā kaituku pūtea whakaoranga matua a te Kāwanatanga ko:

* ngā poari hauora ā-rohe, e utu ana i ngā whakaoranga hauora, hauora hinengaro, ā-taipakeke hoki;
* ACC, kei a ia te kawenga mō te ārai wharanga, whakaoranga me ngā tautoko mō ngā hiahia ā-wharanga
* Te Manatū Hauora, he utu i ngā whakaoranga ā-hauātanga, tae atu ki ngā hangarau āwhina mā ngā tāngata waimaero ā-tinana, ā-hinengaro, ā-tairongo, me ngā whakatikatanga ki ngā whare;
* Te Manatū Whakahiato Ora, he utu i ngā moni whiwhi, me ngā āwhina me ngā tautoko ki te whakauru ki te mahi me te hapori; me
* Te Tāhuhu o Te Mātauranga, he utu i ngā whakaoranga mō ngā tautoko akoranga (e mōhiotia ana ko te mātauranga motuhake i mua).

E whakahaerehia ana te nuinga o ngā mahi whakaoranga e utua ana e te kāwanatanga e ngā kaituku ratonga hauā mā ngā whakaritenga kirimana. He maha ēnei whakahaere he tuku ratonga anō mā ā rātau pūtea kaupapa aroha.

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 26

Kāore i tukuna e te Komiti Hauātanga ngā tūtohutanga ake mō te Ūpoko 26 i roto i tana Kitenga Whakamutunga o te 2014. Engari, i tuku kōrero te Komiti Hauātanga i raro i te Ūpoko 13 (Te whai wāhi ki te ture) i kī ko te āhua nei kāore he aronga motika tangata a ACC, ka mutu he iti noa te kōrerorero tahi me te hunga i hauā nā te wharanga.

## He kōrero mō te whakatinanatanga o te Ūpoko 26 i Aotearoa

I whakaūngia e te Kāwanatanga te *Western Pacific Regional Framework on Rehabilitation* hukihuki i te tau 2018.[[198]](#endnote-199) Kei roto i tēnei pou tarāwaho ko te piki haere o ngā tono mō ngā ratonga whakaoranga kounga i roto i te Rohe o te Uru o Te Moananui-a-Kiwa, me te whakarārangi i ngā whakapātaritari e pā ana ki ngā pūnaha hauora whakapakari hei whakapai ake i ngā ratonga. I kī te Kāwanatanga ko tāna i tūmanako kia whakahaerehia he rangahau whakaoranga ā-motu whakatakoto paerewa i te tau 2019 engari kua tōmuri tēnei. Ko te kōrero a te Kāwanatanga ka āwhina tētahi rangahau ki te whakapakari ake i ngā ratonga whakaoranga ā-motu kia hāngai ki te Ture Paerewa 3 a Te Kotahitanga o ngā Iwi o te Ao, e whakaatu ana ki ngā whenua:[[199]](#endnote-200)

…me whakarite kia tukuna ngā ratonga whakaoranga ki te hunga hauā kia taea e rātau me te mau tonu ki tō rātau tino taumata ka taea o te noho motuhake me te noho pai.

Kua puta ētahi māharahara i ngā mema o te hapori hauā mō ngā rerekētanga o te tuku a ACC i ngā ratonga whakaoranga, tēnā i ētahi atu ratonga whakaoranga e utua ana e te kāwanatanga. Hei tauira, ko te hunga ka whara, ka waimaero rānei nā tētahi hauata, ko te tikanga ka whiwhi, tūturu wawe hoki mai i a ACC te tautoko, maimoatanga hoki/rānei. Engari, ko te hunga i whānau hauā mai, he waimaero rānei ehara nā tētahi hauata, ko te tikanga kāore i te āhei atu ki te whiwhi ratonga i a ACC, engari ka taea te toro ki ngā ratonga whakaoranga mā ngā poari hauora ā-rohe, Te Manatū Hauora, Te Manatū Whakahiato Ora me Te Tāhuhu o Te Mātauranga. He uaua tēnei whakahaere, ā, ka pōkaikaha, ka mutu he nui ngā kōrero a te hunga hauā ka tukuna ngā ratonga iti iho i te tūturu, iti iho i te ngaio. Te āhua nei he whakahāwea tēnei pūnaha i runga i te pūtake hauātanga.

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Tōmua ake te tahuri ki ngā tūtohutanga a IMM hei whakatikatika i ngā rerekētanga i waenga i ngā ratonga whakapakari ake me te whakaoranga e utua ana e te ACC me aua ratonga e utua ana e ētahi atu tari kāwanatanga, hei whakakore atu i ngā rerekētanga o te taumata me te āhua o ngā ratonga. Āta whai whakaaro ki te hunga hauā i whānau mai me tētahi waimaerotanga, me rātau he waimaerotanga ō rātau ehara nā te hauata.
2. Whakarite ka whai wāhi atu ngā tāngata katoa ki ngā ratonga whakapakari ake tino kounga me ētahi atu whakaritenga ārai kia kakama ai te whakatikatika me te whakangāwari i ngā waimaerotanga me te titiro kia mau tonu ki te tino noho motuhake, whakaurunga me te whai wāhi ki ngā āhuatanga katoa o te ao.
3. Whakawhānui ake i te whai wāhi atu, me te tuku pūtea tika, ki ngā tūmomo ratonga whakapakari ake me te whakaoranga kia whai, kia ū te noho motuhake ki tērā e taea ana, kia kaha ā-tinana, ā-hinengaro, ā-pāpori me te whai kaha ki te mahi, me te tino whakauru atu me te whai wāhi ki ngā āhuatanga katoa o te ao.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 27: Te whai mahi

Me aro ki ngā mea ka taea e te tangata te mahi.

Kaiwhakauru ki te hui

Ehara i te mea ka wawe te kore atu o te whakahāwea ā-mahi—otirā, e hia tau pea kātahi ka ōrite te whai mahi mō te hunga hauā.

Kaiwhakautu rangahau

He mahi wā tūturu tāku, ā, kei te hiahia ahau ki te kake i taku ara mahi mā te whai i ngā akoranga whakawhanaketanga ngaio. Engari, kāore he ara mārakerake o te tuku pūtea mā Ngā Kaiwhakamāori Reo Rotarota mō ngā mātauranga whanaketanga ngaio pūmau, ka mutu kei te uaua ki ahau te rapu pūtea me ngā ara e karo ai i ēnei ture. He whāiti, he pōtae hoki kei runga i ngā pūtea onāianei mō ngā tautoko whai mahi, ā, kua pau katoa ngā pūtea e wātea mai ana ki ahau. He mea nui ngā mātauranga me ngā whakangungu haere tonu, engari e tino whakahāweatia ana, e whakararua ana ahau i roto i tētahi wāhi.

Kaiwhakautu rangahau

Te whakahāwea nā te kore mārama o ngā kaituku mahi.

Kaiwhakauru ki te hui

## Kōrero whakataki

E whakaū ana te Ūpoko 27 i te motika o te hunga hauā kia whai wāhi atu, i runga i te tikanga ōrite ki ētahi atu, ngā mahi tōtika, i kōwhiria herekoretia me ngā āhuatanga mahi pai. Hei whakarite ka whakatinanahia tēnei motika, kei roto i ngā paiherenga o te Kāwanatanga:

* te whakarite ka whakamarutia te hunga hauā mai i te whakahāwea i roto i te whai mahi, ā, ka tōtika te manaaki;
* te tuku mahi ki ngā tāngata hauā i roto i te rāngai tūmatanui; me
* te hāpai i te motika ahuwhānui ki te whai mahi i roto i te rāngai tūmataiti.

## Kōrero whānui

He mea nui te motika ki te mahi, kia ōrite te whai wāhi ki ngā āhuatanga tika o te mahi ki te hunga hauā. He wāhi whakawhanaunga, whai tuakiri te mahi, ā, he wāhanga hira o tētahi pae oranga tōtika. He ara tēnei motika ki te whakatutuki i ētahi atu motika pērā i te kōwhiri i ngā whakaritenga noho me te whai wāhi ki te hapori.

## Te hira o te Ūpoko 27 ki te hunga hauā i Aotearoa

I Aotearoa, pērā i ētahi atu whenua whai moni whiwhi kapapori-waenga, he tino iti iho (26 ōrau) te whai mahi a te hunga hauā tēnā i te hunga kāore he hauātanga.[[200]](#endnote-201)

E hia tau tēnei rerekētanga e totoka ana, ā, kua kōrerohia i roto i ngā pūrongo a IMM o mua.[[201]](#endnote-202) He mea hira ki te hunga hauā te whai wāhi, ā, ko tō rātau hiahia kia nui ake te haumitanga ki te whakaōrite i ngā whai wāhitanga mahi me te turaki i ngā tauārai. Kia taea ai ngā rerekētanga pūmau te whakatikatika me whai i tētahi ara kōmitimiti puta noa i te rāngai mahi me ngā pūnaha whakamaru pāpori hei urupare ki ngā uauatanga heipū i ara ake nā te roa o te wā e noho kore mahia, ngā utu noa o te hauātanga, me ngā utu tāpiri o te mahi ka pupū ake mai i ngā wāhi urukore, ngā pūnaha ikiiki rānei. Ki te kore ngā whai wāhitanga whakaōrite i roto i te whai mahi me te mātauranga, he iti noa te tūponotanga ka tino whakatutukihia tō rātau motika kia whai i tētahi paerewa tika o te noho.

E hono anō ngā whai wāhitanga mahi a te hunga hauā ki te whai wāhitanga mātauranga. E ai ki tērā e whakaaturia ana i roto i te Kitenga Whakamutunga a Te Kawenata ā-Ao mō Ngā Tika Ōhanga, Pāpori me te Ahurea (ICESCR) ki Aotearoa i te tau 2018,[[202]](#endnote-203) e hiahiatia ana ētahi mahi atu anō mā te Kāwanatanga ki te whakahāngai i ngā ture o te whenua me ngā paerewa ā-ao mō ngā manaaki tōtika i roto i te whai mahi, ā, me te motika ki te mātauranga whakauru.

## Te wāhi o te Ūpoko 27 onāianei i roto i te ture, tikanga hoki o Aotearoa

E ārai ana Te Kāhui Tika Tangata 1993 i te whakahāwea nā te hauātanga i roto i ngā horopaki whai mahi me te whai mahi tōmua. E hāngai ana ngā whakaritenga ki ngā kaituku mahi rāngai tūmataiti me te tūmatanui.

E whakaaetia ana e te Wāhanga 29 o Te Kāhui Tika Tangata ētahi aweretanga e rerekē ana te manaaki, ahakoa pai, ahakoa kino te āhua, i tētahi tangata hauā i roto i te mahi ehara tēnei i te whakahāwea. Ko te whakarite mō tēnei wāhanga kāore i te ōrite ki te whakamāramatanga o te manaaki tōtika i roto i te Ūpoko 2 o te Kawenata Hauātanga, e ai ki te paiherenga ki te tuku whakatikatikatanga engari anō mēnā he taumahatanga nui rawa. Engari, nā te kore whakaritenga tika tonu mō 'taumahatanga nui rawa', ko te whaitake o te whakamanatanga me te whakaū o te paiherenga kia taea ai te manaaki tōtika ka tino whakararua. Nā tēnei ka iti ake pea ngā whangāwaritanga mō ngā tāngata hauā kia whaitake ai rātau i roto i ā rātau mahi.

Kei roto i te State Sector Act 1988 ko ngā kawenga kei runga i Te Kawa Mataaho me ngā pouārahi o ngā rāngai tūmatanui ki te hāpai i ngā whai wāhitanga whai mahi ōrite i roto i te ratonga tūmatanui. E pūmau ana Te Kawa Mataaho ki tētahi kaupapa kanorau ake, wairua whakauru hei whakarite ka kaingākau, ka mārama, ka whakaata hoki te ratonga tūmatanui i ngā hapori e hāpaitia nei e ia.[[203]](#endnote-204) Kei roto i tēnei kaupapa ko te hauātanga, engari kāore i te whāiti ki tēnei.

Ko te kaha ki te ine i te nui haere o te kanorau, te ōritenga rānei o ngā whai wāhitanga kei te whakararua nā te kore raraunga hauātanga puta noa i te rāngai tūmatanui. E mārama ana te IMM ka whakahaerehia e Te Kawa Mataaho tētahi rangahau hauātanga i roto i te rāngai tūmatanui ā tōna wā engari kāore anō kia whakatau he rā.

E tuku pūtea ana Te Manatū Whakahiato Ora ki ngā tūmomo ratonga ahumahinga me te whai mahi, ā, i ētahi wā, ngā tāpiritanga utu mahi hei tautoko i te whiwhi a te hunga hauā. He iti noa ngā haumitanga ki ngā rautaki rāngai mahi i te taha o ētahi atu whenua OECD.[[204]](#endnote-205)

E whakaata ana te Putanga 2 o te *Rautaki Hauātanga 2016–2026* i tētahi putanga hiahiatia ana mō te ōhanga pūmau me te ōrite o te whiwhi mahi a te hunga hauā, me te whakaahua i ngā tūmahi e hiahiatia ana kia tutuki ai tēnei.[[205]](#endnote-206) Kua tohua ko Te Manatū Whakahiato Ora te kaiārahi matua, ā, kei roto ko ngā tūmahi pērā i te whakapai ake i te 'ngākau titikaha ā-hauātanga' o te kaitukumahi, me ngā tautoko pai ake mō te whakawhiti atu ki te mahi.

Kua hangaia ngā tūmomo rauemi mā te ratonga tūmatanui hei whakatipu i te ngākau titikaha o te kaituku mahi, te turaki i ngā pōhēhē, te ārahi i ngā tikanga mahi pai, me te whakarite i te ōrite o te whai wāhi ki ngā ratonga tūmatanui mā te hunga hauā. Hei tauira:

* tētahi Kete Utauta Ārahi mō te tuku mahi ki te hunga hauā, ā, he 63 ōrau te rahinga o tenei i roto i te rāngai kāwanatanga. Ahakoa i hangaia mā te rāngai tūmatanui, e hāngai anō ki te rāngai tūmataiti, ka mutu ka whai hua i te whakatairanga whānui ake;[[206]](#endnote-207) me
* te Tūtohinga Whakatapoko, e whai ana ki te whakanui ake i te whakaratonga o te reo whakauru, hangarau whakauru me ngā mōhiohio ka taea e te katoa.[[207]](#endnote-208)

Ko te ariā he iti ake te whaihua o te hunga hauā tēnā i ō rātau aropā kāore he hauātanga kei te whakaūngia tonu e te wāhanga 8(1-6) o te Minimum Wage Act 1983, e tukuna ana tētahi aweretanga utu mahi iti rawa ko te hauātanga te take. I te tau 2019, i tukuna e Te Manatū Whakahiato Ora tētahi tuhinga matapaki mō tētahi marohitanga kē ki te aweretanga utu mahi iti rawa. Kāore i te mōhiotia i tēnei wā ngā otinga o tēnei whakawhitiwhiti kōrero.

I whakaputaina tētahi rautaki whai mahi ā-motu ahuwhānui i te Hereturikōkā 2019 e puta ai ngā mahere mahi matua e ono, tae atu ki tētahi mahere mahi tuku mahi ki te hunga hauā.

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga Ūpoko 27

I roto i tana Kitenga Whakamutunga i te 2014, i tūtohu te Komiti Hauā te whai i ētahi atu mahi kia nui ake ai te whiwhi mahi a te hunga hauā me te rapu i ētahi huarahi kē i tua atu i te utu mahi iti rawa.

E arotahi ana Ngā Rārangi Take a te Komiti Hauātanga ki ngā whakaritenga hei whakanui ake i te whai mahi a te hunga hauā, otirā i ngā rōpū e whai pānga ana ki te whakahāwea tauwhitiwhiti nā runga i te hauātanga me te ira tangata, mātāwaka, taipakeke rānei. E hiahiatia ana kia whakapai ake i te whakaemitanga o ngā raraunga hei wehewehe i ngā mōhiohio e ai ki ēnei āhuatanga.

I te tau 2014, i tūtohu anō te Komiti Hauātanga kia whakatikahia te Ture Tika Tangata 1993 hei whakauru atu i tētahi whakamāramatanga pūrangiaho mō te 'manaaki tōtika' e hāngai ana ki te Ūpoko 2 o te Kawenata Hauātanga. I tukuna tēnei tūtohutanga e pā ana ki te Ūpoko 5 (Ōritetanga me te kore whakahāwea) engari he tino hāngai ki te whai mahi.

I puta i ētahi atu rōpū tiriti pērā i te Komiti ICESCR ngā tūtohutanga ōrite kia whakaatahia e ngā ture o te motu ngā paerewa ā-ao mō te manaaki tōtika.

## He kōrero mō te whakatinanatanga o te Ūpoko 27 i Aotearoa

Ahakoa ngā ture whakahāwea kore me ētahi kaupapa pai hei whakatipu i te whakatapoko me te ngākau titikaha o te kaituku mahi, kāore anō kia pai ake ngā āhuatanga mō te hunga hauā ki te whakatinana i tēnei motika ki te whai mahi.

Ko te tino kōrero a ngā tāngata i te hui me ngā kaiwhakautu rangahau he maha tonu ngā tauārai kei reira mō te whiwhi mahi:

* ko ngā whakahaere tono kāore pea e taea e te katoa, he maoho rānei—hei tauira, te tono i ngā mōhiohio hauora kāore e hāngai ana ki te arotake i te tōtikatanga mō te tūranga;
* he urukore ngā wāhi mahi:

*E rua aku uiuinga mō ngā mahi whakahaere.* Ko au te kaitono matua engari kāore au i whiwhi i tētahi o ngā mahi i te mea he arapiki tō te whare;

* he whakahāwea, whakatoihara rehu a ngā kaituku mahi, ngā whakapae he uaua rawa te tuku mahi ki te hunga hauā, he iti iho rānei te whaihua o te hunga hauā, ā, he rerekē te manaaki i a rātau, me te whakaweti hoki:

Mō te whiwhi uiui, ka kōrero ahau mō tōku hauātanga kāore ahau i uiuitia, ina tango ahau i tōku hauātanga mai i taku tāhuhu tangata, i whiwhi uiui au;

I whakawetihia, i hāmamatia, me te whakarite pēnei i te mea ko ahau te 'tauira' mō te hauātanga;

* te kūare ki te manaaki tōtika me te kore e hiahia ki te whitiwhiti kōrero mō ngā rongoā;
* he iti rawa, he koretake rānei ngā ratonga tautoko whai mahi e hāngai ana ki ngā whakaritenga rapu mahi a te tangata; me
* te kore whakapoapoa mā ngā kaituku mahi ki te waihanga, te whakatikatika rānei, me te tuku mahi ki ngā tāngata haua, otirā rātau he hauātanga hinengaro/ako ō rātau.

I kī te hunga hauā he iti rawa, ā, kāore i te ngāwari ngā ratonga tautoko whai mahi. Kei roto i ngā tauira ko te kore e taea te torotoro ki ngā umanga tautoko rapu mahi rerekē i te wā kotahi kia āhei atu ai ki ngā pūkenga i ngā wāhi rerekē i roto i te hurihanga whai mahi, me te kore pūtea hei tautoko i ngā hiahia pūmau i rō mahi pērā i ngā kaiāwhina, ngā ratonga whakamāori Reo Rotarota o Aotearoa.

