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CPAG welcomes chance to clear legal obstacles to discrimination case

A Judicial Review of the right for CPAG to act on behalf of poor New Zealand Children (Attorney-General v The Human Rights Review Tribunal and Child Poverty Action Group Inc) is to be held in the High Court Wellington on Monday 16 October at 10am.

CPAG claims the Government's Working for Families' In Work Payment, and its predecessor, the Child Tax Credit, discriminate against approximately 230,000 children whose families do not qualify for payments. CPAG Director, Janfrie Wakim, says, "We hope this review will clear away the remaining legal obstacles so that our main argument of discrimination can finally be heard."

Despite two initial decisions in CPAG's favour, the Crown has continued to dispute CPAG's right to bring the case, on jurisdictional issues.

- Following a preliminary hearing in 2005, CPAG won access to the Human Rights Review Tribunal for its case alleging discrimination in the current Child Tax Credit as well as the In Work Payment introduced in April 2006 as part of the government's Working for Families package.
- The decision to grant access set a precedent for non-government organisations. It established the right of groups such as CPAG to challenge discrimination in public policy, regardless of whether they themselves are directly affected.
- The Crown disputed the right of public interest groups like CPAG to bring cases to the Tribunal and unsuccessfully appealed that decision
- Subsequently, the Government requested a judicial review of the Human Rights Review Tribunal decision. This will now take place on Monday October 16 2006

However, as there are potentially long delays while this review takes its course, CPAG is now also pursuing a class action with some of those directly affected.

For more information on child poverty in New Zealand, visit our website at www.cpag.org.nz.