



Rights and Commitments for Disabled People In Aotearoa New Zealand



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2026

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Introduction

Disabled people have the same rights as everyone else in New Zealand. The New Zealand Government has also made commitments to support disabled people, which are outlined in laws, strategies, and related action plans which set out how the Government can be held accountable.

This guide explains some key rights and commitments that help disabled people have good lives, be included in our communities, and take part in society. These documents are intended to provide a foundational baseline of knowledge that people can build on according to their areas of interest or need.

The core documents that set out these rights and commitments include:

- **Code of Health and Disability Services Consumers' Rights** – overseen by the Health and Disability Commissioner
- **Enabling Good Lives Principles** – a principles-focused framework and approach developed by disabled people for Government agencies to rely on and implement when developing support structures into the future
- **Human Rights Act 1993** – setting out prohibited grounds of discrimination, including disability
- **New Zealand Disability Strategy** – the Government's long-term policy direction for disability support in New Zealand
- **Te Tiriti o Waitangi** – this is a foundational constitutional document guiding how the Crown must act toward Māori.
- **United Nations Convention on the Rights of Persons with Disabilities** – whilst this is not law in New Zealand, it is an international treaty which has been ratified by New Zealand. This means it must be taken into account by Government and public agencies under constitutional, administrative, and interpretive principles.

There is also advice for families and whānau on our website at <https://www.ihc.org.nz/advice>

This document is organised into 7 areas of life.

These are the areas we measure in our research *From Data to Dignity*.

<https://www.ihc.org.nz/publications/from-data-to-dignity-2026>

If you identify a problem or challenge, you can use this document to find the rights and commitments that relate to that issue. It also has resources that could help.

The 7 areas are:

1. Employment and volunteering
2. Friendships and relationships
3. Income and money
4. Knowledge and skills
5. Health
6. Safety
7. Housing



Core documents

Code of Health and Disability Services Consumers' Rights

The Code of Health and Disability Consumers' Rights (HDC Code) is a set of 10 rights people have when they use a health or disability service.

Right 1: The right to be treated with respect | Mana

Right 2: The right to fair treatment | Manaakitanga

Right 3: The right to dignity and independence | Tū rangatira Motuhake

Right 4: The right to appropriate standards | Tautikanga

Right 5: The right to effective communication | Whakawhitiwhitinga whakairo

Right 6: The right to be informed | Whakamōhio

Right 7: The right to choice and consent | Whakaritenga mōu ake

Right 8: The right to support | Tautoko

Right 9: Rights during teaching and research | Ako me te rangahau

Right 10: The right for your complaint to be taken seriously | Amuamu

The National Advocacy Service can help anyone with any concerns about a health or disability service. They can help them understand their rights and support them to resolve the issue or make a complaint.

Call **0800 555 050** and ask for a health and disability advocate or email advocacy@advocacy.org.nz.

People can also make a complaint to the Health and Disability Commissioner if their HDC Code rights have been breached. The Commissioner will investigate the issue and can make recommendations. For serious cases the Commissioner can refer their complaint to the Director of Proceedings who can take legal action.

Call **0800 11 22 33** to contact the Health and Disability Commissioner.

Enabling Good Lives Principles

Enabling Good Lives is a set of 8 principles that people can refer to when engaging with a government agency, or service provider contracted by the Government to deliver disability support services:

- Self-determination
- Beginning early
- Person-centred
- Ordinary life outcomes
- Mainstream first
- Mana enhancing
- Easy to use
- Relationship building.

It is about changing the disability system to give more power to:

- Tāngata whaikaha Māori
- Disabled people
- Whānau
- Families.

People are entitled to choice and control over their lives and support.

All government departments and disability support providers should use the EGL principles to guide their work, but they can interpret it in different ways.



Human Rights Act 1993

The Human Rights Act helps protect people from unfair treatment.

This unfair treatment is called discrimination.

The law says people must not be treated unfairly because they are disabled or because of other protected reasons.