Hei tā ngā kaituku mahi ka rangirua rātau i te pūnaha tautoko whai mahi, he rerekē ngā tikanga, ā, he taumaha rānei ngā whakaritenga. He kaupapa manahau tētahi kaupapa mematanga kaituku mahi hou, e tukuna ana mā ngā whakahaere kāwanatanga-kore, e kīia ana ko te Accessibility Tick, he tohu kei te hiahia ngā kaituku mahi ki te haumi ki ngā tohutohu ka utua hei whakapai ake i tō rātau mātau ki te hauātanga.

Ko ngā raraunga e wātea ana mō ngā putanga whai mahi o te hunga hauā he whakaū ahakoa te anga whakamua itiiti nei, e tino whakararua tonu te hunga hauā i roto rāngai mahi.

I ia tau i roto i te rima tau nei, ko te whai mahi te tino pūtake tuarua mō ngā amuamu ā-hauā o te whakahāwea e whakapaetia ana i tae atu ki Te Kāhui Tika Tangata.

I whakaatu te *Rangahau Hauātanga 2013* he whakarearua (iwa ōrau) pea kore mahi te hunga hauā tēnā i te hunga kāore he hauātanga (rima ōrau).[[208]](#endnote-209)

Whakahaerehia te *Rangahau Rāngai Mahi ā-Whare* (HLFS) i ia hauwhā. Mai i te 2017, kei roto i tēnei ko ngā whakaritenga hauātanga i ia tau. Kei reira ētahi whakapaitanga i roto i te rangahau 2019 hou rawa, ahakoa kei reira tētahi wehenga pūmau.[[209]](#endnote-210) E hiahiatia ana tētahi paiherenga nui ake ki ngā kaupapa onāianei. Engari, e hiahiatia ana ngā kaupapa me ngā haumitanga hou hei whakarite kia pai ake ngā whai wāhitanga whai mahi mō te hunga hauā.[[210]](#endnote-211)

Ripanga 2: Rangahau Rāngai Mahi ā-Whare 2017–19

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Pipiri 2017  Hauā | Pipiri 2017  Kāore he hauātanga | Pipiri 2018  Hauā | Pipiri 2018  Kāore he hauātanga | Pipiri 2019  Hauā | Pipiri 2019  Kāore he hauātanga |
| Whai wāhi ki te rāngai mahi | 25.2% | 72.6% | 25% | 73.2% | 26% | 72.7% |
| Ngā pāpātanga whai mahi 15 ki te 64 tau | 39.3% | 69% | 39.5% | 78.5% | 22.4% | 69.9% |
| Ngā pāpātanga whai mahi 15 ki te 24 tau | 20.1% | 53.6% | 13.9% | 56.3% | 25.9% | 57.4% |
| Pāpātanga kore mahi | 11.4% | 4.5% | 10.6% | 4.3% | 8.6% | 3.8% |

I roto i ngā pūnaha hauātanga, kei reira ngā rerekētanga i roto i ngā whakaritenga wā, te rahinga me te wāriu pūtea o ngā tautoko whai mahi e utua ana e ACC me ērā e utua Te Manatū Hauora e Te Manatū Whakahiato Ora, i te nuinga o te wā he nui ake ngā āwhina a ngā kiritaki a ACC.

E hiahiatia ana tētahi kaupapa pūmau, whai pūtea nui, matawhānui hoki kia eke ai te takahuritanga taketake e hiahiatia ana hei neke i ēnei putanga. I taunaki te Rūnanga Whai Mahi Hunga Hauā—he kaupapa mahi tahi i waenga i ngā whakahaere hunga hauā, ngā ratonga tautoko whai mahi, ngā whakahaere taunaki rāngai, me Te Kāhui Tika Tangata (me ētahi atu)—mō tētahi Rautaki Whai Mahi Hunga Hauā matawhānui i waihanga ngātahitia, ā, e tautokona ana e ngā rōpū whai mahi.[[211]](#endnote-212) Ka āwhina tētahi rautaki ki te waihanga i tētahi mana me te whakatere ake i te anga whakamua, engari ka whakapipiri mai anō i ngā mahinga whai mahi rerekē, ngā ara rerekē me ngā kaupapahere rerekē. E ai ki tērā kua kōrerohia, kua waihangatia tētahi rautaki whai mahi arowhānui, ā, ka paihere tēnei ki tētahi rāngai mahi whakauru. Ko te whāinga o tētahi mahere whai mahi hauātanga hukihuki, e kōrerorerohia ngātahitia ana i tēnei wā, kia tipu tētahi ara pūnahanaha ake, ngāwari ake, puta noa i ngā rāngai mātauranga me te whai mahi. Kei te marohi anō i ngā tirotirotanga manaaki hauātanga i roto i te whakahaere whiwhi ratonga a te kāwanatanga. Ahakoa ngā whakahaere whakawhitiwhiti kōrero onāianei, he pai ake pea mēnā i puta tētahi rautaki hāngai whānui e hāngai ana ki te hunga hauā i waihanga ngātahitia e te hunga hauā, ngā kaituku mahi me ngā tari kāwanatanga hāngai.

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whai whakaaro ki te waihanga i tētahi rautaki hauātanga ā-motu matawhānui ake hāngai:
   1. āhei ngā tāngata whaikaha ki te rapu rongoā mō ngā tāngata whaikaha;
   2. kakama ki te whakatikatika i ngā putanga whai mahi rerekē mō te hunga hauā;
   3. waihangatia ngātahitia e te hunga hauā me ngā kaituku mahi;
   4. takawaenga i te auahatanga paetata me te take rangatiratanga;
   5. whakapiki i te haumitanga; me te
   6. whakauru i ngā tohu nui ā-wā, ngā tūmahi ka taea te ine me tētahi pou tarāwaho aroturuki.
2. I te wā e tāria ana te arotake i kōrerohia i roto i te tūtohutanga 10, me whai whakaaro kia menemana wawetia te Ture Kāhui Tika Tangata 1993 kia āta whakamarama ai he aha te manaaki tōtika i te horopaki whai mahi, te waihanga i tētahi here pai kia whakaratoa me te tuku tohutohu mō te whakamāramatanga o te taumahatanga nui rawa, e ai ki te Ūpoko 2 o te Kawenata Hauātanga me te Kōrero Whanui 6 mō te ōritenga me te kore whakahāwea.
3. Kōkiritia ngā mahi whakatautika, ngā whakaritenga motuhake wā poto rānei hei whakanui ake i te whai mahi a te hunga hauā i roto i te rāngai tūmatanui. Kei roto i tēnei ko te whakatū i tētahi wāhanga, ūnga rānei, engari kei roto pea ēnei e whai ake:
   1. Kōkirihia kia uta ki te rārangi whāiti me te uiui i ngā kaitono hauā katoa e whai i ngā pūkenga e tika ana;
   2. tūhura i ngā ara hei whakapoapoa i te haumitanga a ngā kaituku mahi i roto te hoahoa ahuwhānui me ngā hanganga whakatapoko—hei tauira, ngā tāke moni tuku, whakangāwaritanga rānei; me te
   3. whakaaroaro ka pēhea te tautoko a ngā whakahaere whiwhi ratonga a te kāwanatanga, haumitanga rānei pērā i te Tahua Whakatipu Rohe, ki te whai mahi a te hunga hauā mā te whakarite i ngā kaihoko, kai whiwhi rānei kia āta whakaatu ka pēhea te manaaki a tā rātau kaupapa, me te whai wāhi atu ki te hunga hauā.
4. Whakatinana i te tūtohutanga o te tau 2014 ki te menemana i te Minimum Wage Act 1983 ki te whakakore i ngā whakaaetanga awere moni whiwhi iti rawa.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 28: Te pae oranga tōtika me te whakamarutanga pāpori

Mai i te whakataunga ki ngā hauātanga hinengaro me te tinana [taku tama] i te wā 1 tau tōna pakeke, i uaua ki a mātau te whai wāhi ki ngā tautoko me ngā wawaotanga ngaio whaitake. Hei matua ka rongo koe i te wairua me 'whakamoemiti' koe mō te rahinga o ngā tautoko ka whiwhi koe.

Kaiwhakautu rangahau

Me tautoko i ngā tari e mahi ana ki te 'whakamārama i ngā wāhi ngaro' e kī ana te tangata kāore i te tino hauā, he hauā rawa rānei.

Kaiwhakauru ki te hui

## Kōrero whakataki

E whakaritea ana e te Ūpoko 28 kia whai moni whiwhi rawaka ngā tāngata katoa me ētahi atu tautoko kia taea ai tētahi pae oranga tōtika mō rātau anō me ō rātau whānau. Hei whakatinana i tēnei motika me whai i ngā whare pai te noho, ngā kai tōtika, me te whai wāhi ki ngā ratonga hauora me te pāpori waiwai.

## Kōrero whānui

He mea waiwai tētahi pae oranga tōtika mō te mana o te tangata hauā, kia āhei ia ki te rapu me te whakatau i ōna ake hiahia, me te whai i ētahi atu motika ki te taumata hauora tiketike rawa ka taea, me te whai wāhi atu ki roto i te whānau me te hapori.

## Te hira o te Ūpoko 28 ki te hunga hauā i Aotearoa

He matawhānui ngā tūmomo whakamaru moni whiwhi, pāpori hoki, o Aotearoa hei āwhina i te tangata, ina hiahiatia ana, me ngā utu noho, utu whare noho, utu hauātanga hoki. Engari, ka tino heke te mana o ngā tāngata haua, otirā rātau e whakawhirinaki ana ki ngā takuhe moni whiwhi a te kāwanatanga, mā te noho i roto i te rawakore—i roto i ngā whare noho pūwhāwhā, aewa hoki. He nui ētahi atu tauārai kei mua i te hunga hauā mō te āhei atu ki tēnei motika, tae atu ki:

* ngā utu nui mō ngā whare noho;
* kāore he whare noho whakatapoko;
* te iti rawa, te kore āhei atu rānei ki ngā tautoko hei whakauru ki roto i te hapori; me te
* iti rawa o ngā moni whiwhi, ahakoa nā te kore mahi, ngā tikanga whakahaere takuhe tāke moni whiwhi, ngā utu takuhe iti rawa rānei.

Me whakamana anō te waihanga o ngā whakamarutanga pāpori ahuwhānui matawhānui ki ngā motika o te tino rangatiratanga me te tino whai wāhi ki ngā whakatau tikanga i tukuna ki te hunga hauā taketake i roto i Te Whakapuakanga a Te Kotahitanga o Ngā Whenua o Te Ao mō Ngā Motika Iwi Taketake (UNDRIP) me te Tiriti o Waitangi.

## Te wāhi o te Ūpoko 28 onāianei i roto i te ture, tikanga hoki o Aotearoa

E whakarārangi ana te Social Security Act 2018 i ngā momo moni whiwhi tautoko e tukuna ana e Te Manatū Whakahiato Ora me ngā here me ngā whakaritenga āheinga hāngai ki tēnā, ki tēnā momo tautoko.

He tikanga whakahaere uaua tēnei, me ngā uara me ngā paiherenga takuhe rerekē, ā, ka whakatauhia kaua mā ngā mea e hiahiatia ana mō tētahi pae oranga tōtika, engari mā te take rapu tautoko moni whiwhi—pērā i ngā kawenga manaaki whānau, ngā mate wā poto, ngā āhuatanga whakatepe mahi wā roa ake rānei. E wātea ana ngā utu tāpui mō ētahi utu ā-hauā i whakaaetia.

I te Haratua 2018, i whakatūria e te Minita o Te Manatū Whakahiato Ora, a Honore Carmel Sepuloni, tētahi Rōpū Mātanga Toko i te Ora (WEAG) hei arotake i te pūnaha toko i te ora me te tuku tohutohu mō ngā whakaritenga hei whakatutuki i ngā whakaritenga o te taupori onāianei me ā muri ake.

I puta i te WEAG tana tātari me ana tūtohutanga ki te Kāwanatanga i te Haratua 2019 i roto i *Whakamana Tāngata: Restoring Dignity to Social Security in New Zealand*, Huitanguru.[[212]](#endnote-213)

He maha ngā tūtohutanga i tukuna hei whakapai ake i ngā pae oranga o te hunga hauā, i te taha o ngā huatau kia arotahi te pūnaha ki te manaaki i te mana ō rātau e toro atu ana, ahakoa kāore anō ēnei kia whakamanatia e te Kāwanatanga. Ko tētahi mea pai, i whakaae te Kāwanatanga kia taupūtia ngā tautoko moni whiwhi ki ngā utu mahi mai i te 2020. I kī atu Te Manatū Whakahiato Ora ki te IMM kei te mahi rātau me Te Manatū Hauora ki te tūhura me pēhea tā rātau whakapai ake i ngā putanga me ngā moni whiwhi, whai mahi hoki mō te hunga hauā.

Kei Te Manatū Whakahiato Ora tētahi rēhita whare noho pāpori o te hunga i aromatawaitia e āhei atu ana ki ngā utu reti ā-moni whiwhi. Ka honoa pea te hauātanga ki ia whakaritenga mō te āhei atu ki ngā whare noho pāpori—toitūtanga, whakatapoko, whaiutu, rawaka, tōtikatanga. I te Whiringa-ā-rangi 2019, 14,500 ngā tāngata i te tatari mō ngā whare noho pāpori.[[213]](#endnote-214)

Ka whakatūria e ngā ture i pāhitia inā tata nei e te Whare Pāremata, te Kāinga Ora—Homes and Communities Act 2019, tētahi hinonga Karauna hou hei whakakotahi i ngā mana mō te hoahoa whare me te tapatāone, hei whakarite i te poto o ngā huarahi mō ngā kāinga noho whaiutu kounga, kanorau hoki, me ngā tauārai hei whakawhanake i ngā hapori whakauru, momoho, toitū hoki.

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 28

I te tau 2014, i puta te māharahara o te Komiti Hauātanga mō te tūranga ohapori rawakore o te hunga hauā, me te tūtohu kia arotakengia te tōtika o ngā tautoko moni whiwhi—otirā te urupare ki ngā utu o te hauātanga.

I roto i tana Rārangi o Ngā Take, i rapu mōhiohio āmiki te Komiti Hauātanga mō ngā whakaritenga i whāia e te Kāwanatanga kia mārama ai rātau ki te whānuitanga o ngā whakatikatikatanga whare e hiahiatia ana me te whakatinana i ngā whakapaitanga ki te tere me te rahi o ngā whakaratonga.

I tono anō te Komiti Hauātanga i ngā mōhiohio mō ngā rautaki whakaiti rawakore, tae atu ki ērā e hāngai pū ana ki te whakaiti i te rawakore mō ngā taupori hauā/tāngata whaikaha, wāhine, tamariki me te hunga waimaero hinengaro, ako, hauātanga ā-pāpori e tino mahue ana ki waho.

## He kōrero mō te whakatinanatanga o te Ūpoko 28 i Aotearoa

I tēnei wā, ko te hunga hauā tētahi o ngā iwi e tino mahue ana ki waho e ai ki ngā putanga pāpori me te ōhanga. Kua whakaūngia e te maha o ngā pūtake raraunga tēnei āhuatanga, tae atu ki te Rangahau Hauātanga, i kī:[[214]](#endnote-215)

* E 64 ōrau ngā tāngata hauā he $30,000, iti iho tā rātau whiwhi moni, tēnā i te 45 ōrau o te hunga kāore he hauātanga;
* ka tino hē kē atu mō ngā wāhine hauā, he 71 ōrau kei te whiwhi i te $30,000, iti iho rānei;
* he nui ake te pūrongo a te hunga hauā, tēnā i te hunga kāore he hauātanga, kāore i te tōtika ō rātau whare noho mō ō rātau hiahia, arā he haukū, ka mutu he uaua ki a rātau te whakamahana i tō rātau whare; ā,
* kotahi te tangata waimaero ā-tinana i roto i te tokoono i kī kāore anō kia oti he whakatikatikatanga ki tō rātau whare noho.

I te Pipiri 2019, ko te whakaatu a te *Rangahau Rāngai Mahi ā-Whare* he $392 te moni whiwhi tau waenga (ngā pūtake katoa) i te wiki a te hunga hauā, he tata ki te $20,000 moni whiwhi ā-tau tērā—paku nei te nui atu i te haurua o te moni whiwhi e whiwhi ana i te hunga kāore he hauātanga($749).[[215]](#endnote-216) He nui atu ngā utu whare noho i tēnei moni whiwhi tapeke i te nuinga o ngā wāhi o te motu.

I whakaatu te *Rangahau Pāpori Ahuwhānui* i te tau 2018, ka whakatauritea ana ki te hunga kāore he hauātanga, ko te āhua o ngā pakeke hauā he:[[216]](#endnote-217)

* e rua pū ake te tūponotanga he iti rawa ā rātau moni mō ō rātau hiahia o ia rā;
* e whā pū ake te tūponotanga he tino hē te hauora;
* e whā pū ake te tūponotanga kāore rātau i te pono ki te pūnaha hauora;
* e rua pū ake te tūponotanga he iti noa ō rātau tūmanakohanga whaitake mō te ora.

I roto i tētahi tuhinga i te 2018, *Breaking the Link Between Disability and Child and Whānau Poverty*, i whakaatu i ēnei āhuatanga mō ngā tamariki hauā: [[217]](#endnote-218)

* he nui ake te tūponotanga e noho ana me te matua kotahi;
* he nui ake te tūponotanga i ētahi atu matua tōtahi ka noho kore mahi;
* he tino nui ake te tūponotanga ka rawakore, ā, he 28 ōrau rātau e noho ana i roto i tētahi whare he iti i te 63 ōrau o te whiwhi moni ā-whare tau waenga ā-motu.

Ka whai pānga anō pea ki ngā pae oranga o ētahi tāngata hauā nā ngā kaiwhakatau tikanga whakakapi i whakamanatia ki te whakahaere i ā rātau pūtea, ka whakatauhia pea e rātau ngā whāititanga mō ngā whakapaunga kāore nei pea e rata ana ki te tangata.

He tino pai ake te pae oranga o te hunga hauā e tautokotia ana ā rātau moni whiwhi, ratonga rānei e te kaupapa ACC ki te hunga hauā e whakawhirinaki ana ki Te Manatū Hauora, Te Manatū Whakahiato Ora rānei.

I tino tika te hopu a te pūrongo Whakamana Tangata i ngā wheako o ngā tāngata hauā he uaua te pūnaha, he papare mōrea, ā, kāore i te urupare ki ngā āhuatanga tūturu o te hunga hauā o te aukatinga pūmau mai i te whai mahi, me ngā pūnaha hauātanga tāpiri.

