



Response to the United Nations Committee on the Elimination of Discrimination Against Women

2018 Review of New Zealand

Submission from the Human Rights for All Trust in New Zealand

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The most at-risk group, globally, in the disability sector are women with disabilities.¹

In New Zealand

22.4% of women with disabilities are in employment
66.9% of women who are not disabled are in employment

13.2% of women with disabilities are unemployed
4.6% of women who are not disabled are unemployed

48% of women with disabilities earn less than \$30,000 per year
28% of male workers with disabilities earn less than \$30,000 per year.²

¹ In 2014 this was stated at a UN meeting by the Chair of the UN Committee on the Convention on the Rights of Persons with Disabilities Committee, Ms. Maria Soledad Cisternas Reyes

² New Zealand Household Labour Force Survey results March 2018 Statistics provided to HRFA by email to Carroll, L.M., from NZ Ministry of Women's Affairs, 29 May, 2018.

Women with Disabilities in New Zealand

*The five faces of oppression are exploitation, violence, marginalization, powerlessness and cultural imperialism.*³

1. Women with Disabilities

In 2001 the New Zealand Government Disability Survey (the Survey) reported an estimated population of 348,219 women living with disabilities; the 2006 Survey reported there was an estimated population of 332,600 women living with disabilities in New Zealand⁴ and the 2013 Survey report estimated there was a population of 545,000 New Zealand women living with disabilities^{5, 6}.

2. Labour Market Statistics

In June 2017 Statistics New Zealand reported that the Household Labour Force Survey (HLFS) included “a comprehensive suite of labour market statistics, broken down by disability status.” The disability specific questions being asked are “The Washington Group Short Set (WGSS) which ask whether people have difficulty performing basic universal activities (walking, seeing, hearing, cognition, self-care and communication)”.⁷

Statistics New Zealand released the Household Labour Force Survey results from the second quarter of 2017 (June) in the format of fifteen tables, however, of concern, none of these tables reflected the rate of disability occurrence in the surveyed women.⁸

We approached the New Zealand Ministry of Women’s Affairs, who were able to provide specific data that they had deduced from the June 2017 Household Labour Force Survey. They reported that 22.4% of women with disabilities are in employment in comparison to 66.9% of women who are not disabled are in employment. In addition, 13.2% of women with

³ Source: Young, I. M. (1990). Justice and the politics of difference. Princeton University: Princeton Press.

⁴ http://archive.stats.govt.nz/browse_for_stats/health/disabilities/DisabilitySurvey2006_HOTP06/Commentary.aspx

⁵ http://archive.stats.govt.nz/browse_for_stats/health/disabilities/DisabilitySurvey_HOTP2013.aspx

⁶ The dramatic number increase between 2006 to 2013 was thought primarily due to an aging population.

⁷ <https://www.stats.govt.nz/methods/improving-new-zealand-disability-data>

⁸ http://archive.stats.govt.nz/browse_for_stats/income-and-work/employment_and_unemployment/LabourMarketStatisticsDisability_HOTPJun17qtr.aspx

disabilities are unemployed in comparison to 4.6% of women who are not disabled are unemployed.⁹

The 2017 New Zealand labour market employment statistics were released on women as a gender group and on the recognised at-risk groups of Maori and Pasifika women by Statistics New Zealand. But, they were not released at the same time on women with disabilities as a discrete, at-risk, group.

There is a real need for Statistics New Zealand to recognise that women with disabilities require equal recognition when other, at-risk, women's groups such as Maori and Pasifika, are being publicly profiled through regular labour market statistical reporting.

This is because it is vital that New Zealanders start to realise, as a society, that women with disabilities are equally as vulnerable in the work place as are other marginalised and disenfranchised at-risk groups. Until this realisation occurs, many women with disabilities will remain too scared to seek disability accommodations to make their work day less stressful, and discrimination, marginalisation and workplace bullying will continue unabated, unrecognised for what it is and unaddressed.

