



Making Disability Rights Real in a Pandemic

Te Whakatinana i ngā Tika Hauātanga i te wā o te Urutā

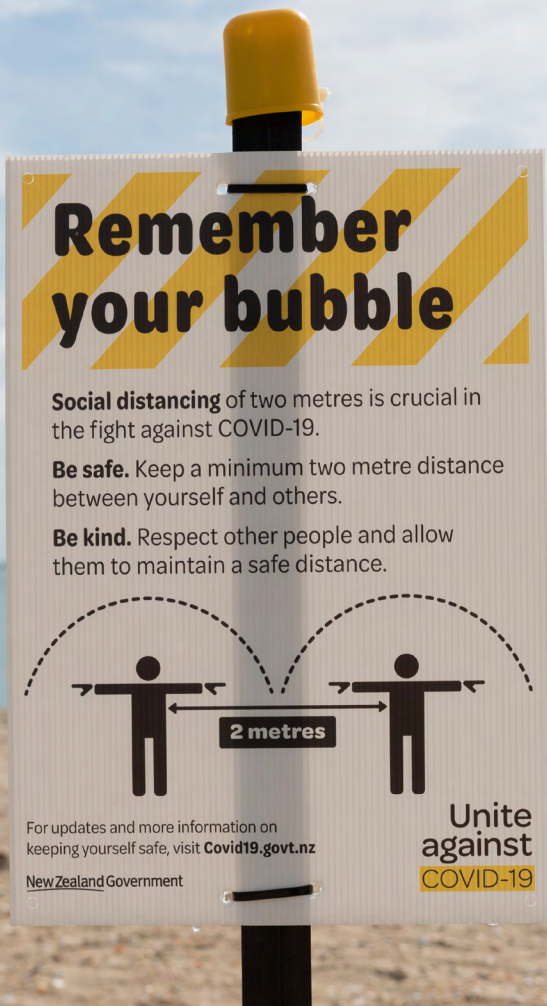
The Independent Monitoring
Mechanism's report on the
New Zealand Government's
response to the COVID-19 emergency

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Caption: Sign on Auckland's Mission Bay beach reminding people to physically distance.

Full list of recommendations

Tāngata whaikaha Māori (disabled Māori)

The IMM recommends that the Government:

1. strengthens existing channels to ensure tāngata whaikaha Māori and their representative groups are part of the decision making processes in all phases (preparing, planning, execution, and recovery) of emergency responses and management, ensuring tikanga is considered in the decision making processes.

Access to essential goods, services, and spaces

The IMM recommends that the Government:

2. urgently reviews and increase investment in fully subsidised transport schemes for disabled people who cannot access public transport, and provide access to reliable and consistent transport options nationwide;
3. works with disabled people and their representative organisations to develop and introduce regulations for retailers and providers of essential goods and services during humanitarian emergencies. Regulations should assist retailers to establish priority processes and, therefore, ensure disabled people can access essential goods and services on an equitable basis with others; and
4. develops an urgent action plan to enable families with high support needs to access respite care, and those receiving individualised funding retain flexibility to respond to any future COVID-19-related restrictions.

Decision making, participation, and data

The IMM recommends that the Government:

5. works with disabled people and their representative organisations to ensure that equal opportunity is available to participate in decision making processes during emergency situations. Both the consultation process and the key information must be accessible, to ensure disabled people can provide input, and disabled people must be compensated fairly for their time and expertise;
6. continues to offer disabled people the opportunity and flexibility associated with attending meetings through online meeting platforms; and
7. includes data collection on disability in formal reviews of COVID-19 pandemic preparedness or outcomes.

Access to information and communications

The IMM recommends that the Government:

8. establishes a multisector advisory group, involving disabled people and their representative organisations, to advise the Government on accessible information production best practice;

9. introduces accessibility legislation that requires all private providers of media to ensure information and communications are accessible; and
10. ensures there is regular and accurate data collection on the number of disabled people without access to the internet or electronic devices, and develop action plans to reduce the digital inequities that disabled people face.

Education

The IMM recommends that the Government:

11. ensures learning resources are accessible when there is a government mandate for home-based learning, including access to devices, internet, and appropriate learning material; and
12. establishes a reference group, including disabled people, their whānau, and representative organisations, reporting directly to the Ministry of Education to work on strategies to improve the access to, and quality of, home-based learning for disabled people.

Health

The IMM recommends that the Government:

13. works with disabled people and their representative organisations to establish a comprehensive understanding of their health experiences and challenges during the COVID-19 emergency, and use this information to inform future emergency planning;
14. ensures health-related information relevant to emergency situations is communicated in a logical, consistent, and accessible manner, through more than one mode of communication;
15. contractually requires providers of home-based health and support services to ensure continuity of service for disabled people during emergencies and, in doing so, ensure non-discrimination of disabled people, and people over 70 years of age employed as care and support workers;
16. ensures clear protocols for personal protective equipment (PPE) use are updated in a timely fashion in response to emerging evidence and community needs; and
17. encourages health professionals to provide reasonable accommodation to disabled people who request flexibility around the use of PPE, particularly people who are Deaf and hard-of-hearing who find face masks act as a barrier.

Work and employment

The IMM recommends that the Government:

18. implements a financial compensation policy to ensure disabled people who are expected to work from home during situations of humanitarian emergencies have access to the required technology and training;
19. increases resourcing of the Employment New Zealand Labour Inspectorate and increase the frequency of visits to workplaces where employees are on minimum wage exemption permits (while they continue to exist); and
20. provides targeted employment opportunities for disabled people as part of the Government's COVID-19 economic recovery plan, and ensures funding and contracts to the private sector include requirements to ensure employment is accessible for disabled people.

Access to justice, and disabled people in places of detention

The IMM recommends that the Government:

21. ensures reasonable accommodation, particularly disability support aids, is provided to disabled people in places of detention to allow them to effectively communicate in emergency situations;
22. ensures information on complaints processes and mechanisms is accessible and available to all disabled people in places of detention at all times without intermediary involvement of staff, and that disabled people feel supported to express their needs or concerns;
23. engages with disabled people and their representative organisations to better facilitate disabled people's access to legal advice and information during emergency situations; and
24. strengthens intersectional collection and analysis of data about disabled people at risk of violence in order to accurately record, monitor, and reduce violence towards them, including in situations of risk and emergency.