I roto i tā rātau tātaritanga, i kite te WEAG ka taea tētahi pae oranga tōtika me wawe te whakanui ake i te rahinga o ngā utunga tautoko moni whiwhi. I kitea i ngā whakatauira i ngā momo moni whiwhi rerekē me ngā āhuatanga kaiwhiwhi te hapa o ngā moni whiwhi mai i te $50–$230 i te wiki kia ea ai ngā utu taketake, ki te $110–$350 i te wiki kia taea ai te whai wāhitanga iti rawa i roto i te hapori.[[218]](#endnote-219)

I tūtohu te rōpū me whakapiki ake ngā utu takuhe taketake mā te 40 ōrau kia rangatira ai te āhua o te tangata. Kāore anō kia whakaaetia tēnei, engari e ai ki ngā kōrero i runga ake, i takoto te kōrero paihere i roto i te Tahua 2019 ki te whakataupū i ngā utu tautoko moni whiwhi ki ngā moni whiwhi mai i te 2020. Ka piki haere i tēnei i roto i te wā ngā moni whiwhi, engari kaua ki te rahinga, whānuitanga rānei e hiahiatia ana.

I kōrero ngā tāngata i te hui me ngā kaiwhakautu i te rangahau e noho ana i roto i ngā āhuatanga pūwhāwhā, i roto i ngā wāhi kāore i te pai nā te iti rawa o te moni whiwhi me te heke o te tautoko mō te noho motuhake i roto i te hapori.

*I te mea he tino iti rawa ngā whare noho, ka pā mai te rawakore ki te hunga hauā ina reti whare ana, hoko rānei, he uaua te whakarite, te whakatikatika rānei i tētahi kāinga mēnā kei te reti i te mea he ngāwari noa te pana i a mātau.*

*Nā te kore ratonga kāinga ki te taka kai tōtika … te whai wāhi atu ki ngā pukapuka o te whare pukapuka, ngā āwhina ikiiki ki ngā hui whakarite … kāore he whakawhanaungatanga mēnā kāore koe i te putaputa ki waho, ā, kāore he moni mō ngā haerenga.*

E whakaatu ana ngā raraunga i roto i te whakautu a te Kāwanatanga ki Ngā Rārangi o Ngā Take ko te hunga i whakaaetia kia whakatikatikahia ō rātau whare he toharite kotahi tau te roa e tatari ana kia tutuki.[[219]](#endnote-220) Ko te tikanga pea he poto rawa tēnei whakatau tata, i te mea mēnā ehara i te kāinga pūmau ka whai pānga ki te āhei atu.

I kitea i roto i ngā pūrongo pāpāho o nā tata nei te pānga o ngā whare kāore i te tōtika ki te mana me te ao o te whānau, e whakaatu ana ngā tuhinga i te pānga o te wā roa o te tatari mō ngā whakatikatikatanga ki te whai wāhi ki te horohoroi me te kaha o te whānau ki te noho ki te kai.[[220]](#endnote-221)

He pai ngā whakawhitiwhiti kōrero a te Ministry of Housing and Urban Development hou me ngā whakahaere o te hunga hauā. Kua paiherea ki te whakapiki ake i te hoahoa ahuwhānui me te rahinga o ngā whare whakatapoko. Kei te wāhanga tūhurahuratia tonu i tēnei mō te waihanga i ngā paerewa hoahoa ahuwhānui.

## Tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whakamanatia ngā tūtohutanga ā-hauā o Whakamana Tāngata, te pūrongo a Te Rōpū Mātanga Toko i te Ora. E whakaūngia ana e te IMM te kaupapa ake o te pūrongo mō tētahi pūnaha toko i te ora me te whakatenatena kia whānui te aronga o te whakatinanatanga o ngā tūtohutanga katoa, ka mutu kia hohoro te whaiwhai, otirā ko ēnei tūtohutanga e pā ana ki te wātea me te whaiutu o ngā whare noho, me te tōtika o ngā moni whiwhi:[[221]](#endnote-222)
   1. *Kia wawe tonu te whakapiki ake i ngā moni whiwhi ki ngā rahinga tōtika kia whaitake ai te whai wāhi ki te hapori, e ai ki te paerewa moni whiwhi iti rawa (e whakaata ana i ngā āhuatanga whānau rerekē, hei tauira, ngā tamariki, hauātanga, wāhi ā-rohe hoki) me te mau ki tēnei taumata tautoko mā te whakataupū tōtika.*
   2. *Me whāwhai te whakawhānui ake me te whakatere ake i ngā whakapau kaha o te Kāwanatanga kia nui ake ngā whare tūmatanui ki tētahi rahinga ā-ahumahi me te haere tonu o ngā mahi whāwhai ki te whakamutu i te noho kore kāinga.*
   3. *Kia whakawhānui ake i te awhe o ngā kōwhiringa hoko whare, wā noho roa hoki mō te hunga he iti noa, he iti–wawaenga rānei ngā moni whiwhi.*
   4. *Whakanui ake i te āheinga o ngā kaituku whare ā-hapori rāngai-tuatoru.*
   5. *Waihanga me te whakamana i ngā ture me ngā rekureihana hei whakarite i ngā kāinga tōtika me te whakamaru kāinga, ngā paerewa tika o te kounga whare noho, hoahoa ahuwhānui, me te whakatapoko.*
   6. *Me āwhina i ngā utu whare noho mō te hunga he iti ngā moni whiwhi (i tua atu i te whakapiki i ngā utu takuhe matua hei tuku i tētahi moni whiwhi tōtika) me te whakarite ka pai ake ngā whānau i ngā huringa tōpū ki ngā tautoko whare me ngā pānga whakaheke moni whiwhi.*
   7. *Me whakapai ake i te whai wāhi ki ngā tautoko whare whaiutu, tōtika mā te hunga he iti noa, he iti–wawaenga rānei ngā moni whiwhi, tae atu ki ngā tūmomo hua hoko whaiutu me ngā whare papakāinga.*
   8. *Me whakapai ake i te haora me te oranga o ngā tāngata māuiui, hauātanga, tae atu ki ngā kaitiaki o ngā tāngata he mate ō rātau, he hauātanga rānei e whakawhitiwhiti ana me te pūnaha toko i te ora mā te:*
   * *tuku i ngā tautoko ā-pūtea e tōtika ai te whai mana o te noho, ā, kia ōrite puta noa i te rāngai pāpori*
   * *whakatinana i ngā aronga ā-whakaaturanga hei tautoko i te pai, tōtika o te whakawhitiwhiti me te mahi me te hapori ina taea ana*
   * *whakatinana i ngā rautaki hei ārai i ngā mate whakatiki mahi, hauātanga hoki.*
   1. *Whakauru ki roto i te Arotake i te Pūnaha Hauātanga me te Hauora o Aotearoa te hononga i waenga i te pūnaha hauora me te hauātanga me kaupapa paremata hauata, ā, me pēhea te whakarerekē i te hononga i waenga i ēnei me te pūnaha toko i te ora hei whakapai ake i ngā putanga mō ngā tāngata he mate, hauātanga ō rātau me ō rātau kaitiaki.*

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 29: Te whai wāhi ki ngā āhuatanga tōrangapū, tūmatanui hoki

Te whai i tētahi ture mō te whakatapoko i mahia mai e te Access Alliance. Te whakanui ake i ngā pūtea mō te rāngai hauātanga. Kia nui ake te whai kanohitanga/whai wheako i roto i te kāwanatanga.

Kaiwhakautu rangahau

I tino pā ki te rāngai hauātanga te tino hē o te tōmuri o ngā otinga tatauranga whānui hou rawa. E whirinaki ana ngā pūtea ki ngā raraunga tika, ka mutu i te mea kāore e whakatikahia e te rangahau hauora hou rawa ngā uauatanga akoranga ka whakaū i te kūare o te kāwanatanga ki ngā tino raruraru.

Kaiwhakautu rangahau

## Kōrero whakataki

E herea ana te kāwanatanga e te Ūpoko 29 ki te whakapūmau i ngā motika tōrangapū ki te hunga hauā me te whai wāhi ki te whakatinana kia ōrite ki ētahi atu. Me mātua whakarite anō ngā kāwanatanga ka whaitake, ka whānui te whai wāhi o te hunga hauā ki te ao tōrangapū, tūmatanui hoki.

Kei roto i tēnei ko te whakarite ka ōrite ngā whai wāhitanga me ngā tautoko ki te hunga hauā ki te whakaputa i tō rātau motika motuhake ki te pōti, te tū mō ngā pōtitanga, ā, mēnā ka waimarie, kia whai i ngā tūranga tūmatanui. I tua atu i tēnei, i raro i tēnei ūpoko me whakatairanga i te whai wāhitanga mō te hunga hauā ki te whakauru ki ngā take tūmatanui mā te mahi i roto i ngā whakahaere kāwanatanga-kore (NGO), me te whakahuihui rōpū me ngā whakahaere whakakanohi i te hunga hauā me te kore whakahāwea.

## Kōrero whānui

Ko te motika kia ōrite te whai wāhi ki ngā āhuatanga tōrangapū, tūmatanui hoki tētahi tūāpapa hira o te kirirarautanga. Ko te hunga hauā e rapu mahi ana hei āpiha tūmatanui me whai wāhi kia tōtika te manaaki ki te tuku whakatau motuhake, mārama, ā, whai rawa ki te whiwhi tautoko kia whai wāhi atu me te whakatau tikanga mēnā e hiahiatia ana.

## Te hira o te Ūpoko 29 ki te hunga hauā i Aotearoa

Kia taea ai te tino whakamana i te Ūpoko 29, he mea waiwai kia āhei atu te hunga hauā me whai wāhi ki ngā pūnaha whakatau tikanga—otirā, ērā e whai pānga ana ki te hunga hauā me ō rātau hapori. He tino iti te kanohi kitea o te hunga hauā i roto i te kāwanatanga matua, ā-rohe hoki, ahakoa te 24 ōrau o ngā tāngata o Aotearoa i kī he momo hauātanga tō rātau i te Tatauranga Whānui 2013.[[222]](#endnote-223) E whakataunaki ana tēnei kia tukuna ngā tautoko whānui tonu mā te hunga hauā ki te whakatutuki i te motika kia whai wāhi atu, kia pōti hoki. He tauārai pāpori me te tōrangapū te kore pūnaha whakatapoko ahuwhānui mō te whai wāhi tūmatanui.

## Te wāhi o te Ūpoko 29 onāianei i roto i te ture, tikanga hoki o Aotearoa

I raro i te wāhanga 12 o Te Ture Pire Motika o Aotearoa 1990, e āhei ana te hunga hauā i raro i te ture ki te pōti mā te pōti matatapu.Engari, mō ētahi tāngata hauā, he whakatiki pea tēnei motika. Hei tauira, i raro i te wāhanga 80(1)(c) o te Electoral Act 1993 e whakahētia ana te pōti a te hunga e mauherea ana i rō hōhipera i raro i te Mental Health (Compulsory Assessment and Treatment) Act 1992, i rō whakaurunga herehere rānei i raro i te Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003, ina pā mai ētahi atu whakaritenga. E hāngai ana enei whakaritenga ki ngā whakawhitiwhiti me te pūnaha ture, pērā i te whakatau kāore e tika ana kia whakawākia, kāore i hara rānei nā te pōrangitanga, e mauherea ana rānei i rō whare herehere engari e tika ake e ai ki tētahi aromatawai kia whakawhitia ki tētahi hōhipera mō ngā manaakitanga wairangi mātanga.

He pānga tuwhene o ēnei momo whakatiki ā-ture ki te hunga hauā—otirā rātau he hauātanga io tōpū, hauātanga hinengaro/ako, e nui rawa te kitea i roto i te pūnaha ture, me rātau kāore i te mārama atu ki ō rātau hiahia tautoko.

Kua āhukahukatia ko te whakapai ake i te whakatapoko o te hanganga tōrangapū me te tūmatanui o Aotearoa tētahi wāhi me whakapai ake i roto i te whakaputanga o te *Access 2020 Disability Strategy* a Te Kaitiaki Take Kōwhiri. E whakarārangi ana tēnei rautaki i te mahere āpitihanga mō te whakapai ake i te whai wāhi ki te pōti puta noa i ngā pōtitanga e toru nei, me te whai ki te whakatinana i ngā whāinga rerekē mō ia pōtitanga. E tino whakaahuatia ana i raro, i whakaurua mai te pōtitanga takikōrero ā-waea i te 2014, ā, i uru mai ngā whakapaitanga ki te whakahaere rēhita i te 2017. Ko te tūmanako o Te Kaitiaki Take Kōwhiri kia tukuna te pōti tuihono mō te pōtitanga 2020. [[223]](#endnote-224)

Ko te whakapai ake i te kaha mō ngā kaitono hauā ki te tono mō ngā tūranga i roto i te Pōtitanga Whānui te kaupapa o te Election Access Fund Bill i whakaurua mai i te 2018.[[224]](#endnote-225) Ka puta i tēnei Pire ko te āhei atu ki tētahi pūtea, e whakahaeretia ana e Te Kaitiaki Take Kōwhiri, e āhei atu ai ngā whakahaere kaupapa aroha me ngā rōpū rēhita te uru ki ngā utu ā-whakatapoko mā ngā kaitono hauā.

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 29

I roto i te pūrongo Kitenga Whakamutunga a te Komiti Hauātanga i te 2014 mō te Ūpoko 29, i tūtohu kia whai whakaaro te Kāwanatanga ki te whakauru mai i te pōti tāhiko ka taea e te katoa e taea ai e te hunga hauā te tuku matatapu ā rātau pōti.[[225]](#endnote-226)

## He kōrero mō te whakatinanatanga o te Ūpoko 29 i Aotearoa

Ehara ko te tino whai wāhi mai o te hunga hauā ki te ao tōrangapū, tūmatanui hoki tētahi āhuatanga hira o ngā pūnaha tōrangapū onāianei. Hei tauira, nō nā tata nei, nā te pōti ā-pepa i mate ngā kaipōti waimaero te kite, kāpō rānei ki te whai āwhina hei whakatutuki i te pōti, e takahi ana i te motika ki te 'matatapu'.[[226]](#endnote-227) Kia tino whai wāhi mai ai te hunga hauā, e tino whakawhirinaki ana rātau ki ngā tari e tuku ana i ngā mōhiohio ki ngā takotoranga ka taea e te katoa, te tino whakarite hoki/rānei kāore he tauārai ki te whai wāhitanga whānui. Kei roto i aua whakarite ko te tuku i ngā pepa pōti ki ngā takotoranga rerekē, me ngā tautoko pōti ake mā te tangata e ai ki ō rātau hiahia whakatapoko.

Ahakoa e tukuna ana te motika o te hunga hauā ki te pōti, ā, kua oti ētahi whakapaitanga, he matapōkere ngā hanganga tautoko i tēnei onāianei. I te 2011, i pōtihia ko te MP o te Rōpū Kākāriki a Mojo Mathers te Mema Pāremata Turi tuatahi o Aotearoa. I puta i tana pōtitanga ko ngā pātai mō te hiahia me te kaha o Pāremata ki te tuku i ngā whakaratonga tōtika ki a Ms Mathers, ā, tae atu ki ngā pātai mā wai e utu ngā whakamāoritanga Reo Rotarota o Aotearoa (NZSL), ētahi atu kaimahi rānei e hiahiatia ana hei takawaenga i te whai wāhitanga i runga i āhuatanga ōrite ki ētahi atu.[[227]](#endnote-228)

I whakaarahia ētahi atu pātai mō te whakatapoko o ngā whakahaere tōrangapū o Aotearoa i te Pōtitanga Whānui 2017, i te whakarewatanga o tētahi petihana ki te whakaū kia wātea mai ngā kaiwhakamāori NZSL i roto i ngā tautohetohe tōrangapū i runga pouaka whakaata.[[228]](#endnote-229) I whiwhi i ngā kaiwhakapāho ngā amuamu ka tōmuri pea te whiwhi a ngā kirirarau Turi, āhua turi, i ngā whakaaturanga a te kaiwhakamāori NZSL, ngā kupu hauraro o ngā tautohetohe i waenga i ngā kaiārahi rōpū tōrangapū matua rānei.[[229]](#endnote-230)

Kāore tonu i te mōhiotia ngā raraunga mō te whai kanohitanga o te hunga hauā, otirā ngā tāngata whaikaha Māori, te hunga hauā rānei o Te Moananui-a-Kiwa—i te mea he tino tokoiti noa iho Ngā Mema Pāremata onāianei e kī ana he hauātanga tō rātau, he matea urunga rānei ō rātau mai i te wehenga atu o Ms Mathers i te 2017.

I tua atu i tēnei, he tino iti noa ngā raraunga wehewehe e wātea ana mō ngā tāngata hauā e mahi ana i roto kāwanatanga matua, ā-rohe hoki.

I roto i te rautaki hauātanga a Te Kaitiaki Take Kōwhiri, i whakaurua mai te pōti takikōrero ā-waea i te 2014, ā, i whakamātauria i te Pōtitanga Whānui.[[230]](#endnote-231) Nā te pōti takikōrero ā-waea i āhei ngā kaipōti rēhita he waimaero te kite ki te pōti motuhake, matatapu rānei me te kore takahi i ngā ture onāianei o te pūnaha pōti matatapu.

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Arotakehia ngā aratohu mō te whakakāhore i ngā kaipōti kei raro i te Mental Health (Compulsory Assessment and Treatment) Act 1992 me te Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003 kia hāngai ai ki te Kawenata Hauātanga.
2. Whakatinana i ngā ture me ētahi atu whakaritenga hei whakapiki i te whakatapoko o ngā whakahaere pōtitanga mā te hunga hauā, i waihangatia ngātahitia me te hunga hauā.
3. Mahi tahi me te hunga hauā me Te Kaitiaki Take Kōwhiri ki te whakarite ka tukuna ngā mōhiohio mō ngā pōtitanga ā-rohe, whānui hoki i roto i ngā takotoranga ka taea, ā, kei reira ngā tautoko e hiahiatia ana hei whakarite kāore he aukatinga tuwhene o te pōti a te hunga waimaero ā-hinengaro.
4. Arotake i ngā tautoko mā ngā kaitono me ngā whakahaere pōtitanga; me ngā rauemi me te tuku i ngā manaaki tōtika i ngā kāwanatanga matua, ā-rohe hoki.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 30: Te whai wāhi ki te ahurea, ngā mahi pārekareka, ā-rēhia, hākinakina hoki

He awheawhe me ngā rūnanga kōrero, akoranga poto rānei e tūtū ana i roto i taku hapori e hiahia ana ahau ki te whakauru atu, engari kāore he pūtea kāwanatanga hei utu i ngā kaiwhakamāori Reo Rotarota o Aotearoa hei whakauru atu ki ngā huihuinga hapori.

Kaiwhakautu rangahau

Me whakatapoko ki ngā huihuinga/mahinga tūmatanui—pērā i ngā hākinakina, whare tapere me ngā whare pikitia. I te nuinga o te wā ka aukatia ngā whānau me tētahi tangata hauā mēnā me whai whakatapoko kia whakauru atu, kia whai wāhi atu rānei.

Kaiwhakautu rangahau

## Kōrero whakataki

E herea ana e tēnei ūpoko kia whai motika orite te hunga hauā pērā i ētahi atu hei whakauru atu me te whai wāhi atu ki ngā toi, hākinakina, kēmu, kiriata, me ētahi atu mahinga ōrite.

