

November 30th, 2006

CPAG welcomes legal precedent for advocacy in New Zealand

Child Poverty Action Group (CPAG) has welcomed yesterday's decision by the Crown not to appeal recent High Court findings in CPAG's favour.

CPAG Director Janfrie Wakim notes all parties have now affirmed the right of non-government organizations to bring legal action on behalf of victims of discrimination. "CPAG feels privileged to have been part of these groundbreaking decisions for social justice advocacy in NZ," she says.

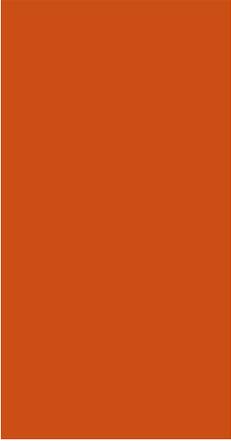
"The Crown has now accepted the courts' clear and consistent message - that affected individuals who are already disadvantaged by discrimination should not be compelled to fight their own legal battles as well," said Catherine Rodgers, Assistant Director of Human Rights Proceedings.

Following yesterday's removal of this final legal obstacle, CPAG is looking forward to its chance to argue that the government's In Work Payment discriminates against some children, says Ms Wakim.

"The basis of our case is that children's needs are the same, whether or not parents are able to work. It is time to support all New Zealand's children including those whose parents may not be able to work," she says.

The legal action follows the group's evidence that discrimination in public policy has contributed to New Zealand's worsening inequalities. Economics spokesperson Donna Wynd noted that the discrimination introduced by the National-led government of 1996, with the Child Tax Credit has not been removed.

"On the contrary, it has been extended by the In-Work Payment (IWP). Roughly 230,000 children do not qualify for the generous IWP because of their parents' work status, and the majority of them rely on below poverty-level incomes. The IWP leaves them further behind their peers and can mean a lifetime of disadvantage," she said.



Summary of previous decisions in the case:

- Following a preliminary hearing in 2005, CPAG won access to the Human Rights Review Tribunal.
- The Crown disputed the right of public interest groups like CPAG to bring cases to the Tribunal by appealing that decision. The appeal was unsuccessful.
- The Crown subsequently requested a judicial review of the Tribunal's decision. The review was heard on October 16th of this year and its decision, in CPAG's favour, was delivered on the 6th of November.



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