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ACC: Discrimination against Maori women

More information about the ACC Sensitive Claims clinical pathway is coming to light, says the National Council of Women of New Zealand (NCWNZ); this information suggests not only discrimination on the basis of gender, but also on race.

According to ACC, Maori are more likely to be a client for ACC subsidised counselling. Women over all make up 82% of the claimants; and while it is known that Maori women are heavily represented in this percentage, ACC is currently unable to confirm what the actual ethnicity breakdown is.

“The SC clinical pathway was implemented in advance of ACC establishing what, or which kaupapa Maori treatment plans will be utilised,” said Elizabeth Bang, NCW National President. “Best practise would have set Maori women’s treatment needs as the first priority, given they are the majority population at risk.”

Hui that have been promised by ACC and the Minister of ACC to resolve this highly significant problem have been cancelled. It is not clear whether future Hui will include Maori providers and their representatives working at the coal-face, being invited to the consultation table.

“Some Maori counsellors are feeling particularly frustrated, as they have young Maori women arriving at their doors, wanting to access ACC subsidised counselling; but no guarantees can be made to these young women that the counsellor sitting opposite them will be on the ACC recommended treatment providers list,” says Elizabeth Bang. “These women are leaving in tears. The Maori providers have tried to open the lines of communication with both the Minister’s office and ACC, but no progress eventuates.”

The SC clinical pathway breaches the United Nations’ Convention on the Elimination of All Forms of Racial Discrimination:

Article 1 of the Convention defines "racial discrimination" as any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

Whether a particular action or policy discriminates is judged by its effects.

In seeking to determine whether an action has an effect contrary to the Convention, it will look to see whether that action has an unjustifiable disparate impact upon a group distinguished by race, colour, descent, or national or ethnic origin.

“Since Maori women are more likely to be affected by the changes to ACC, why are they the last to be consulted” questions Elizabeth Bang.

Information received from ACC suggests that they have now identified areas of importance where ACC will further develop advice or parts of the pathway. These include assessment of children and adolescents, counselling using kaupapa Maori models, clients in prison, clients who have alcohol and other drug dependencies, clients with intellectual disability.

“This ship is already sailing and we have no idea how ACC is currently processing claims from Maori women. Are they being held on to till ACC makes a decision on kaupapa Maori models, and when exactly will that be happening?” concluded Elizabeth Bang.

Further Information:

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