## Kōrero whānui

E tuku te iwi mātāwaka whānui o Aotearoa i ngā whai wāhitanga mō ngā tāngata ki te whakauru atu ki ngā tūmomo huihuinga ahurea me te hākinakina whānui. He rite tonu te aukati i te hunga hauā nā te kore whai wāhi atu, ā, ko te mutunga atu ka noho momotu mai i ō rātau ake hapori.

## Te hira o te Ūpoko 30 ki te hunga hauā i Aotearoa

E whakaata ana te Ūpoko 30 i te tino hiahia o te hunga hauā kia whai wāhi atu ki te ahurea me ngā mahi a ō rātau hapori a-rohe, a-motu hoki.

## Te wāhi o te Ūpoko 30 onāianei i roto i te ture, tikanga hoki o Aotearoa

I tua atu i ngā whakaritenga noa o te Ture Tika 1993, te Ture Pire Motika o Aotearoa 1990 me Ngā Tikanga Hanga Whare, kāore he ture whāiti e whakatairanga anake i te āhei urunga ki ngā huihuinga ahurea me te hākinakina i Aotearoa.

I whakakorehia e te Copyright (Marrakesh Treaty Implementation) Amendment Act 2019 ngā whakatiki manatārua kia nui atu anō ngā whakaaturanga ka whakaputaina ki ngā takotoranga ka taea e te katoa. Ko te tikanga o tēnei ka whai wāhi atu ināianei te hunga he hauātanga tā tō rātou ki ngā tūmomo whakaaturanga tuhituhi, toi, whakaari hoki.[[231]](#endnote-232)

Kāore he ture i Aotearoa i tēnei wā e whakature ana kia tukuna ngā kupu hauraro i runga pouaka whakaata me ngā pūhara a TVNZ OnDemand. Kua puta ngā karanga kia whakahaeretia te whakarite i te whakamahinga o ngā kupu hauraro hei whakawhānui ake i te whai wāhi mai o ngā tāngata kotahi i roto i te tokoono o ngā tāngata o Aotearoa e whakamahi ana i tēnei.[[232]](#endnote-233) I tūtohu te uiui mō ngā kupu hauraro i Aotearoa, i tuku pūrongo ki te Whare Pāremata i te 2017:[[233]](#endnote-234)

* kia herea te tuku kupu hauraro ki roto i ngā tuku pūtea a Irirangi Te Motu me Te Tumu Whakaata Taonga; me
* whakapai haere tonu i te whai wāhi atu ki ngā kupu hauraro, tae atu ki ngā pūhara katoa mai i te pāpāho ki ngā ihirangi a TVNZ OnDemand, me ngā whakaaturanga kiriata.

He maha ngā kaupapa e hāpai ana i te whakatapoko i Aotearoa i roto i ngā wāhanga hākinakina me te ahurea. Engari, e tino kōkiritia ana ēnei i te taumata whakahaere, ā-tangata rānei, kaua i te taumata kāwanatanga, ā, e tino hāpaitia ana e ngā pūtea kaupapa aroha.

E whiriwhiri ana te Kāwanatanga ki te whakauru mai ki tētahi 'Kāri Hoa' kia āhei ai te hunga hauā ki te heri hoa ki ngā huihuinga ahurea me te hākinakina, mō tētahi utu iti ake rānei.[[234]](#endnote-235) Kāore anō kia whakatauhia tēnei i tēnei wā.

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 30

I roto i te Rārangi o Ngā Take, i tono te Komiti Hauātanga kia tuku pūrongo te Kāwanatanga mō ngā whakaritenga kua whakaūngia hei whakarei ake i te whakatapoko i ngā whakaurunga hākinakina, whare taonga, ngā wāhi ahurea whakahirahira me te taiao, me ngā wāhi ahurea o te hunga hauā.

I roto i tana whakautu, i kōrero te Kāwanatanga mō te *Accessibility Design Guide me te Self-Assessment Checklist* (Sport NZ 2014),[[235]](#endnote-236) me te whakapiki ake i ngā pūtea mō ngā kupu hauraro i ia tau mai i te $2.4 miriona ki te $2.8 miriona. I kōrero anō rātau mō ngā pūtea mā ngā whakahaere e mahi ana ki te hiki i te whakatapoko, tae atu ki Putanga Toi ki Aotearoa, Touch Compass Dance Company, te Halberg Disability Sport Foundation, Special Olympics New Zealand me Paralympics New Zealand.

I kī hoki i roto i te whakautu kāore he kaupapahere kāwanatanga hei hiki ake i te whakatapoko i roto i ngā whare taonga, engari i kōrero mō te whakarato i te whakatapoko a Te Papa Tongarewa[[236]](#endnote-237) me Te Pouhere Taonga.

## He kōrero mō te whakatinanatanga o te Ūpoko 30 i Aotearoa

Kei te anga whakamua i roto i te wāhanga whakatapoko ki te ahurea, hākinakina me ngā mahi ā-rēhia mai i te pūrongo whakamutunga ki te Komiti Hauātanga. Engari, he mahi tonu kei reira hei whakarite ka ōrite, ka tautika te whakatutuki haere i tēnei ki ngā hapori kanorau puta noa i te motu.

He maha tonu ngā huihuinga e tū ana i Aotearoa he urukore ki te hunga uaua te nekeneke haere, te hunga whakamahi kōrea, Turi, me ētahi atu tāngata hauā. Kei roto i tēnei ko ngā huihuinga ka hiahia haere atu ngā tāngata hauā hei kaimātakitaki, tae atu ki ngā huihuinga ahurea me te hākinakina e hiahia ana pea te hunga ki te whakauru atu.

I te tau tuatahi i wātea mai he whakamāramatanga ororongo ki ngā kaiwhakarongo i roto i te reo Māori ko te tau 2019. I tutuki tēnei kaupapa engari ehara nā ngā pūtea a te kāwanatanga. Heoi, kāore ngā kupu hauraro me ngā whakaahuatanga ororongo mō te pouaka whakaata i te utua e te kāwanatanga ki tētahi atu reo i tua atu i te reo Ingarihi, ā, kāore i te wātea ki ngā hongere koreutu katoa. He iti noa ngā kupu hauraro kei te wātea, engari kāore he whakamāramatanga ororongo i tēnei wā i runga o TVNZ OnDemand. Kāore he whakamāramatanga ororongo, kupu hauraro rānei i te wātea i runga o Whakaata Māori.

Kei te āhua anga whakamua i ngā taumata kāwanatanga ā-rohe hei whakanui ake i te whakatapoko ki ngā huihui ahurea. Hei tauira, i utua e Te Kaunihera o Tāmaki Makaurau ngā kaiwhakamāori o Te Reo Rotarota o Aotearoa (NZSL) me ngā kaiwhakamārama ororongo i te Whakamaharatanga Haeata o ANZAC mō ngā tau kua hipa, me te maha o ētahi atu huihuinga paetata, me ētahi whakaratonga whakatapoko, tae atu ki ngā kaiwhakamāori, me ngā whakaahuatanga ororongo, tūnga waka whakatapoko, wharepaku hoki.

Ka pai te kite atu kei te nui te wātea mai o ngā kupu hauraro i ngā whare pikitia o Aotearoa.

Ahakoa te puta o ngā ihu o ngā kaipara hauā rongonui, hei tā ngā whakahaere hauātanga he iti iho te whiwhi pūtea a ngā hākinakina hauā tēnā i ētahi atu kaupapa hākinakina mā te hunga kāore he hauātanga. Tāpiri atu ki ētahi atu utu tāpiri kei runga i te hunga hauā ina whakauru ana ki ngā whai wāhitanga hākinakina—tae atu ki ngā utu haerenga, te whai wāhi atu ki ngā kaitautoko tōtika, me te uru ki ngā whakaurunga whakangungu tōtika—he iti ake ngā whai wāhitanga i tēnei mō te hunga hauā ki te whakauru ki ngā hākinakina, tēnā i te hunga kāore he hauātanga.

Ahakoa he reo whai mana te reo Māori me te NZSL nō Aotearoa, ka tino whakatiki ngā tāngata Turi Māori nā te kore kaiwhakamāori reo-toru hei toro atu mā ngā tāngata whaikaha ki ngā huihuinga hira ahurea.

I ngā hui whakawhitiwhiti kōrero, i kī ngā tāngata i reira me āhei ki te whakatapoko ki ngā huihuinga me ngā mahinga tūmatanui—pērā i ngā hākinakina, whare tapere mataora me ngā whare pikitia. I tēnei wā, ka aukatia ngā whānau me tētahi tangata hauā i te nuinga o te wā, nā te urukore kua kore e whakauru atu, e whai wāhi atu rānei.

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Whai ara ki te whakamana me whakatapoko ngā kaupapa hākinakina me te ahurea i utua tūmatanuitia, tae atu ki ērā i tukuna ngātahitia i te taha o te kāwanatanga a-rohe, hei tukanga whiwhi ratonga paerewa me ngā whakaurunga onāianei ki ngā paerewa whakatapoko tikanga pai rawa.
2. Whakarite me tuku ngā whakaurunga tāpoi katoa, ngā hōtera me ētahi atu kaituku wāhi noho, ngā wāhi kukume tāngata tūmatanui, me ngā whakaurunga hākinakina me te ahurea, i ngā mōhiohio āmiki ki ā rātau paetukutuku e whakarārangi ana i ngā āhuatanga whakatapoko o te wāhi, ratonga hoki/rānei.
3. Whakarite kia tuku ngā whakaurunga hākinakina katoa, ahurea, whakangahau, ā-rēhia hoki/ranei mō ngā āhuatanga whakatapoko e ōrite ana ki te nui o aua hiahia whakatapoko i roto i te hapori.
4. Whakauru i tētahi kaupapa hekeutu mō ngā tīkiti o ngā hoa o ngā tāngata haere kia āhei ai ngā tāngata hauā ki te heri kaimanaaki tautoko ki ngā huihuinga me ngā whakaaturanga i te utu iti ake.
5. Nui ake te tuku pūtea ki te whakangungu me te tuku mahi ki ngā kaiwhakamāori reo-toru me ngā kaiwhakamārama ororongo, ā, kia wātea mai rātau i ngā huihuinga ā-iwi, ahurea hoki. Kia tutuki tēnei me waihanga tētahi rautaki hei whakatipu i tētahi puna hunga kōrero reo-toru.
6. Whakauru ture e here ana kia nui ake te rahinga o ngā kupu hauraro me ngā whakaahuatanga ororongo kei runga i te pouaka whakaata o Aotearoa, me te tuku i ngā kupu hauraro me ngā whakaahuatanga ororongo mō ngā ihirangi OnDemand, me te tuku ihirangi i roto i te reo Māori.
7. Me whakarite kia tuku ngā huihuinga hākinakina i ngā takinga kōrero wā tūturu mā ngā kiritaki kāpō—mai i roto i te taiwhanga hākinakina, mā ngā teihana reo irirangi rānei—me wā tūturu, kaua te tōmuri.
8. Whakauru i ngā ture hou e here ana i ngā kaitoha kiriata me ngā kaitaki kiriata ki te whakauru i ngā āhuatanga whakatapoko, tae atu ki ngā kupu hauraro me ngā whakamārama ororongo—inā rā kua wātea kē mai ēnei i ētahi atu wāhi o te ao.
9. Whakapikihia ngā pūtea mō ngā rōpū hākinakina kia tino tuwhera ā rātau mahinga, whakaurunga ki ngā kaitākaro hauā.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 31: Ngā tatauranga me te whakaemi raraunga

He rite ngā raraunga ki tētahi mahere rori me te tuku tohutohu ki te Kāwanatanga kia mōhio ai rātau ki hea tuku i ngā rawa. Mēnā kāore tō mahere rori kāore koe e ahu tika.

Kaiwhakauru ki te hui

E whakapae ana ahau ko ngā raraunga e whakaemitia ana kei te tītaha kē ki aua tāngata hauā he taunga ki te kōrero, he takatū, he 'tino mōhio' ki te whakautu i ngā rangahau me ngā mahinga whakawhitiwhiti kōrero. E whakapae ana ahau he maha te hunga hauā ka tāhapatia e ēnei mahinga.

Kaiwhakautu rangahau

Kāore ngā raraunga i te whakaata i a mātau.

Kaiwhakauru ki te hui

*Kāore tēnei [te Tatauranga Whānui] i te hopu i te hōhonutanga o ngā wheako o ngā tāngata hauā. Ka hopu ngā pātai Washington i ngā raraunga mō te mahi, kaua ko te waimaero, ā, kāore i te hopu i ngā raraunga mō hauātanga io tōpū. Me whakaata ngā whakaemi raraunga i te whānuitanga o ngā wheako i roto i ngā hauātanga.*

*Kaiwhakautu rangahau*

## Kōrero whakataki

E whakaritea ana te Ūpoko 31 ki te whakaemi i ngā raraunga tōtika me ngā mōhiohio tatauranga kia whai whakaaro ai ki te Kawenata Hauātanga. Me wehewehe aua raraunga hei āwhina i te Kāwanatanga ki te whakarite he pēhea te whakatutuki i ngā paiherenga Kawenata Hauātanga, me te tautuhi me te whakatikatika i ngā tauārai e pā mai ana ki te hunga hauā e whakatutuki ana i ō rātau motika.

## Te hira o te Ūpoko 31 ki te hunga hauā i Aotearoa

He mea taketake tēnei ūpoko mō te whakatinana i te Kawenata Hauātanga. Ki te kore ngā mōhiohio tōtika, ngā tatauranga me ngā raraunga, kua kore e taea te whakamahere tika me te tuku i ngā ratonga me ngā whakaritenga mā te hunga hauā, te tino whai rānei i te anga whakamua i Aotearoa mō te whakatinana i ngā motika hauātanga.

## Te wāhi o te Ūpoko 31 onāianei i roto i te ture, tikanga hoki

He tino iti noa ngā mōhiohio hauātanga wehewehe i Aotearoa. Nā *Te Rautaki Hauātanga o Aotearoa 2016–2026*, kua whakaae te Kāwanatanga ki ngā Putanga o te Pou Tarāwaho ki te ine i te anga whakamua o te whakatinana i te Rautaki. E 29 ngā putanga o te Pou Tarāwaho, he maha ēnei kāore i te whai i ngā huinga raraunga. Engari, kei te anga whakamua ngā mahi ki te whakatika i tēnei i roto i te wā. Kua tīmata ngā raraunga arowhānui, pērā i te Rangahau ā-Whare, ki te kohikohi i ngā mōhiohio hauātanga wehewehe.

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 31

I roto i tana *Kitenga Whakamutunga* i te 2014, i puta ngā māharahara o te Komiti Hauātanga mō te kore mōhiohio me ngā raraunga hauātanga wehewehe. I tuku pātai anō mō ngā raraunga hauātanga i roto i *Ngā Rārangi Take* i te 2018.

## He kōrero mō te whakatinanatanga o te Ūpoko 31 i Aotearoa

E whakaemitia ana ināianei e te *Rangahau Rāngai Mahi ā-Whare* me te *Rangahau Ōhanga ā-Whare* ētahi raraunga hauātanga wehewehe. Engari, he hira tonu te Tatauranga Whānui, me Ngā Rangahau Hauātanga i muri mai i ngā Tatauranga Whānui kua hipa, ki te tuku mōhiohio mō ngā tāngata hauā i Aotearoa. Ka noho pēnei tonu kia nui ake te whakaemi raraunga hauātanga a ētahi atu puna whakaemi raraunga.

I te tau 2018, i wātea tuihono mai te Tatauranga Whānui mō te wā tuatahi, ā, i uaua tēnei mō ētahi tāngata hauā. Kāore i tino mārama ngā kōrero mō ngā tautoko i wātea hei whakaoti i te Tatauranga Whānui, kāore i te puta rānei i te wā tika. Kāore i taea te waehere whakamanatanga tā i īmēratia atu e te hunga kāpō me te hunga waimaero te kite. Kāore he Raraunga Hauātanga whai muri i te Tatauranga Whānui 2018, nō reira kāore i taea te whakatau mēnā ka whai pānga te iti ake o te whakaoti i te Tatauranga Whānui pērā i mua ki ngā raraunga hauātanga, otirā mō ngā whakariterite ratonga.

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Atu i te 2023, kōkiritia anō te Rangahau Hauātanga whai muri i ia Tatauranga Whānui e tīmata ana i te Tatauranga Whānui 2023.
2. Whakauru haere tonu i te whakaemi raraunga hauātanga i roto i ngā rangahau ā-whare ahuwhānui katoa e whakahaeretia ana e Tatauranga Aotearoa.
3. Whakatairanga tonu i ngā painga me te whakamōhio haere mō ngā whāititanga o Ngā Pātai Poto mō te Hauātanga a te Washington Group hei whakahau kia hangaia tētahi huinga raraunga ōrite i waenga tari.
4. Mahi tahi tonu me te hunga hauā me ngā whakahaere whakakanohi hei whakarite kāore he tauārai ki te hunga hauā mō te whakaoti i te Tatauranga Whānui, kia taea te whakauru mai ki tērā e hiahiatia ana e rātau, kia motuhake, kia ngākau titikaha, ā, kia whai mana.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 32: Te mahi tahi ā-ao

## Kōrero whakataki

E āhukahuka ana te Ūpoko 32 i te hiranga me te wāriu o te mahi tahi ā-ao mō te tautoko i ngā mahi ā-motu, ā-ao hoki ki te whakatinana i ngā whāinga me ngā ūpoko o te Kawenata Hauātanga.

E tukuna ana e ngā wāhanga o tēnei ūpoko ngā tauira o ngā whakaritenga rerekē ka taea e ngā kāwanatanga te whakamahi hei whakatutuki i tēnei ūpoko, me te whakarite ka manaaki ngā kaupapa ā-ao, huihuinga, me te mahi tahi i te hunga hauā. Ko ētahi atu wāhanga ko te takawaenga, tautoko rānei i ngā whakapakari pūmanawa mā te tuari i ngā tikanga pai rawa, ngā rauemi me ngā pūkenga, tae atu ki te whakarite ko ngā āwhina ka tukuna ka taea, ka tuwhera hoki ki te hunga hauā.

## Kōrero whānui

Ko te ia o tēnei ūpoko he whakarite kei te kakama te Kāwanatanga ki te hāpai me te tautoko i te whakatinanatanga o te Kawenata Hauātanga ki konei, ā, me tāwāhi. Waihoki, he whakaatu i te hiahia ki te whakarite kāore e aukatia ana te hunga hauā mai i ngā kaupapa whanaketanga ā-ao, mahi tahi rānei i waenga kāwanatanga, ā, ko ngā tautoko, ahakoa ā-hangarau, ā-ōhanga, āwhina whaitake rānei, he tuwhera ki te hunga hauā, he whai hua rānei ki a rātau.