2.1 Recommended CEDAW questions:

Please provide information on how the New Zealand Government intends to:

- **ensure that, at a minimum, statistics pertaining to the occurrence of disability in women are measured annually**
- **ensure that, at a minimum, statistics pertaining to the ethnicity of women with disabilities are measured annually**
- **ensure that, at a minimum, statistics identifying the gender of recipients of workplace disability accommodations are measured annually**
- **ensure that statistics pertaining to the occurrence in women of both ethnicity and disability type are routinely measured and reported by Statistics New Zealand in the Household Labour Force Survey**
- **ensure the full development, advancement and empowerment of women with disabilities in the workforce.**

⁹ June 2017 Statistics provided to HRFA by email to Carroll, L.M., from NZ Ministry of Women's Affairs, 29 May, 2018.

3. Gender Pay Gap impact on Women with Disabilities

Though no gender specific current data is available on women with disabilities, disabled workers tend to have lower incomes than non-disabled workers, reflecting their greater representation in lower-skilled occupations and in part-time work and 38% of disabled workers received incomes of \$30,000 or less from all income sources for the year to March 2013, compared with 30% of non-disabled workers.

At the other end of the scale, in 2013, just 14% of disabled workers had incomes over \$70,000, compared with 23% of non-disabled workers and in 2017, 18% of disabled full-time workers had incomes over \$70,000, compared with 28% of non-disabled people.¹⁰

Statistics New Zealand reported in September 2017 that disabled people (both men and women) were more likely to be unemployed; have lower average weekly incomes that were just over half (\$458) of that earned by a non-disabled people (\$833); when¹¹ employed earned an average hourly rate of \$26.40 whereas non-disabled people earned \$31.01 per hour and were more likely to have received some or all of their income from Government transfers (74.8%) compared with non-disabled people (26.6%).

In addition, Statistics New Zealand report (2017) that the 9.4% gender pay gap in New Zealand means that women with disabilities will have an even lower income (by 9.4%) than men who are disabled as the gender pay gap of 9.4% is applicable to this sub-group too.

In summary, Statistics New Zealand reports that women with disabilities are more likely to be unemployed or if they are employed to be working less hours than their non-disabled colleagues. They will have a lower average weekly income from working less hours and a lower hourly rate of pay. In addition, they will have an additional 9.4% gender specific less income too.

3.1 Recommended CEDAW questions

Please provide information on how the New Zealand Government intends to address the eradication of the two barriers that currently prohibit women with

¹⁰ Source: 2013 Disability Survey Key Findings brochure

¹¹ http://archive.stats.govt.nz/browse_for_stats/health/disabilities//disability-and-labour-market/employ-issues-disabled-work.aspx

disabilities from achieving pay equity (pay equity is being denied by the 9.4% gender discrimination based barrier and the pervasive workplace disability discrimination barrier).

4. Employment

4.1 Workplace Disability Accommodation

Disability accommodations, including equipment and modifications in the workplace, were reported as being used by a “relatively small proportion”¹² of only 10% of all people with disabilities. This is highly indicative that workplace disability accommodations are not being sought to the extent required.

“Among employed disabled people aged 15-64, 16 percent said they’d had to change jobs because of a condition or health problem, and 11 percent said they’d had to retrain because of a condition or health problem”.¹³

It would not surprise us if a greater percentage of employees affected were women with disabilities, but information on whether women are seeking less or greater levels of disability accommodation in the workplace is unavailable.

In a society where vulnerable sub-groups are profiled insufficiently by the State, discrimination is hidden, flourishes and becomes normalised. Subtle indicators such as the provision of low levels of workplace disability accommodations are important as they offer us insight, create a feeling of unease and indicate a need for further investigations.

4.2 CRPD Article 6: Women with Disabilities - Application in the Workplace

The United Nations Convention on the Rights of Persons with Disabilities (CRPD) has been signed and ratified by New Zealand. Article 6 – Women with Disabilities upholds the rights of women with disabilities to have lives of dignity.

¹² http://archive.stats.govt.nz/browse_for_stats/health/disabilities//disability-and-labour-market/employ-issues-disabled-work.aspx

¹³ http://archive.stats.govt.nz/browse_for_stats/health/disabilities//disability-and-labour-market/employ-issues-disabled-work.aspx

A case of a woman who was hard of hearing being forced to wear a high-visibility jacket in the workplace with the word DEAF written across her back shows that Article 6 is not being consistently applied.