## Te hira o te Ūpoko 32 ki te hunga hauā i Aotearoa

I roto i te rohe o Te Moananui-a-Kiwa, ā, me te taupori nunui tonu o Te Moananui-a-Kiwa e noho ana i Aotearoa, he tino kawenga kei runga i te Kāwanatanga ki te whakatinana i tēnei. Tata ki te 7.5 ōrau o te taupori o Aotearoa i kī he pānga ō rātau ki tētahi o ngā rōpū mātāwaka kotahi, neke atu rānei o Te Moananui-a-Kiwa i te Tatauranga Whānui 2013.[[237]](#endnote-238)

I te mea he whenua matua, rangatira ake i roto i te rohe o Te Moananui-a-Kiwa, he paiherenga kei runga i a Aotearoa ki te whakatinana i ngā motika o te hunga hauā o Te Moananui-a-Kiwa, me te tuari i ngā rauemi hei āwhina ki te whakamaru i ngā motika o te hunga hauā i roto o Te Moananui-a-Kiwa. He mea nui, ā, e tika ana kia whai wāhi atu a Aotearoa ki te tuari me tuku atu i ana hanganga hou ake, pūmau ake mā te hunga hauā ki ōna hoa whenua o Te Moananui-a-Kiwa.

## Te wāhi o te Ūpoko 32 onāianei i roto i te ture, tikanga hoki o Aotearoa

Ehara te whakarato āwhina me te mahi tahi ā-ao i te ture, engari kua whakamanatia i roto i te waihanga kaupapahere tūmatanui me tāwāhi, ā, mā ngā whakatau tahua hoki.

He maha ngā tauira o te kakama o Aotearoa e rapu ana ki te whakakaha i ōna hononga rāngai hauātanga ā-ao me te whakahau kia nui ake te mahi tahi i te ao. Kei roto i ngā tauira o nā tata nei ko te whakatūnga o tētahi rōpū mahi ā-hauā o te Global Alliance of National Human Rights Institutions (GANHRI), ā, ko Te Kaihautū Tika Hauātanga a Paula Tesoriero te heamana. E waru ngā mema o te rōpū mahi, e rua mai i ngā rohe GANHRI e whā. Ko te kaupapa o te rōpū he tohutohu i te kōtuinga motika tangata ā-ao mō ngā whakaurunga me te aroturuki hauātanga.

I te Pipiri 2019, i pānuitia e te Kāwanatanga tētahi pātuitanga hou i waenga i a Aotearoa me te Pacific Disability Forum, tae atu ki te tuku pūtea mō te waihanga kaupapahere hauātanga. He whakahaere kāwanatanga-kore ā-rohe o Te Moananui-a-Kiwa te rūnanga nei e mahi ana ki te whakatipu pūmanawa, ā, hei kaitaunaki mō ngā whakahaere o te hunga hauā o te rohe.[[238]](#endnote-239) Ko te whāinga o te pātuitanga he whakatairanga i te Kawenata Hauātanga me te āwhina i tōna whakatinanatanga i waenga i ngā pātui o Aotearoa Te Moananui-a-Kiwa.

I te Poutūterangi 2019, i roto i te urupare a te Kāwanatanga ki *Ngā Rārangi Take* a te Komiti Hauātanga i kōrero rātau mō ngā kaupapa maha kei roto rātau mō te whakatinana i tēnei ūpoko. I roto i tana kaupapa āwhina whānui ake:

*E utu ana te Kaupapa Āwhina o Aotearoa i ngā mahi hei hāpai i ngā motika o te hunga hauā me te whakamana i ngā rōpū me ngā tāngata.*[[239]](#endnote-240)*,* [[240]](#endnote-241)

Kei roto i tēnei whakamana ā-ōhanga i te hunga hauā i Īnia, e whakapakari ana i te mātauranga whakauru i Papua Nūkini, me te whakatipu me te whakapakari i te kaha mō ngā kaupapa manaaki hauātanga, ngā urupare ā-ao, me ngā kaupapa hanganga.

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 32

I roto i te arotake a Aotearoa i te 2014, i puta te māharahara o te Komiti Hauātanga mō te whakamutu a Aotearoa i tana tuku pūtea ki te Pacific Disability Forum me ngā pānga o tēnei ki te hunga hauā i roto i te rohe.

I roto i tēnei, i tūtohu te Komiti Hauātanga me arotahi tonu te kaupapa tuku āwhina a Aotearoa ki ngā whanaketanga manaaki hauātanga i te taha o te Kāwanatanga e tika ana, me te tuku anō i ngā pūtea āwhina me ētahi atu rawa ki te rohe o Te Moananui-a-Kiwa.

## He kōrero mō te whakatinanatanga o te Ūpoko 32 i Aotearoa

He rerekē te paiherenga o ngā Kāwanatanga o Aotearoa ki te mahi tahi ā-ao mō te āhuatanga ki ngā motika hauātanga me te Ūpoko 32 i roto i te rohe o Te Moananui-a-Kiwa.

Nō te tau 2019 rā anō i whakatinanahia ai e te Kāwanatanga te tūtohutanga o 2014 a te Komiti Hauātanga kia ōkawa te tūhono atu anō ki te Pacific Disability Forum. I roto i ngā tau o waenganui, he tino iti noa ngā whakawhitiwhiti ōkawa, te arotahi rānei a te Kāwanatanga ki te mahi tahi ā-ao mō ngā motika hauātanga i roto i te rohe, i tua atu i ngā huarahi aronga whānui pērā i te Asia-Pacific Forum me ētahi paiherenga taketake i roto i ngā kaupapa āwhina o Aotearoa.

Mai anō, e takawaengatia ana ngā mahi tahi ā-ao matua e te iwi tonu, me te tuitui hononga ā-ao a Ngā Whakahaere Hunga Hauā (DPO), me ngā rōpū pērā i te Rehabilitation International, Inclusion International me te World Blind Union. Kāore i whai wāhi atu ngā tautoko a te kāwanatanga ki roto i ngā mahi tahi ā-ao. Nō reira he pai te kite atu i tētahi paiherenga anō, haumitanga hoki, ki tētahi pātuitanga me te Pacific Disability Forum.

Kāore i te kitea te arotahi ki te tautoko i te hunga hauā i Te Moananui-a-Kiwa i roto i ngā rawa tūmatanui e wātea ana mō ngā kaupapa āwhina a Aotearoa, tae atu ki *Te Mahere Rautaki Tuku Āwhina a Aotearoa* 2015–19.[[241]](#endnote-242) E tohu ana pea tēnei he nui ngā mahi hei whakapakari ake i te arotahi, me te whakauru o te hunga hauā ki roto i ngā kōrerorero rautaki whānui ake mō ngā āwhina a Aotearoa ki Te Moananui-a-Kiwa.

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Haere tonu tōna paiherenga me te whakakotahi i tōna hononga, me te Pacific Disability Forum.
2. Tuku pūtea e whai wāhi ai te hunga hauā ki ngā kaupapa mahi tahi ā-ao, tae atu ki ngā huihuinga hauātanga ā-ao nui pērā i Ngā Hui Taumata Hauātanga o te Ao, te Hui ā-Tau a Ngā Rōpū Kāwanatanga, ā, i Te Kotahitanga o ngā Iwi o te Ao ina arotaketia ana a Aotearoa ki te Kawenata Hauātanga e te Komiti Hauātanga.
3. Waihanga i ngā kaupapa āwhina a Aotearoa i Te Moananui-a-Kiwa kia tuwhera, kia whakauru hoki i ngā hiahia o te hunga hauā i roto i te rohe.

[Hoki ki ngā kaupapa](#ToC)

# Ūpoko 33: Te whakatinanatanga ā-motu me te aro turuki

## Kōrero whakataki

Ko tā te Ūpoko 33 he whakarite kia whaitake te whakatinana i ngā paerewa motika tangata i roto i te Kawenata Hauātanga e ngā kāwanatanga.

E whakatenatena ana te Ūpoko 33(1) i te Kāwanatanga ki te rapu i ngā kaupapahere hauātanga whānui te aronga puta noa i te kāwanatanga. Me tautapa kia kotahi te wāhi matua i te iti rawa i rō kāwanatanga mō ngā take e pā ana ki te whakatinanatanga o te Kawenata Hauātanga, me te whakarite kia tōtika te whakariterite puta noa i ngā rāngai me ngā taumata o te kāwanatanga.

Mō te Ūpoko 33(2) me whakatū te Kāwanatanga, me tautapa rānei i tētahi pou tarāwaho kei roto tētahi tikanga motuhake, neke atu rānei hei whakatairanga me te whakamaru i ngā motika o te hunga hauā, me te aroturuki i te whakatinanatanga o te Kawenata Hauātanga.

Mō te Ūpoko 33(3) me whakarite te Kāwanatanga kei te whakauru ngā tāngata katoa o te iwi whānui—otirā te hunga hauā me ō rātau whakahaere whakakanohi—me te tino whai wāhi ki te aroturuki me te whakatinanatanga o te Kawenata Hauātanga.

## Kōrero whānui

I te 9 o Whiringa-ā-rangi 2018, i whakaputaina e te Komiti Hauātanga te *Kōrero Whānui Tau 7*, e whakamārama ana i te āhua o ‘ngā whakahaere o ngā tāngata hauā’. E whakarārangi ana tēnei i te hiahia o ngā kāwanatanga kia whānui tonu te whai wāhi mai o ngā tūmomo tāngata hauā me ō rātau whakahaere i roto i te waihanga me te whakatinanatanga o te kaupapahere: [[242]](#endnote-243)

Me mātua whakarite ngā rōpū Kāwanatanga ka uru ki roto i ngā whakawhitiwhiti kōrerorero me ngā tino whai wāhi mai o ngā whakahaere o te hunga hauā, e whakakanohi ana i ngā tāngata hauā katoa, tae atu hoki ki ngā wāhine, kaumātua, tamariki, me rātau he whiwhi tautoko nui rawa, ngā pārurenga pahūwhenua, kaiheke, hunga whakarere, te hunga rapu whakaruru, ngā tāngata kua kore ō rātau kāinga, ngā tāngata kore tuhinga tuakiri me te kore whenua, ngā tāngata waimaerotanga ā-pāpori, te hunga mate hinengaro, hauātanga io tōpū, me rātau he mate takiwātanga mate wareware rānei, ngā tāngata kirikōtea, ngā waimaerotanga ā-tinana pūmau, mamae pūmau, tūwhenua me ngā waimaerotanga ā-kite me te hunga Turi, turi me te kāpō, he waimaerotanga whakarongo, me rātau e pāngia ana e te HIV/AIDS. Ko te paiherenga o ngā rōpū Kāwanatanga ki te whakauru mai i ngā whakahaere o ngā tāngata hauā me te uru mai anō o ngā tāngata me ō rātau ake hauātanga mō te tuakiri hōkakatanga, tuakiri ira tangata hoki/rānei, ngā tāngata hauā whakawhiti-ira me te hunga hauā nō ngā iwi taketake, ngā iwi ririki ā-motu, ā-mātāwaka, whakapono, reo rānei, me rātau e noho ana i ngā wāhi tuawhenua.

## Te hira o te Ūpoko 33 ki te hunga hauā i Aotearoa

He mea taketake kia whakatinanahia te aroturuki motuhake i te Kawenata Hauātanga. Ka āwhina te aroturuki ki te tūhono i ngā kaipupuri motika kaua ki ngā kaiwhakawaha ā-motu anake, engari ki ngā mahi a te Komiti Hauātanga hoki.

## Te wāhi o te Ūpoko 33 onāianei i roto i te ture, tikanga hoki o Aotearoa

I Aotearoa, e whakamanatia ana te Ūpoko 33(1) e Te Tari Mō Ngā Take Hauā, koinei te wāhi matua mō te kāwanatanga, ā, he whakariterite i te waihanga me te tuku i Te Rautaki Hauātanga o Aotearoa me te Mahere Mahi Hauātanga, me te whakariterite hoki i Te Rōpū Kaiārahi Minita mō Ngā Take Hauātanga.

Kei te IMM te mana ki te aroturuki i a Aotearoa i raro i te Ūpoko 33(2) o te Komiti Hauātanga—he tūranga i whakatautia e te Rūnanga Matua i 2010. E ai ki tērā i kōrerotia i mua ake, ko te kaupapa o te IMM he hāpai, he whakamaru, he aroturuki i te whakatinanatanga o te Kawenata Hauātanga i Aotearoa, hei āwhina ki te whakatūturu i ngā motika hauātanga. Ko ngā pātui IMM ko Te Hononga o Ngā Whakahaere o Te Hunga Hauā (DPO), he rōpū e whakaata ana i te reo o te hunga hauā i roto i ngā whakahaere aroturuki, Te Kaitiaki Mana Tangata me Te Kāhui Tika Tangata.

E toru ngā pūrongo aroturuki ā-motu i hukihukitia e te IMM i mua, e rua mō ngā mahi aroturuki arowhānui i te 2012 me te 2014, me tētahi mō te mātauranga whakauru i 2016. Huihui haere ai rātau me ngā kaiwhakatau tikanga, me ngā Minita o te Karauna, ki te kōrerorero mō ngā māharahara aroturuki mō te rāngai hauātanga. He whaitake tōna hononga me Te Tari Mō Ngā Take Hauātanga.

## Ngā whakawhitinga kōrero o mua a te Komiti me te Kāwanatanga mō te Ūpoko 33

I roto i tana *Rārangi o Ngā Take*, i tono te Komiti Hauātanga mō ngā mōhiohio e pā ana ki:

* ngā putanga o te tukanga aroturuki;
* te mana me ngā rawa a te IMM; me
* ngā whakaritenga ka whāia e te Rōpū Kāwanatanga whai muri i te aroturuki.

I roto i te whakautu a te Kāwanatanga ko ngā mōhiohio mō ngā mahi a te IMM me ngā pūtea, ā, he pēhea te whakaawe a ngā mahi a te IMM i ngā tūmahi nui o Te Mahere Rautaki Hauātanga 2019–2023. I kōrero anō te Kāwanatanga mō ētahi tauira i whakatinanahia e rātau ngā tūtohutanga a te IMM.

## He kōrero mō te whakatinanatanga o te Ūpoko 33 i Aotearoa

Kei mua i te IMM ngā uauatanga e pā ana ki te whiwhi pūtea onāianei ki te mau tonu i a ia te kaha, te matawhānui rānei o te kaupapa aroturuki ki tērā e hiahiatia ana e mātau. Kāore e taea e mātau te urupare wawe ki ngā ia e ara ake ana, ngā māharahara motika hauātanga rānei—hei tauira, ina hiahia ngā kaupapa marohi a te kāwanatanga kia wawe tonu te tuku tāpaetanga kōrero. Ehara i te mea he kanorau te whai kanohitanga o te IMM i ngā wā katoa ki tērā e wawatatia ana e te Kōrero Whānui 7.

E rua ngā hui i te tau a te IMM me te rōpū kaiārahi minita me ngā minita takitahi ina hiahiatia ana. Ki ō mātau whakaaro he whaitake, he ngākau tuwhera te āhua o ngā minita, me ā rātau āpiha, i tēnei wā. Engari, ehara i te mea ka hua ake i ngā whakawhitiwhititanga ki ngā paiherenga e whaitake ai te whai wāhi mai me te whakaurunga mai, te whakarite rānei i ngā nekehenga nunui i roto i ngā kaupapahere taumata-pūnaha e hiahiatia ana i roto i te mātauranga, ture, whare noho, whai mahi hoki.

Ko tētahi tauira mō te Ūpoko 24 me te motika ki te mātauranga. Ko te aki a te IMM i roto i ngā whakawhitiwhititanga maha me te Kāwanatanga kua pakaru te pūnaha mātauranga mō te hunga hauā. Ahakoa kua puta ētahi kōrero āhukahuka mō tēnei whakapae, i roto i ngā whakahounga mātauranga onāianei, he whakapai kanohi noa iho ngā urupare, he wā poto, ā, i whakaritea mō te hunga kāore he hauātanga.

## Ngā tūtohutanga

E tūtohu ana te IMM i te Kāwanatanga kia:

1. Hangaia tētahi tikanga pūrangiaho hei whakaatu ka whakatinanahia ngā huringa nui, whaitake hoki hei urupare ki ngā tūtohutanga a te IMM.
2. Mahi tahi me te IMM ki te tūhura me pēhea te whakamana i te kanorautanga hei whakaata i ngā rōpū kei roto i te Kōrero Whānui 7.[[243]](#endnote-244)

[Hoki ki ngā kaupapa](#ToC)

# Ngā mōhiohio whakapā

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Te Hononga o Ngā Whakahaere o Te Hunga Hauā (Hononga DPO)  
Īmēra: us-dpo@groups.io