This practice was addressed with her employer, by teaching him of her rights under the CRPD but, as evidenced by this example, discrimination of women with disabilities is occurring in New Zealand workplaces and it appears that little is being done by the State to address it in this specific group.

4.3 Recommended CEDAW question

Please provide information on how the New Zealand Government intends to accelerate its adoption and enforcement of all possible legislative, administrative and other measures to modify or abolish all existing customs and practices in the work-place that constitute discrimination against women with disabilities.

5. Education

In 2013 it was reported by Statistics New Zealand that 33% of people with disabilities have no formal educational qualifications whereas 15% of people without disabilities had none and that 12% of people with disabilities have university qualifications whereas 25% of people without disabilities did.¹⁴

Statistics New Zealand also reported that educational qualifications made a considerable difference to labour force participation for both the disabled and non-disabled populations; that workforce participation tended to increase with the level of qualification; that disabled adults tend to have fewer qualifications than non-disabled adults, which is a contributing factor to their lower rates of labour force participation and tend to have lower levels of labour force participation than non-disabled people regardless of their level of qualification.¹⁵

¹⁴ http://archive.stats.govt.nz/browse_for_stats/health/disabilities/disability-and-labour-market/labour-force-partic.aspx#

¹⁵ http://archive.stats.govt.nz/browse_for_stats/health/disabilities/disability-and-labour-market/labour-force-partic.aspx#

This too is a subtle indicator offering us insight, which creates a feeling of unease and indicates a need for further investigation into why adults with disabilities have fewer qualifications and are less represented in the workforce even when qualified.

The question on whether this is affecting more women with disabilities than men with disabilities remains unanswered and further highlights the inadequacy of New Zealand's statistical reporting model. If such matters were brought to light through robust and transparent research modelling, the extent could be elucidated and significant positive impact made on the lives of women living with disabilities.

5.1 Recommended CEDAW questions

Please provide information on how the New Zealand Government intends to:

- **identify, challenge, publicly recognise and address the ingrained education access bias discriminating against women with disabilities**
- **accelerate the adoption and enforcement of all possible legislative, administrative and other measures to modify or abolish all existing customs and practices in education that constitute discrimination against women with disabilities.**

6. Healthcare

New Zealand has a low rate of diagnosis of a wide range of disabilities in girls and women, with examples such as Autism Spectrum Disorder, hearing loss in Maori women and congenital disorders which have a high presentation in females e.g. hypermobile Ehlers Danlos Syndrome. Comment has been made that many of the health and disability assessment tools are male biased¹⁶. This is an example of a wider concern in New Zealand as it shows a continuing gender bias in healthcare delivery.

Failure to diagnose can result in women feeling a lack of support and compassion, coupled with internal confusion and distress, all of which are likely to be contributing factors to the higher levels of mental ill-health experienced by women with disabilities.¹⁷

¹⁶ Dougan, Dane; CEO, Autism NZ, by email to Carroll, L.M., 31 May, 2018

¹⁷ Baldwin S, Steward R, Mandy W. The experiences of late-diagnosed women with autism spectrum disorder. *Autism*. 2016 Oct 1;46(10):3281-94

“Women [in New Zealand] were around 1.6 times more likely to have been diagnosed with a common mental disorder (20%) than men (13%), and rates were higher [in women] in all age groups.”¹⁸

The failure to recognise medical disorders and or disabilities in women can also cause a significant loss of life opportunities as disability workplace accommodation will be unavailable to them.

6.1 Recommended CEDAW questions

Please provide information on how the New Zealand Government intends to:

- **publicly recognise, challenge and address the ingrained healthcare diagnostic bias discriminating against women with disabilities**
- **ensure the full development, advancement and empowerment of women with disabilities through increased recognition of medical disorders and or disabilities**
- **accelerate its adoption and enforcement of all possible legislative, administrative and other measures to modify or abolish all existing customs and practices in healthcare that constitute discrimination against women with disabilities.**

7. Closing Statement

The New Zealand Government Ministry of Women’s Affairs advises that “Statistics New Zealand are now asking a disability question in the Household Labour Force Survey and more data will be coming onstream. The integration of census and the disability surveys ... has also really opened up the potential for good data for the disabled population”¹⁹.