1. Rārangi kupu

| **Kupu / Ture** | **Whakamāhukihuki / Whakamāramatanga** |
| --- | --- |
| Access 2020 Disability Strategy | Te rautaki hauātanga a Te Kaitiaki Take Kōwhiri. He whakaahua ka pēhea te tautuhi me te whakaheke i ngā tauārai ka pā pea ki te hunga hauā ina rēhita, ina pōti rātau, kia āhei ki te whakauru whānui ki te tukanga pōti. |
| Tūtohinga Whakatapoko | Te kaupapa a te Kāwanatanga hei whakarite ka wātea mai ngā whakawhitiwhiti kōrero, ngā ratonga me ngā mōhiohio e tukuna ana e ngā tari rāngai kāwanatanga ki te katoa.  Tirohia *'He ārahi i te tuku mōhiohio e wātea ana ki te katoa'* i raro. |
| Te Kaporeihana Āwhina Hunga Whara (ACC) | Kei raro a Aotearoa i tētahi kaupapa kore-hē mēnā ka whara rātau i tētahi hauata. Ka āwhina te kaupapa utu nei i ngā utu whakaora, ā, e whakahaeretia ana e Te Kaporeihana Āwhina Hunga Whara, he umanga kāwanatanga. |
| Ashley Treatment | He whakamaimoatanga e tautohetia ana tēnei, mō te auporoa te tipu a tētahi tamaiti hauā, ā, ka whakahaerehia ētahi atu pokanga, hei āwhina i te tuku manaaki me te ārai atu i ngā mamae e matapaetia ana ka pā ki te tamaiti ā tōna wā. |
| Whakamaharatanga Haeata o ANZAC | Ko te Rā Whakamaharatanga o ANZAC (Australian and New Zealand Army Corps) he whakamaumahara i ngā ika-a-whiro katoa o Ahitereiria me Aotearoa i haere, i mate atu hoki i ngā pakanga, ngā whawhai me ngā whakahaere hohou i te rongo. Whakahaeretia ai te Whakamaharatanga Haeata puta noa i Ahitereiria me Aotearoa i te Rā o ANZAC (25 o Paengawhāwhā) hei whakamaumaharatanga. |
| Putanga Toi ki Aotearoa | He arotahi ki te tautoko i te hunga hauā ki te hanga me te whakauru ki ngā tūmomo toi katoa; te whakatenatena i ngā kamupene mahi ā-rēhia, ngā wāhi, kaitaki me ngā tohunga toi kia whakapikihia te whakatapoko; me te whakangāwari i ngā kaupapa whakaora ā-toi me ngā kaupapa i roto i ngā whare herehere. |
| Te Kaunihera o Tāmaki Makaurau | Te kaunihera kāwanatanga ā-rohe—te mea nui rawa o Aotearoa. |
| Te Building Act 2004 me te Tikanga Hanga Whare (Building Code) | Me mātua ū ngā mahi hanga whare katoa i Aotearoa ki te Tikanga Hanga Whare. Kei roto te Tikanga Hanga Whare i ngā rekureihana i raro i te Building Act 2004. E whakahaeretia ana ngā mahi hanga whare i Aotearoa e te Ture. |
| CCS Disability Action | He whakahaere kāwanatanga-kore (NGO) ā-motu a CCS Disability Action e tuku ana i ngā tautoko, kaitaunaki, mōhiohio mā te hunga hauā. |
| Ngā Tikanga me Ngā Ratonga Hauora me te Hauā Mō Ngā Motika Kiritaki | He whakatakoto i ngā motika kei ngā tāngata o Aotearoa ina whakamahi ana i tētahi ratonga hauora, hauātanga rānei. E kīia ana ēnei ko Ngā Tikanga me Ngā Ratonga Hauora me te Hauā Mō Ngā Motika Kiritaki, 'Ngā Motika' rānei. |
| Ngā Tikanga Kawenga Ngaio me Ngā Paerewa mō te Umanga Whakaako | He whakatakoto i ngā paerewa mō ngā whanonga matatika e hiahiatia mō tēnā, mō tēnā kaiako i Aotearoa. |
| Te Komiti mō Ngā Tika Ōhanga, Pāpori me te Ahurea (CESCR) | Te Komiti o Te Kotahitanga o Ngā Whenua o te Ao e whakahaere ana i Te Kawenata ā-Ao mō Ngā Tika Ōhanga, Pāpori me te Ahurea (ICESCR). |
| *Kitenga Whakamutunga* | He aromatawai ēnei i te whakatinanatanga o ngā tiriti tika tangata e tētahi kāwanatanga, e tukuna ana e ngā rōpū tiriti hāngai whai muri i te aromatawaitanga a Ngā Pūrongo Kāwanatanga. E whakamahia anō e rātau ngā mōhiohio tāpiri—hei tauira, mai i ngā whakahaere kāwanatanga-kore ā-motu, ā-ao rānei. E mōhiotia anō ko te Kitenga Whakamutunga. |
| Te Kawenata mō Ngā Motika o te Hunga Hauā (CRPD) | *Tirohia te Kawenata a Te Kotahitanga o Ngā Whenua o te Ao mō Ngā Motika o te Hunga Hauā* |
| Te Whakapuakanga a Te Kotahitanga o Ngā Whenua o Te Ao | *Tirohia Te Whakapuakanga a Te Kotahitanga o Ngā Whenua o Te Ao* |
| DIDRR | Disability-Inclusive Disaster Risk Reduction |
| Te Mahere Rautaki Hauātanga | He tuku i tētahi tikanga puta noa i te kāwanatanga hei kōkiri whakamua i ngā mahi mō te whakatinana i te *Rautaki Hauātanga.* Ka whakahou te mahere 2019–2023 hou i te Mahere Rautaki Hauātanga o mua, me te kōrerorero tahi me te hapori hauā o Aotearoa ki te whakahāngai i ana whāinga ki *Ngā Rārangi Tāke* a te Komiti Hauātanga. |
| Komiti Hauātanga | Ko te Komiti Hauātanga mō Ngā Motika o te Hunga Hauā (e kīia ana ko te Komiti Hauātanga i roto i tēnei pūrongo) te rōpū mātanga motuhake e aroturuki ana i te whakatinanatanga o te Kawenata Hauātanga a Ngā Rōpū Kāwanatanga kei roto i Te Kotahitanga o Ngā Whenua o te Ao. |
| Disability Employment Forum | He mahi tahi i waenga i ngā whakahaere o ngā tāngata hauā, ngā ratonga tautoko whai mahi, me ngā rōpū taunaki rāngai. |
| Kaihautū Motika Hauātanga | I whakatūhia te tūranga o te Kaihautū Motika Hauātanga e tētahi menemana ki te Ture Tika Tangata 1993. |
| Ngā Whakahaere o Ngā Tāngata Hauā (DPOs) | Ko ngā whakahaere whakakanohi ēnei o ngā tāngata hauā, ā, e whakamanatia ana e te Ūpoko 4(3) o te Kawenata Hauātanga. |
| Ngā poari hauora ā-rohe (DHB) | Kei runga i a rātau te mana ki te whakarato, tuku pūtea rānei mō ngā ratonga hauora i roto i ō rātau ake rohe. |
| Te Kaitiaki Take Kōwhiri | Kei runga i tēnei umanga te kawenga mō ngā āhuatanga katoa o te whakahaere pōtitanga i Aotearoa. |
| Fetal Alcohol Spectrum Disorder (FASD) | Koinei te kōrero whānui mō ngā tūmomo mate nā te inu waipiro i te wā e hapū ana. Ko ēnei mate he māmā, he taumaha rānei, ā, koinei te pūtake o ngā tūmomo waimaerotanga. E kīia ana ko te Fetal Alcohol Syndrome Disorder. |
| Global Alliance of National Human Rights Institutions (GANHRI) | E mōhiotia ana i mua ko te International Coordinating Committee of National Human Rights Institutions, i ētahi wā ka whakapotoa ki te International Coordinating Committee (ICC), ko te GANHRI he whatunga ā-ao o ngā whakanōhanga motika tangata ā-motu (NHRI). |
| He Ara Oranga | Te Uiui Kāwanatanga ki te Hauora Hinengaro me te Waranga. |
| Harmful Digital Communications Act 2015 | He Ture Pāremata hei whakapāhunu, ārai me te whakangāwari i ngā mamae ka puta ki te tangata nā ngā whakawhitiwhiti matihiko, me te tuku ki ngā pārurenga o ngā whakawhitiwhiti matihiko whakakino mā ngā puretumu tere, tika ake. |
| Te Toihau Hauora, Hauātanga (HDC) | He umanga motuhake ko tāna mahi he hāpai me te whakamaru i ngā motika o ngā kiritaki e ai ki Ngā Tikanga me Ngā Ratonga Hauora me te Hauā Mō Ngā Motika Kiritaki. Kei roto i tēnei ko te whakatau i ngā amuamu mā tētahi āhuatanga tika, i te wā tika, me te whaitake. |
| Te Kōmihana Hauora Kounga me te Haumaru | He hinonga Karauna e mahi ana me ngā kaihaumanu , kaiwhakarato me ngā kiritaki hei whakapai ake i ngā ratonga tautoko hauora me te hauātanga. |
| Pouhere Taonga | Ko te umanga tuku ihotanga ā-motu mātāmua. |
|  | He huinga tāngata. |
| Rangahau Rāngai Mahi ā-Whare (HLFS) | E tuku ana tēnei rangahau i ngā raraunga mō te whai mahi me te kore mahi i Aotearoa. E whakahaerehia ana e Tatauranga Aotearoa. |
| Ngā Rangahau ā-Whare | E whakahaerehia ana e Tatauranga Aotearoa ki te whakaemi mōhiohio puta noa i te motu mō te oranga o te iwi o Aotearoa, te tūranga mahi, tūranga ōhanga, aha atu, aha atu. |
| Te Ture Tika Tangata 1993 | He whakamaru i ngā tāngata i Aotearoa mai i te whakahāwea i roto i ngā wāhanga maha o te ora tae atu ki te hauātanga. |
| Te Kāhui Tika Tangata (HRC) | Ngā whakanōhanga motika tangata ā-motu mō Aotearoa. I whakatūria i te tau 1977, ka mahi i raro i te mana o te Ture Tika Tangata 1993. |
| Te Taraipiunara Arotake a Te Kāhui Tika Tangata (HRRT) | He rōpū whakatau rongoā, ka āhei ki te whakarongo ki ngā kerēme e pā ana ki ngā whatinga o te:   * Ture Tika Tangata 1993; * Ture Matatapu 1993; me te * Health and Disability Commissioner Act 1994.   Ka āhei te Taraipiunara ki te tuku utunga paremata mō ngā makeretanga i pā mai. Ko te nuinga o ngā whakawhiwhinga mō ngā wharanga ā-ngākau, whakaiti me te heke o te mana. |
| IHC Foundation | Ka whakapau kaha ki te whakarite ka wāriutia te hunga hinengaro hauā, ā, he kakama hoki rātau i roto i ō rātau hapori. |
| Te Kawa Aroturuki Motuhake (IMM) | Te tikanga aroturuki i te Kawenata Hauātanga/CRPD. I Aotearoa, ko te IMM Te Tari o Te Kāhui Tika Tangata, Te Kaitiaki Mana Tangata me Te Hononga o Ngā Whakahaere o Te Hunga Hauā. |
| Te Kura Kaiwhakawā (IJS) | Ko te taha whakawhanake o ngā kaiwhakawā o Aotearoa, he tuku kaupapa me ngā rauemi mātauranga. |
| Ngā kāinga KiwiBuild | He kaupapa nā te kāwanatanga ki te whakarite i ngā raruraru whare noho nā te kore whare me te kore whaiutu. Kei te mahi me ngā kaiwhakawhanake ki te waihanga i ngā kāinga kounga mō ngā tangata o Aotearoa e āhei ana ki ngā wāhi e tino hiahiatia ana. |
| Te Aka Matua | He arotake i te ture o Aotearoa me te tuku tūtohutanga ki te kāwanatanga ki te whakapai ake i te ture. |
| Law Foundation | He tuku takuhe mō ngā rangahau ā-ture, mātauranga tūmatanui mō ngā take ture, me ngā whakangungu ā-ture. |
| Kete matua mō te tuku mahi ki te hunga hauā | He rauemi mā ngā kaiārahi rāngai kāwanatanga, ngā kaiwhakahaere me ngā mātanga pūmanawa tangata ki te waihanga i tētahi wāhi whakauru, whakamanuhiri hoki i te hunga hauā. |
| E ārahi ana ki te tuku mōhiohio ka taea e te katoa | He aratohu whakatapoko i whakaputaina e Te Manatū Whakahiato Ora mā ngā kaituhi, kaiwhakawhitiwhiti me ngā kaihoahoa, tae atu ki ngā kaihoahoa tukutuku me ngā utauta ao rorohiko, ngā whare whakanao me ngā ratonga i riro mai ki te rāngai tūmatanui. He wāhanga hira o te Tūtohinga Whakatapoko. |
| LGBTQIA+ | Wāhine moe wahine, tāne moe tāne, taerarua, ira tangata tauwhiti, takatāpui, taerakore, +. |
| Ngā Rārangi Take | Ko ngā pātai i tukuna e te Komiti Hauātanga mō ngā mea e hiahia ana rātau ki te pūrongo atu ki te Kāwanatanga. |
| Mana Whaikaha | He tauira o te pūnaha tautoko hauātanga kua takahuria, i whakarewatia, i whakamātautia i te takiwā pokapū o Aotearoa i te Whiringa-ā-nuku 2018. |
| Minita o te Ture | I tēnei wā ko Hōnore Andrew Little |
| Hīkina Whakatutuki | He wāhanga hira i roto i te ahuahu me te tuku i tētahi ōhanga pakari o Aotearoa. |
| Ministry of Housing and Urban Development | He ārahi i te kaupapa mahi whare noho me ngā whanaketanga tapatāone o Aotearoa. |
| Te Manatū Whakahiato Ora | He āwhina ki te whakapakari kia momoho te tangata, otirā he whakapakari i ngā whānau me ngā hapori pakari, hauora hoki. Ka oti tēnei mā te tuku:   * ratonga whai mahi, tautoko moni whiwhi me penihana hoki; * pūtea ki ngā kaituku ratonga hapori; * kaupapahere pāpori me ngā tohutohu ki te kāwanatanga; * ngā tahua tautoko me ngā pūtea taurewa ākonga; me * ngā whare noho pāpori. |
| Te Minita Whakahiato Ora | I tēnei wā ko Hōnore Carmel Sepuloni |
| Ngā Kaitautoko | He ratonga taunaki ā-motu koreutu, he motuhake te mahi mai i ngā kaituku ratonga hauora me te hauātanga me ngā tari. |
| Kaupapa Tuku Āwhina a Aotearoa | He tuku i ngā tautoko whaimana a Aotearoa ki ngā whenua whakawhanake, me te arotahi atu ki te rohe o Te Moana-Nui-a-Kiwa. |
| New Zealand Bill of Rights Act 1990 (NZBoRA) | He whakarārangi i ngā motika me ngā mana herekore taketake o te tangata e ai ki te ture o Aotearoa, hei Pire Motika. |
| Te Rautaki Hauātanga o Aotearoa | Ka arahina e mātau ngā mahi a ngā tari kāwanatanga mō ngā take hauātanga mai i te 2016 ki te 2026. Ka taea anō te whakamahi e ngā tāngata, whakahaere rānei e hiahia ana ki te ako me te tuku i ngā whakatau pai rawa, mō ngā hira ki te hunga hauā. |
| Te Tumu Whakaata Taonga | E hāpai ana me te tautoko i te ahumahi whakaata i Aotearoa. |
| Te Reo Rotarota o Aotearoa (NZSL) | Ko tētahi o ngā reo whai mana e toru o Aotearoa. |
| Ngā whakahaere kāwanatanga-kore (NGO) | Ngā Whakahaere Kāwanatanga-Kore |
| Te Tari mō Ngā Take Hauātanga (ODI) | Te tari matua i roto i te kāwanatanga mō ngā take hauātanga. Te whai i tētahi matakitenga mō Aotearoa kia noho hei iwi hauātanga-kore. |
| Irirangi Te Motu | He tuku i ngā pūtea whakahaere ki te maha o ngā pūhara me ngā ratonga tauwhāiti e tuku ana i ngā ihirangi pāpāho tūmatanui hira. Kei roto i tēnei ko Access radio, ngā reo irirangi o Te Moananui-a-Kiwa, ākonga hoki, me ngā ratonga whakatapoko ā-hauā. |
| NZS4121:2001 | Paerewa hoahoa mō te whakatapoko. He tuku i ngā rongoā tino tōpū, whaikiko mō te hoahoa whare me ngā whakaurunga ka taea e ngā tāngata hauā te kuhu atu me te whakamahi. |
| Te Kaitiaki Mana Tangata | Anei ētahi o ngā mahi a Te Kaitiaki Mana Tangata:   * te tūhura i te whanonga whakahaere o ngā tari rāngai tūmatanui; * te arotake i ā rātau whakatau e pā ana ki ngā tono mō ngā mōhiohio ōkawa; * he noho hei Tikanga Ārai ā-Motu i raro i te Crimes of Torture Act 1989; * he tūtohu kia whakatikahia ngā raruraru i te hē o ngā mahi a ngā tari; * te noho hei mana tōtika i raro i te Protected Disclosures Act 2000; me te * tuku tohutohu e pā ana ki ngā mea katoa i runga ake. |
| Oranga Tamariki | Te tari Kāwanatanga kei a ia te mana mō te whakamaru i ngā tamariki me ngā taiohi. |
| Te Ture Matatapu 1993 | He whakahaere i te āhua o te whakaemi, whakamahi, whāki, rokiroki me te whakatuwhera mai i 'ngā mōhiohio mō te tangata'. Ngā mōhiohio e puritia ana mō tētahi tangata ora. |
| Te Mana Mātāpono Matatapu | He whiriwhiri i ngā amuamu i raro i te Ture Matatapu 1993 mō ngā tauwhatinga o te matatapu me te whai wāhi atu ki ngā mōhiohio mō te tangata. He tuku tohutohu anō mō ngā motika matatapu. |
| Protection of Personal and Property Rights Act 1988 | He tuku i ngā tikanga mō te whakatau tikanga mō te hunga kāore e taea e rātau ā rātau ake whakatau te tuku. |
| Tahua Whakatipu Rohe | E toru piriona te tahua a te Kāwanatanga i te tukuna i roto i te toru tau ki te haumi ki te whanaketanga ōhanga ā-rohe mā tēnei tahua. |
| Rehabilitation International | He whakahaere me te whatunga ā-ao, e mahi ana ki te whakamana i te hunga hauā me te tuku rongoā mō tētahi iwi manaaki ake. |
| Social Security Act 2018 | I whakakorehia ngā wāhanga hāngai o ngā Ture o mua hei whakahou i te kaupapa toko i te ora o Aotearoa. |
| Te/Ngā Rōpū Kāwanatanga | Ko ngā Kāwanatanga i waitohu i tētahi tiriti motika tangata. |
| Te Kawa Mataaho | Ko te tari matua o Aotearoa mō te whakarato ki te iwi whānui o Aotearoa me te tirotiro, whakahaere, me te whakapai ake i te whakatutukitanga o te rāngai kāwanatanga me ana whakahaere. |
| Tatauranga Aotearoa | E mōhiotia anō ko Stats NZ, ka whakaemitia e tēnei tari ratonga tūmatanui o Aotearoa ngā tatauranga e pā ana ki te ōhanga, taupori, me te iwi o Aotearoa. |
|  |  |
| Ngā tāngata hauā Māori |  |
|  |  |
| Te Tiriti o Waitangi | Te tuhinga tūāpapa o Aotearoa, i waitohua i te 6 o Huitanguru 1840. He whakaaetanga, i roto i te reo Māori me te Ingarihi, i waenga i te Karauna o Piritana me ngā rangatira Māori tata ki te 540. |
| Tiriti o Waitangi | Tirohia Te Tiriti o Waitangi, i runga ake. |
| Te Kawenata a Te Kotahitanga o Ngā Whenua o te Ao mō Ngā Motika o te Hunga Hauā (UNCRPD) | E kīia anō ko te CRPD, UNCRPD me te Kawenata Hauātanga. |
| Hoahoa Ahuwhānui mō te Akoranga (UDL) | He pou tarāwaho ā-rangahau e āwhina ana i ngā kaiako ki te whakamahere i ngā akoranga kia tutuki ai ngā hiahia o ngā ākonga katoa. |
| Voice of the Young and Care Experienced (VOYCE–Whakarongo Mai) | He ratonga motuhake e taunaki ana mō te ara e noho ai ko te reo o ngā tamariki me ngā taiohi e tiakina ana ki te iho o ngā whakatau katoa mō rātau. |
| Te Rōpū Whakamana i Te Tiriti o Waitangi | Kei a rātau te mana ki te tūhura me te tuku tūtohutanga mō ngā kerēme a te Māori e pā ana ki ngā mahi, ngā tāhapatanga rānei a te Karauna, me kī mai rā anō i te 1840, i takahi i ngā kupu oati kei roto i Te Tiriti o Waitangi. |
| Te Rōpū Mātanga Toko i te Ora (WEAG) | He mea whakatū e Te Minita Whakahiato Ora ki te whakahaere i tētahi arotake mō te pūnaha toko i te ora o Aotearoa. |
| Whakamana Tāngata: Restoring Dignity to Social Security in New Zealand | I whakaputaina i te 2019 e Te Rōpū Mātanga Toko i te Ora (WEAG), e arotake ana tēnei pūrongo i te pūnaha toko i te ora o Aotearoa, hāunga te Pūtea Penihana o Aotearoa, te Penihana Ika-a-Whiro me ngā Penihana Pakanga, me te Pūnaha Tautoko Ākonga. |
| World Blind Union (WBU) | He whakahaere ā-ao e whakakanohi ana i ngā tāngata tata ki te 253 miriona puta noa i te ao he kāpō, he atarua rānei. |
| YWCA | He tautoko i ngā kaiārahi wāhine rangatahi, ngā wāhi haumaru, hōkakatanga me te hauora me te rangatiratanga ā-ōhanga i Aotearoa |

[Hoki ki ngā kaupapa](#ToC)

1. Ngā tauira o te whakawhitiwhiti me te ratonga takawaenga a Te Kāhui Tika Tangata

He tūao te uru ki te ratonga takawaenga a te HRC, engari ka taea e ngā whakataunga i whakaaetia te whakapai ake i te pūnahanaha, e ai ki ngā tauira e whai ake.