Through the application of the WGSS in the New Zealand Household Labour Force Survey policy windows are now opening which is recognized by this Trust as a positive step forward. This is because it enables the recognition of this marginalised group and offers the opportunity for sound policy development and evidence-based Government programme funding to ensure women living with disabilities in New Zealand achieve lives of dignity. These programmes

¹⁸ <https://www.mentalhealth.org.nz/assets/Uploads/MHF-Quick-facts-and-stats-FINAL-2016.pdf>

¹⁹ Personal email to Carroll, L.M., from Ministry of Women’s Affairs, 29 May, 2018

need to ensure empowerment and inclusion of women with disabilities in all facets of society and communities

However, the failure by Statistics New Zealand to report on women with disabilities as a discrete, at-risk of discrimination group when they released their June 2017 New Zealand Household Labour Force Survey results is of significant concern. Accordingly, CEDAW oversight of New Zealand is vital to ensure women with disabilities are recognised as being as vulnerable and at-risk as other specific groups of women who are marginalised.

Relevant Statistics

1. **2017 Women Employment and Unemployment Statistics**

1.1. **2017 Women Employment rates**

- 1.1.1 The overall employment rate of women of working age is 63%
- 1.1.2 59.3% Maori women are employed
- 1.1.3 55.3% Pasifika women are employed.²⁰
- 1.1.4 22.4% of women with disabilities are employed²¹ (all ethnicities)

1.2 **2017 Women Unemployment rates**

- 1.2.1 The overall unemployment rate of women is 4.9%
- 1.2.2 11.1% of Maori women are unemployed
- 1.2.3 10.4% of Pasifika women are unemployed²²
- 1.2.4 13.2% of women with disabilities are unemployed²³ (all ethnicities)

1.3 **2017 Women Underutilisation rates**

*An underutilised person may be unemployed, underemployed, an unavailable jobseeker, or an available potential jobseeker.

- 1.3.1 The overall underutilisation of women in employment rate is 15.6%
- 1.3.2 26% of Māori women are underutilised in employment
- 1.3.3 24.1% of Pasifika women are underutilised in employment²⁴
- 1.3.4 Statistics on the current underutilisation rate of women with disabilities were not available from Statistics New Zealand²⁵

2. **2013 Statistics: Women with Disabilities**

- 2.1 Women are more likely to work as clerical, administrative, community and personal service workers or professionals
- 2.2 18% are employed in the health care and social assistance sector
- 2.3 13% are employed in the education and training sector
- 2.4 12% are employed in the retail sector
- 2.5 7% of women with disabilities, compared with 10% of non-disabled women, work in professional, scientific, and technical service industries (all ethnicities)
- 2.6 42% of disabled youth are not earning or learning.²⁶

²⁰ Labour%20Market%20Statistics%20(Disability):%20June%202017%20quarter.webarchiveLabour Market Statistics (Disability): June 2017 quarter – for more data and analysis

²¹ Personal email to Carroll, L.M., from Ministry of Women's Affairs, advising 29 May, 2018 – Household Labour Force Survey results

²² Labour%20Market%20Statistics%20(Disability):%20June%202017%20quarter.webarchiveLabour Market Statistics (Disability): June 2017 quarter – for more data and analysis

²³ Personal email to Carroll, L.M., from Ministry of Women's Affairs, advising 29 May, 2018 – Household Labour Force Survey results

²⁴ Labour%20Market%20Statistics%20(Disability):%20June%202017%20quarter.webarchiveLabour Market Statistics (Disability): June 2017 quarter – for more data and analysis

²⁵ Personal email to LM Carroll, PhD, from Statistics NZ, advising this statistic unavailable 28 May, 2018

²⁶ Labour%20Market%20Statistics%20(Disability):%20June%202017%20quarter.webarchiveLabour Market Statistics (Disability): June 2017 quarter – for more data and analysis

Report Declaration

The development of this report has been led on a voluntary, non-remunerated basis by Dr. Louise Sinden-Carroll, QSO, who has significant physical and medical disabilities.

Dr Sinden-Carroll is the previous Chief Executive of The National Foundation for the Deaf (in New Zealand) and General Secretary of the International Federation of Hard of Hearing People and current Trustee of the Human Rights for All Trust, New Zealand.