* Kua pai ake i ngā kaituku ratonga me ngā wāhi tūmatanui te wātea me te haumaru ki te tokomaha o ngā wāhi, tae atu ki aua wāhi he hira ki te motu.
* I kitea e tētahi kaiwhakarato wāhi noho te wāhanga o ngā kurī āwhina, ā, ka rapu ki te whakawhānui ake i ngā mōhio puta noa i te ahumahi.
* I huria e tētahi kamupene hiko tana kaupapahere mō ngā kiritaki he mate ō rātau e whirinaki ana ki tētahi puna hiko motu-kore.
* I paihere tētahi kura ki ngā tautoko kaiako nui ake mā ngā ākonga takiwātanga.
* I whakaae tētahi whakahaere ā-hauora ki te whakarerekē i tana kaupapahere rapu kaimahi kia uru ai ko ngā mōhiohio me pēhea te ārai i ngā whakahāwea pokanoa.
* I whiriwhiritia anōtia e tētahi wāhi huihuinga nui te urunga mai mō ngā kaiwhakamahi i runga wakanekeneke.
* I arotakehia e tētahi tari kāwanatanga matua tana kaupapahere me te nui o te pūtea e tukuna ana mō ngā whakamaimoa hauora nā tētahi amuamu whakahāwea ā-hauā.
* I tono tētahi kamupene tūnga waka i tētahi arotake motuhake mō tētahi kaupapahere me ngā tikanga tūnga waka whakatapoko.
* I whakatikahia e tētahi kaituku mahi tana kaupapahere rapu kaimahi mō te tōtika o te tono i ngā tiwhikete hauora.
* I arotakehia e tētahi kura kōhungahunga tana kaupapahere e pai ake ai te whakauru mai i ngā tamariki hauā.
* I arotakehia e tētahi pakihi tuku tīkiti ana whakaritenga whakatapoko.
* I whakaae tētahi kamupene whakangahau pāpāho kia whakangungua ana kaimahi pokapū whakapāpā mō te mōhio ki ngā āhuatanga hauātanga kia taea ai e rātau te urupare ki ngā kiritaki hauā me te wairua manaaki.
* Ka whakarerekēhia e tētahi toa hoko waipiro ana tukanga me te whakangungu i ngā kaimahi mō te hokohoko tika i ngā waipiro kia mōhio ai mēnā kei te haurangi tētahi kiritaki (me te whai whakaaro hoki ka whakaawe pea ētahi hauātanga i te kōrero, tūtika me te āhua o ngā kiritaki).

1. Ngā kupu āpiti

1. Ko te tikanga o te tangata whaikaha kei te rapu i te kaha mōna anō. E whakaata ana i ngā whāinga me ngā ūnga o te hunga hauā e rapu ana kia puta ō rātau ihu, kia whakarākei ara mō rātau anō me te aukati i ngā whakawātanga. [↑](#endnote-ref-2)
2. Tirohia a <https://www.odi.govt.nz/home/about-disability/disability-etiquette/>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-3)
3. Ko te rōpū e aroturuki ana i te UNDRIP i Aotearoa ko te Kawa Aroturuki Motuhake o UNDRIP (IMM UNDRIP). He mea whakatū e te rūnanga ā-motu o ngā rangatira iwi taketake i te tau 2015. I ahu mai ngā mema i te hapori o ngā tāngata whaikaha. [↑](#endnote-ref-4)
4. Ko ētahi atu o ngā tikanga motika tangata a te UN ko te: Te Kawenata a te UN mō Ngā Motika o te Tamaiti; Kawenata ā-Ao mō Ngā Tika Ōhanga, Pāpori me te Ahurea; Te Kawa Kōwhiringa ki te Kawenata Ārai i te Whakamamae; Kawenata mō te Whakakore i te Whakahāwea i te Wahine; me te Kawenata ā-Ao mō Ngā Motika ā-Iwi me te Tōrangapū. [↑](#endnote-ref-5)
5. Tirohia a <https://www.ombudsman.parliament.nz/resources/making-complaints-un-disability-committee-guide-new-zealanders>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-6)
6. Tirohia a <http://www.ombudsman.parliament.nz/resources-and-publications/disabilities-convention-annual-reports>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-7)
7. E whakamahia ana te kupu 'whakawehenga' i roto i tēnei pūrongo engari me mōhio anō he whakapono tā ētahi tāngata hauā he kupu ngāwari tēnei, e hiahia kē ana ki te whakamahi i te kupu 'mauherehere taratahi'. [↑](#endnote-ref-8)
8. Tirohia a https://www.unodc.org/documents/justice-and-prison-reform/Nelson\_Mandela\_Rules-E-ebook.pdf, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-9)
9. Te pokapū ā-motu mō te whanaketanga ohu mahi ā-whakaaturanga mō ngā rāngai hauora, waranga me te hauātanga i Aotearoa. [↑](#endnote-ref-10)
10. *Te tātai i te uara ki te mahi: An NZIER report commissioned by the Blind Foundation for the Access Alliance*, Huitanguru 2017, p ii. Tirohia a <https://nzier.org.nz/static/media/filer_public/b1/be/b1be61f9-cf49-4cde-a0d1-2d2e8bc2ba8f/valuing_access_to_work.pdf>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-11)
11. E whakaata ana tēnei tūtohutanga me te tautoko i te tūtohutanga 11 o te pūrongo UNDRIP a te IMM e pā ana ki te whakatinanatanga o te Whakapuakanga a te UN mō Ngā Motika o Ngā Iwi Taketake o Aotearoa, Pipiri 2018: Tūtohutanga 11: Kia whaitake ngā whakawhitiwhiti kōrero a te Kāwanatanga me te whakatū i tētahi kaupapa waihanga-ngātahi me ngā tāngata whaikaha. *Report of the Independent Monitoring Mechanism regarding the implementation of the UN Declaration on the Rights of Indigenous Peoples in Aotearoa New Zealand*, *Pipiri 2018*, w 11-12. Tirohia tēnei he mea tiki atu i te Haratua 2019 mai i <https://www.ohchr.org/Documents/Issues/IPeoples/EMRIP/Session11/EMRIP_CRP.2.docx>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-12)
12. E whakaata ana, e tautoko ana tēnei tūtohutanga i ngā tūtohutanga 3 me te 6 o te pūrongo UNDRIP a te IMM: te whakatū, tautoko me te pupuri i ngā tikanga whaitake hei whakawhitiwhiti me tōna pātui Tiriti mō te whakamana me te tiaki i te tino rangatiratanga i roto i ōna ture, kaupapahere me ngā tikanga; me te whakauru mai i tētahi kaupapa whānau ora ki roto i tana whakamātautau i te takahuritanga o te pūnaha tautoko hauātanga. *Report of the Independent Monitoring Mechanism regarding the implementation of the UN Declaration on the Rights of Indigenous Peoples in Aotearoa New Zealand*, *Pipiri 2018*, w 5 me 7. Tirohia a <https://www.ohchr.org/Documents/Issues/IPeoples/EMRIP/Session11/EMRIP_CRP.2.docx>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-13)
13. E ai ki ngā kōwae 60–64 o te *Kōrero Whānui Tau 7*, hei whakamana i te Ūpoko 4(3) o te Kawenata Hauātanga. Komiti mō Ngā Motika o te Hunga Hauā, *Kōrero whānui Tau 7 (2018) mō te whai wāhi atu o te hunga hauā, tae atu ki ngā tamariki hauā, mā ō rātau whakahaere, i roto i te whakatinanatanga me te aroturuki i te Tikanga*, 9 Whiringa-ā-rangi 2018. Tirohia<https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GC/7&Lang=en>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-14)
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21. Te Manatū Hauora, Ngā Meka o Te Mate Whakamomori: Ngā raraunga o te 2016 (takitaro). Tirohia a <https://www.health.govt.nz/publication/suicide-facts-2016-data-provisional> i toroa i te Poutūterangi 2020. [↑](#endnote-ref-22)
22. Ka whakatauhia e te Minita kia tūhuratia te tikanga 'tango tamariki' a Oranga Tamariki he mea tiki i te 2019. Tirohia a <https://www.rnz.co.nz/news/national/392169/minister-orders-inquiry-into-oranga-tamariki-uplift-practice> i toroa i te Poutūterangi 2020. [↑](#endnote-ref-23)
23. Tatauranga Aotearoa, He hauā Māori: ngā kitenga mai i te Rangahau Tatauranga Hauātanga a Tatauranga Aotearoa 2013 w 6, <http://archive.stats.govt.nz/browse_for_stats/health/disabilities/He-haua-maori-findings-from-2013-disability-survey.aspx>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-24)
24. *Te Pūrongo ā-Tau a Te Tari o te Āpiha Kaitohu o te Hauora Hinengaro 2016*. Tirohia a https://www.health.govt.nz/system/files/documents/publications/office-of-the-director-of-mental-health-annual-report-2016-dec17-v2.pdf, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-25)
25. Tirohia a https://www.hrc.co.nz/our-work/indigenous-rights/our-work/expert-mechanism-rights-indigenous-peoples/, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-26)
26. Kei roto ēnei take i ngā kerēme i tāpaetia ki *Te Rōpū Whakamana i Te Tiriti o Waitangi (Wai 2575) Te Uiui Hauātanga Māori*. [↑](#endnote-ref-27)
27. I whakatūhia Te Rōpū Whakamana i Te Tiriti o Waitangi i te tau 1975 ki te tuku ara i raro i te ture e taea ana ngā takahitanga o Te Tiriti o Waitangi te whakatewhatewha. I te tau 2016, i te uruparenga ki ngā kerēme maha mō te hauora me te hauātanga, i tīmataria e Te Rōpū Whakamana i Te Tiriti o Waitangi te Uiui i Ngā Kaupapa Hua me Ngā Ratonga Hauora e whai ana i tētahi ara ā-kaupapa, raupapa hoki e pā ana ki ngā kerēme hauora, hauātanga hoki. Kei roto i te wāhanga tuarua o tēnei Uiui ko te Māori me ngā hauātanga. [↑](#endnote-ref-28)
28. Tirohia a <https://www.hrc.co.nz/our-work/indigenous-rights/our-work/expert-mechanism-rights-indigenous-peoples/>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-29)
29. Kia mōhio mai kua oti kē ētahi kōrerorero i waenga i te Pae o Whānau Ora me Te Pūtahitanga o Te Waipounamu (he rangapū Whānau Ora) mō te whakahāngai i te takahuritanga o te pūnaha ki tētahi kaupapa whānau ora. [↑](#endnote-ref-30)
30. Tākuta Paula Thérèse King, *Māori with Lived Experience of Disability, Part I*, he mea whakarite e Te Rōpū Whakamana i Te Tiriti o Waitangi mō te Wāhanga Tuarua o *Wai 2575 Te Uiui Kaupapa Ratonga me Ngā Putanga Hauora*, 24 o Pipiri 2019, wh 351–355. Tirohia a [https://forms.justice.govt.nz/search/Documents/WT/wt\_DOC\_150437272/Wai%202575%2C%20B022.pdf](https://forms.justice.govt.nz/search/Documents/WT/wt_DOC_150437272/Wai%202575,%20B022.pdf), i toroa i te Poutūterangi 2020. [↑](#endnote-ref-31)
31. Anō, i te w3. [↑](#endnote-ref-32)
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36. E whakaata ana, e tautoko ana tēnei tūtohutanga i ngā tūtohutanga 3 me te 6 o te pūrongo UNDRIP a te IMM: te whakatū, tautoko me te pupuri i ngā tikanga whaitake hei whakawhitiwhiti me tōna pātui Tiriti mō te whakamana me te tiaki i te tino rangatiratanga i roto i ōna ture, kaupapahere me ngā tikanga; me te whakauru mai i tētahi kaupapa whānau ora ki roto i tana whakamātautau i te takahuritanga o te pūnaha tautoko hauātanga. *Report of the Independent Monitoring Mechanism regarding the implementation of the UN Declaration on the Rights of Indigenous Peoples in Aotearoa New Zealand*, *Pipiri 2018*, w 5 me 7. Tirohia a <https://www.ohchr.org/Documents/Issues/IPeoples/EMRIP/Session11/EMRIP_CRP.2.docx>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-37)
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38. *Tracking Equality at Work 2018 Summary and recommendations*, 27 Pipiri 2018 Tirohia <https://www.hrc.co.nz/files/2115/3013/8951/Tracking_Equality_Report_FINAL.pdf>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-39)
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40. Anō, w6-7. [↑](#endnote-ref-41)
41. Anō [↑](#endnote-ref-42)
42. I roto i ana Kitenga Whakamutunga o te 2014 mō Aotearoa, i whakapuakina e te Komiti Hauātanga te whakaaro kāore i ū te Mental Health (Compulsory Assessment and Treatment) Act 1992 ki te Kawenata. I runga i tērā whakaaro, ko te āhua nei kāore hoki pea ētahi atu ture i te ū, arā ko te Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003 me te Substance Addiction (Compulsory Assessment and Treatment) Act 2017. [↑](#endnote-ref-43)
43. E ai ki ngā kōwae 60–64 o te *Kōrero Whānui Tau 7*, hei whakamana i te Ūpoko 4(3) o te Kawenata Hauātanga. Komiti mō Ngā Motika o te Hunga Hauā, *Kōrero whānui Tau 7 (2018) mō te whai wāhi atu o te hunga hauā, tae atu ki ngā tamariki hauā, mā ō rātau whakahaere, i roto i te whakatinanatanga me te aroturuki i te Tikanga*, 9 Whiringa-ā-rangi 2018. Tirohia<https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GC/7&Lang=en>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-44)
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50. Tirohia a [https://tbinternet.ohchr.org/\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2f  
    NZL%2fCO%2f1&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD/C/NZL/CO/1&Lang=en) i toroa i te Poutūterangi 2020. [↑](#endnote-ref-51)
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56. Ngā tatauranga Rāngai Mahi (hauātanga) Hauwhā Pipiri 2019 i toroa i te Hereturikōkā 2019 <https://www.stats.govt.nz/news/employment-gap-for-disabled-people-remains-high> [↑](#endnote-ref-57)
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60. Te Kāhui Tika Tangata, *Women’s Rights in New Zealand: Submission of the New Zealand Human Rights Commission for the Seventh Periodic Review of New Zealand under the Convention on the Elimination of Discrimination Against Women*, 1 Pipiri 2018, w 4. Tirohia a <https://www.hrc.co.nz/files/5815/2877/2344/NZ_Human_Rights_Commission_Submission_on_Women27s_Rights_in_New_Zealand_June_2018.pdf> i toroa i te Poutūterangi 2020. [↑](#endnote-ref-61)
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63. Te Komiti a te UN mō te Whakakore i te Whakahāwea i te Wahine, 2004 *Tūtohutanga whānui Tau 25, mō te ūpoko 4, kōwae 1, o te Kawenata mō te Whakakore i Ngā Momo Whakahāwea Katoa i te Wahine, mō ngā whakaritenga motuhake wā poto.* Tirohia <https://www.refworld.org/docid/453882a7e0.html>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-64)
64. *Adoption Action Inc v Attorney-General* [2016] NZHRRT 9 at [174]–[203]. Tirohia a <https://www.justice.govt.nz/assets/Documents/Decisions/2016-NZHRRT-9-Adoption-Action-Inc-v-Attorney-General.pdf>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-65)
65. Te Tāhū o te Ture, *Tahua Oranga 2019: Kaupapa Whakarekereke Whānau me te Taitōkai*. Tirohia <https://www.justice.govt.nz/assets/Documents/Publications/JV-Budget-Summary-of-Initiatives-FVSV-Package-2019.pdf>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-66)
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70. Ngā Tatauranga Rāngai Mahi (hauātanga) Hauwhā o Pipiri 2018 Tūtohi 3 i tīkina i te Hōngongoi 2019 mai i https://www.stats.govt.nz/information-releases/labour-market-statistics-disability-june-2018-quarter i toroa i te Poutūterangi 2020. [↑](#endnote-ref-71)
71. Te Kāhui Tika Tangata, *Women’s Rights in New Zealand: Submission of the New Zealand Human Rights Commission for the Seventh Periodic Review of New Zealand under the Convention on the Elimination of Discrimination Against Women*, 1 Pipiri 2018, w 4. Tirohia a <https://www.hrc.co.nz/files/5815/2877/2344/NZ_Human_Rights_Commission_Submission_on_Women27s_Rights_in_New_Zealand_June_2018.pdf> i toroa i te Poutūterangi 2020. [↑](#endnote-ref-72)
72. Jennifer Conder, Brigit Mirfin-Veitch, Deborah Payne, Alexis Channon me Georgina Richardson, ’Increasing the participation of women with intellectual disabilities in women’s health screening: a role for disability support services’, Research and Practice in Intellectual and Developmental Disabilities (2019) 6:1, 86–96. Tirohia https://www.tandfonline.com/doi/full/10.1080/23297018.2018.1466354, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-73)
73. Te Kāhui Tika Tangata, *Women’s Rights in New Zealand: Submission of the New Zealand Human Rights Commission for the Seventh Periodic Review of New Zealand under the Convention on the Elimination of Discrimination Against Women*, 1 Pipiri 2018. Tirohia a <https://www.hrc.co.nz/files/5815/2877/2344/NZ_Human_Rights_Commission_Submission_on_Women27s_Rights_in_New_Zealand_June_2018.pdf> i toroa i te Poutūterangi 2020. [↑](#endnote-ref-74)
74. Te Minitatanga mō Ngā Wāhine , *Strong and safe communities—effective interventions for adult victims of sexual violence*, he pūrongo mō te awheawhe mā te hunga whai pānga hauātanga, 2007. Tirohia <https://women.govt.nz/sites/public_files/stakeholder-workshop-for-people-with-disabilities-191008.pdf>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-75)
75. *Te pukaiti Whakarekereke ā-whare, tūkinotanga me te kore manaaki i te hunga hauā*. Tirohia <http://www.areyouok.org.nz/assets/AreyouOK/Resources/disability-booklet-newest-1.pdf>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-76)
76. YWCA Auckland, *Insights Report: Young Women and Disability in Aotearoa New Zealand*, w 8. Tirohia <https://www.akywca.org.nz/common/Uploaded%20files/Insights/Young%20Women%20and%20Disability%20in%20Aotearoa%20New%20Zealand.pdf>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-77)
77. Komiti mō Ngā Motika o te Tamaiti, tirohia te <https://www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-78)
78. I mana te Children, Young Persons and Their Families (Advocacy, Workforce and Age Settings) Amendment Act 2016 i te 1 o Paengawhāwhā 2017, ā, i roto ko te:

    * whakawhānui i te pūnaha manaaki me te tiaki kia uru atu ko te hunga 17 tau;
    * whakarite ka rangona, ka whai whakaarotia ngā whakaaro o ngā tamariki;
    * tautoko i te waihanga i ngā ratonga kaitaunaki motuhake (pērā i a VOYCE); me te
    * whakamana kia whānui ake te uru mai o ngā tūmomo mātanga ngaio nui ake.

    I pāhitia te Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Act 2017 i te 13 o Hōngongoi o 2017. Ka ahu mai i ngā rerekētanga te tūāpapa mō te pūnaha mā te:

    * whakarite i tētahi pūnaha whaitake, haepapa hoki e aro ana ki te tamaiti;
    * whakapai ake i ngā putanga mō te Māori;
    * tuari i ngā mōhiohio kia pai ake te urupare ki ngā tamariki me ngā taiohi e noho whakaraerae ana; me te
    * huri i te Children, Young Persons and Their Families Act ki te Ture Oranga Tamariki, hei whakaata i te āhua me te whānui o ngā rerekētanga.

    [↑](#endnote-ref-79)
79. Ngā Wāhanga 141 me te 142 o te Children, Young Persons, and Their Families Act 1989. [↑](#endnote-ref-80)
80. Tirohia <https://conversation.education.govt.nz/conversations/learning-support-action-plan/>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-81)
81. Tirohia a <https://www.odi.govt.nz/united-nations-convention-on-the-rights-of-persons-with-disabilities/un-reviews-of-nzs-implementation-of-the-convention/first-review-of-implementation-2014-2015/government-response-to-the-united-nations-committee-on-the-rights-of-persons-with-disabilities-concluding-observations-on-new-zealand/>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-82)
82. Komiti mō ngā Motika o te Hunga Hauā,  *Te rārangi o ngā take i mua o te tukutanga o te pūrongo tuarua, tuatoru o Aotearoa i whakakotahitia*, 2018, w 3. Tirohia [https://tbinternet.ohchr.org/\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fNZL%2fQPR%2f2-3&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD/C/NZL/QPR/2-3&Lang=en), i toroa i te Poutūterangi 2020. [↑](#endnote-ref-83)
83. Catalina Devandas-Aguilar, *Rights of persons with disabilities: Report of the Special Rapporteur on the rights of persons with disabilities*, 11 Kohitātea 2019, w 7. Tirohia <https://www.un.org/ga/search/view_doc.asp?symbol=A/HRC/40/54>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-84)
84. Te Kāhui Tikanga Tangata, *Submission of the Equal Employment Opportunities Commissioner on Abortion Law Reform*, 1 Pipiri 2018, w 20–22. Tirohia <https://www.hrc.co.nz/files/6515/4042/8297/Submission_of_Equal_Employment_Opportunities_Commissioner_on_Abortion_Law_Reform.pdf>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-85)
85. Tākuta Edgar Pacheco rāua ko Neil Melhuish, *Online Hate Speech: A survey on personal experiences and exposure among adult New Zealanders*, Netsafe, Whiringa-ā-rangi 2018, w 18. Tirohia <https://www.academia.edu/37930552/Online_hate_speech_A_survey_on_personal_experiences_and_exposure_among_adult_New_Zealanders>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-86)
86. Te Manatū mō te Taiao, *New Zealand Urban Design Protocol*,Poutūterangi 2005. Tirohia a [www.mfe.govt.nz/sites/default/files/urban-design-protocol-colour.pdf](http://www.mfe.govt.nz/sites/default/files/urban-design-protocol-colour.pdf), i toroa i Poutūterangi 2020. [↑](#endnote-ref-87)
87. Waka Kotahi, *Guidelines for facilities for blind and vision impaired pedestrians*, Haratua 2015. Tirohia a <https://www.nzta.govt.nz/assets/resources/road-traffic-standards/docs/rts-14.pdf>, i toroa i te Poutūterangi 2020. E kapi ana ngā aratohu i ngā tūmomo āhuatanga hoahoa tae atu ki te hoahoa whakaurunga kaiwaewae, ngā tūtohu papa ā-pā, ngā tohu ikiiki ā-pā ororongo, hoahoa whakawhiti paeara, me te urunga whānui ki te ikiiki tūmatanui. E whakamahia ana e tēnei aratohu ngā mātāpono hoahoa ahuwhānui. [↑](#endnote-ref-88)
88. Waka Kotahi, *Pedestrian planning and design guide*, Whiringa-a-nuku 2009. Tirohia a <https://www.nzta.govt.nz/resources/pedestrian-planning-guide/>, i toroa i te Poutūterangi 2020. He tuku tohutohu tēnei rauemi mō te whakamahere me te hoahoa mō ngā wāhi hīkoi mō ngā tūmomo kaiwhakamahi rerekē, tae atu ki ngā hunga he uaua te hīkoi me rātau kei runga wīra. [↑](#endnote-ref-89)
89. Te Manatū Whakahiato Ora – *Te Rautaki Whakatapoko:* He ārahi i te tuku mōhiohio e wātea ana ki te katoa. Tirohia a<https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/accessibility-guide/index.html>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-90)
90. *Buildings for everyone: Designing for access and usability*, 28 Kohitātea 2018. Tirohia a <https://www.building.govt.nz/building-code-compliance/d-access/accessible-buildings>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-91)
91. Te Tari o te Minita Mō Ngā Take Hauātanga, Te Whakatere Ake ki te Whakatapoko, Pepa a te Rūnanga Matua o te Kāwanatanga, w 5. Tirohia ahttps://www.msd.govt.nz/about-msd-and-our-work/publications-resources/information-releases/accelerating-progress-to-accessibility.html, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-92)
92. Te Tari Mō Ngā Take Hauātanga, Te Whakatere Ake ki te Whakatapoko, Pepa a te Rūnanga Matua o te Kāwanatanga, w 12. Tirohia ahttps://www.msd.govt.nz/about-msd-and-our-work/publications-resources/information-releases/accelerating-progress-to-accessibility.html, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-93)
93. Te whakautu a te Kāwanatanga o Aotearoa ki 'te rārangi o ngā take i mua o te tukutanga o te arotake tuarua, tuatoru o Aotearoa i whakakotahitia', 2018. Tirohia a <https://www.odi.govt.nz/united-nations-convention-on-the-rights-of-persons-with-disabilities/second-periodic-review/> i toroa i te Poutūterangi 2020. [↑](#endnote-ref-94)
94. Tirohia a <http://www.legislation.govt.nz/bill/member/2017/0269/latest/DLM7285950.html>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-95)
95. Te Kāhui Tika Tangata, *Submission of The Disability Rights Commissioner on the End of Life Choice Bill*, 2018. Tirohia a <https://www.hrc.co.nz/files/9115/2037/7477/DRC_End_of_Life_Choice_Submission_for_Select_Committee.pdf>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-96)
96. Te Manatū Hauora, *Health Indicators for New Zealanders with Intellectual Disability*, 2 Mahuru 2011. Tirohia a https://www.health.govt.nz/publication/health-indicators-new-zealanders-intellectual-disability i toroa i te Poutūterangi 2020. [↑](#endnote-ref-97)
97. Tirohia a <https://i.stuff.co.nz/national/health/111236918/unreliable-down-syndrome-screening-could-be-fixed-with-a-controversial-test>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-98)
98. Jeanne Snelling, Nikki Kerruish, me Jessie Lenagh-Glue, *Judging genes & choosing children: Revisiting law, ethics & policy in the genomic era*, i whakaritea e te New Zealand Law Foundation, Te Whare Wānanga o Ōtāgo, 2017. Tirohia a <https://www.lawfoundation.org.nz/wp-content/uploads/2017/08/Research-Report-embargoed-till-Mon-4.9.2017.pdf>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-99)
99. He rōpū taunaki e mahi tahi ana me te hapori hauā, ngā kaupapa atawhai me ngā rāngai Māori, kāwanatanga hoki. [↑](#endnote-ref-100)
100. Tirohia a <https://www.odi.govt.nz/nzsl/news/get-ready-week/>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-101)
101. Tirohia a <https://getready.govt.nz/prepared/special-requirements/>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-102)
102. He whakahaere whanaketanga Karaitiana ā-ao a cbm NZ, e pūmau ana ki te whakapai ake i te kounga o te ora o ngā tāngata hauā i roto i ngā whenua tino rawakore o te ao. [↑](#endnote-ref-103)
103. Tirohia a [https://www.cbm.org/fileadmin/user\_upload/Publications/CBM-DID-TOOLKIT-accessible.pdf](https://www.cbm.org/fileafdmin/user_upload/Publications/CBM-DID-TOOLKIT-accessible.pdf), i toroa i te Poutūterangi 2020. [↑](#endnote-ref-104)
104. Te Kaunihera Tika Tangata o Te Kotahitanga o ngā Iwi o te Ao, Whakataunga 28/4, *Te motika o te hunga hauā kia noho motuhake, ā kia uru ki te hapori pērā i ētahi atu*, 8 Paengawhāwhā 2015, w 3. Tirohia a <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/071/96/PDF/G1507196.pdf?OpenElement>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-105)
105. Tirohia a <https://www.ohchr.org/EN/Issues/Disability/Pages/Article11.aspx>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-106)
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107. Te Kāhui Tika Tangata, *Monitoring Human Rights in the Canterbury Earthquake Recovery*, Hakihea 2013. Tirohia a <https://www.hrc.co.nz/files/2114/2427/8929/HRC-Earthquake-Report-2013-final-for-web.pdf>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-108)
108. *Komiti mō Ngā Tika o te Hunga Hauā, Kōrero Whānui 1 (2014) Ūpoko 12:* Te mana ōrite i raro i te ture, 19 Haratua 2014. Tirohia a <https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GC/1&Lang=en>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-109)
109. Catalina Devandas-Aguilar, *Universal legal capacity to ensure the equal recognition of persons with disabilities before the law*, Report of the Special Rapporteur on the rights of persons with disabilities , A/HR/37/56, 2018, w 6. Tirohia a <http://www.embracingdiversity.net/files/report/1519639659_report-legal-capacity-web.pdf>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-110)
110. *He Ara Oranga: Te Pūrongo a te Uiui Kāwanatanga ki te hauora hinengaro me te Waranga*, Whiringa-ā-rangi 2018, ūpoko 11. Tirohia a <https://mentalhealth.inquiry.govt.nz/inquiry-report/he-ara-oranga/chapter-11-mental-health-act-reform/>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-111)
111. Tirohia a [https://www.lawcom.govt.nz/news/law-commission%E2%80%99s-201920-work-programme](https://www.lawcom.govt.nz/news/law-commission’s-201920-work-programme), i toroa i te Poutūterangi 2020. [↑](#endnote-ref-112)
112. Te Komiti mō Ngā Motika o te Hunga Hauā, *Concluding observations on the initial report of New Zealand,* 2014, w 3. Tirohia <https://www.hrc.co.nz/files/2814/4046/9752/G1419535.pdf>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-113)
113. Manatū Hauora <https://consult.health.govt.nz/mental-health/draft-revisions-to-the-guidelines-to-the-mental-he/> [↑](#endnote-ref-114)
114. Te Tari o Te Toihau Hauora, Hauātanga, *ngā ratonga hauora hinengaro me te waranga o Aotearoa*: *Te pūrongo aroturuki me te taunaki a Te Toihau Hauora, Hinengaro*, Huitanguru 2018, w 60. Tirohia a <https://www.hdc.org.nz/media/4688/mental-health-commissioners-monitoring-and-advocacy-report-2018.pdf>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-115)
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116. Piers Gooding, Bernadette McSherry, Cath Roper and Flick Grey, *Alternatives to Coercion in Mental Health Settings: He Arotake Tuhituhinga*, he mea whakarite e Te Tari a Te Kotahitanga o ngā Iwi o te Ao i Geneva hei whāngai ki te pūrongo a te Māngai Motuhake mō Ngā Motika o Te Hunga Hauā, Melbourne Social Equity Institute, 2018. Tirohia a <https://socialequity.unimelb.edu.au/__data/assets/pdf_file/0012/2898525/Alternatives-to-Coercion-Literature-Review-Melbourne-Social-Equity-Institute.pdf>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-117)
117. Te Kāhui Tika Tangata, This is not my home: A collection of perspectives on the provision of aged residential care without consent, 2018. Tirohia a <https://www.hrc.co.nz/files/1315/3471/5450/HRC_This_is_not_my_Home.pdf>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-118)
118. Brigit Mirfin-Veitch, Kate Diesfeld, Sue Gates and Mark Henaghan, *Developing a more responsive legal system for* *people with intellectual disability in New Zealand*, Donald Beasley Institute, Ōtepoti, 2014, w vii. Tirohia a <http://www.donaldbeasley.org.nz/assets/Uploads/Law-Fn-Rpt-Final-Word-Version-2.2.2015.pdf>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-119)
119. Ko te ‘Neurodisability’ he kupu whānui tērā hei whakamārama i ngā tūmomo hauātanga huna, kāore e tino kitea he ōrite te āhua/ngā hiahia tautoko. [↑](#endnote-ref-120)
120. Talking Trouble Aotearoa New Zealand, *Youth Voices about Youth Justice: Listening to young people’s experiences of communication within the youth justice sector in New Zealand*, 1 Hōngongoi 2018, w 7. Tirohia <https://talkingtroublenz.org/wp-content/uploads/2018/08/Youth-Voices-Talking-Trouble-report-20-July-2018.pdf>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-121)
121. Te Ara Poutama, ‘Practice note: Identifying and managing the effects of traumatic brain injury’, Practice: The New Zealand Corrections Journal (Hōngongoi 2018) 6(1). Tirohia a <https://www.corrections.govt.nz/resources/newsletters_and_brochures/journal/volume_6_issue_1_july_2018/practice_note_identifying_and_managing_the_effects_of_traumatic_brain_injury>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-122)
122. *Pora v The Queen* [2015] UKPC 9 at [41]. Tirohia a <https://www.jcpc.uk/cases/docs/jcpc-2013-0081-judgment.pdf>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-123)
123. Nathan Hughes, Huw Williams, Prathiba Chitsabesan, Rebecca Davies me Luke Mounce, *Nobody made the connection: The prevalence of neurodisability in young people who offend*, Office of the UK Children’s Commissioner, Whiringa-ā-nuku 2012. Tirohia a <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2017/07/Nobody-made-the-connection.pdf>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-124)
124. Tirohia a <https://www.benchmark.org.nz/resources>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-125)
125. Nikki Macdonald, ‘Justice denied—Human Rights Tribunal claim delays balloon to two years’, *stuff.co.nz*, 27 Hōngongoi 2018. Tirohia a <https://www.stuff.co.nz/national/105802681/justice-denied--human-rights-tribunal-claim-delays-balloon-to-two-years>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-126)
126. The Intellectual Disability (Compulsory Care and Rehabilitation) Act 2003, Mental Health (Compulsory Assessment and Treatment) Act 1992 me te Substance Addiction (Compulsory Assessment and Treatment) Act 2017. [↑](#endnote-ref-127)
127. Te Komiti mō Ngā Motika o te Hunga Hauā, *Concluding observations on the initial report of New Zealand,* 2014, w 4. Tirohia <https://www.hrc.co.nz/files/2814/4046/9752/G1419535.pdf>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-128)
128. Anō [↑](#endnote-ref-129)
129. Catalina Devandas-Aguilar, *Rights of persons with disabilities: Report of the Special Rapporteur on the rights of persons with disabilities*, 11 Kohitātea 2019, w 18. Tirohia <https://www.un.org/ga/search/view_doc.asp?symbol=A/HRC/40/54>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-130)
130. Radio NZ, Tirohia a https://www.rnz.co.nz/news/national/386859/corrections-bans-tie-down-beds-two-years-after-critical-report, 11 Paengawhāwhā 2019, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-131)
131. Kei roto i tēnei tikanga ko te raka i ngā kaiwhakamahi ratonga ki ō rātau rūma, ā, e whakaae ana te kāwanatanga kāore he hua whakaora o tēnei. Tirohia https://www.health.govt.nz/publication/night-safety-procedures-transitional-guideline [↑](#endnote-ref-132)
132. Ūpoko 20, Corrections Amendment Bill. Tirohia a <http://www.legislation.govt.nz/bill/government/2018/0035/latest/LMS23085.html>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-133)
133. Tirohia: <https://www.corrections.govt.nz/resources/newsletters_and_brochures/journal/volume_4_issue_2_december_2016/state_of_mind_mental_health_services_in_new_zealand_prisons>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-134)
134. Tirohia te tauira i <https://www.ombudsman.parliament.nz/resources/report-unannounced-inspection-whanganui-prison-4-september-2018> i ngā whārangi 41 me te 42, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-135)
135. Anō, i te whārangi 41. [↑](#endnote-ref-136)
136. Tirohia a <https://www.ombudsman.parliament.nz/sites/default/files/2019-10/annualreport-20182019.PDF> [↑](#endnote-ref-137)
137. Tirohia te pūrongo 2019 a Te Kaihautū Mana Tangata mō te Hawke’s Bay Prison: <https://www.ombudsman.parliament.nz/sites/default/files/2019-03/OPCAT%20Hawkes%20Bay%20Prison%20Inspection%20Report.pdf> [↑](#endnote-ref-138)
138. Tirohia te tauira: <https://www.nzherald.co.nz/opinion/news/article.cfm?c_id=466&objectid=12055701> [↑](#endnote-ref-139)
139. Tirohia: <https://www.rnz.co.nz/national/programmes/morningreport/audio/2018669467/ashley-peacock-enjoying-freedom-of-new-home>, i toroa i te Poutūterangi 2020. . [↑](#endnote-ref-140)
140. Tirohia a <https://www.ombudsman.parliament.nz/sites/default/files/2019-07/plain%20Terms_of_Reference_ID_Facilities___Services_for_public_release.pdf>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-141)
141. Tirohia a <https://www.ombudsman.parliament.nz/sites/default/files/2019-10/annualreport-20182019.PDF>, whārangi 28 o te Pūrongo ā-Tau 2018/19 a OOTO. I toroa i te Poutūterangi 2020. [↑](#endnote-ref-142)
142. Anō. [↑](#endnote-ref-143)
143. Tirohia: <https://www.seclusionandrestraint.co.nz/> i toroa i te Poutūterangi 2020. [↑](#endnote-ref-144)
144. Tirohia: <https://www.hqsc.govt.nz/assets/Mental-Health-Addiction/Resources/Zero_seclusion_infographic_Mar_2018.pdf> and <https://www.hqsc.govt.nz/assets/Mental-Health-Addiction/Images/Pacific-seclusion-infographic-Jun-2018.pdf>, i toroa i te Poutūterangi 2020. [↑](#endnote-ref-145)
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241. Anō [↑](#endnote-ref-242)
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243. Anō

     Ka mutu te tuhinga [↑](#endnote-ref-244)