The Human Rights Commission helps protect human rights in Aotearoa New Zealand.

The Commission works to make sure everyone has equal:

- Rights
- Opportunities.

The Human Rights Commission can help when someone thinks they have been discriminated against.

Call **0800 496 877**, text **021 0236 4253**, or email **infoline@hrc.co.nz**

If the problem is not solved, people may choose to take a claim to the Human Rights Review Tribunal (which is a Court).



New Zealand Disability Strategy

The New Zealand Disability Strategy is the government's long-term plan for creating a non-disabling society where disabled people can live good lives with the same rights and opportunities as everyone else.

The Disability Strategy:

- Sets a long-term vision for disability policy
- Guides government agencies
- Helps decide priorities and funding
- Is used to measure progress for government.

It has 5 priority areas:

- Education
- Employment
- Health
- Housing
- Justice

The New Zealand Disability Strategy helps people to understand what is most important to disabled people in relation to the role and responsibilities of Government.

People can use the New Zealand Disability Strategy to identify what they may be entitled to in the form of support from the Government (and service providers) but is not binding like a law.

Te Tiriti o Waitangi is an agreement, signed in 1840, that set out how Māori and the British Crown would share authority in Aotearoa New Zealand. It has 3 articles.

Article 1 — Kawanatanga (governance / right to govern)

Article 2 — Tino rangatiratanga (authority, autonomy, and protection of taonga)

Māori were guaranteed full authority over their lands, villages, and taonga (treasures). Health, wellbeing, and disability support systems are considered taonga because they are essential to life and flourishing.

That means Te Tiriti could be interpreted to include:

- The Crown being responsible to protect Māori disabled people's wellbeing
- Systems must not undermine Māori control over disability supports

Article 3 — Ōritetanga (equal rights / citizenship)

This article is relied on for access to health and disability services in a way that produces equal outcomes.



United Nations Convention on the Rights of Persons with Disabilities

The UNCRPD is an international human rights treaty which was ratified by New Zealand in 2008. Not all UNCRPD rights have been fully realised in New Zealand, this is because parts of the document are aspirational.

The UNCRPD includes different types of rights:

- Human rights and fundamental freedoms must be respected immediately.
- Economic, social, and cultural rights must be progressively realised.

Progressive realisation means working towards it and not going backwards.

People can ask for help if they think their rights under the UNCRPD have not been respected, but the outcome is not binding like a law.

They can tell the Independent Monitoring Mechanism (IMM).

The IMM checks how well New Zealand is following the UNCRPD.

The IMM includes:

- The Human Rights Commission
- The Ombudsman
- The Disabled People's Organisations Coalition

They can also make a complaint to the UN Committee on the Rights of Persons with Disabilities if they have tried all the reasonable ways to solve the problem in New Zealand. If those processes take too long, cost too much, or do not work, they may still be able to complain to the Committee. The Committee is international and not in New Zealand.

The UN Committee cannot change New Zealand laws or make the government pay compensation. It can only decide whether New Zealand has breached the UNCRPD and make recommendations about what should change.

Areas of life

Employment and volunteering

United Nations Convention on the Rights of Persons with Disabilities

27. Work and Employment

Disabled people have a right to work, equal with others.

New Zealand Disability Strategy

Goal for employment

Disabled people will have meaningful career opportunities, equal to non-disabled people, and be valued the same way. Disability-confident employers will recognise disabled people's talents and expertise and will provide accessible and inclusive workplaces throughout the employment lifecycle.

Enabling Good Lives Principles

Ordinary life outcomes

Disabled people are supported to live an everyday life in everyday places; and are regarded as citizens with opportunities for learning, employment, having a home and family, and social participation - like others at similar stages of life.

Resources

Easy Read Individual Employment Agreement <https://www.peoplefirst.org.nz/easy-read-library/resource/Easy-Read-IEA>

Easy Read guide to the Individual Employment Agreement
<https://www.peoplefirst.org.nz/easy-read-library/resource/Easy-Read-Guide-IEA>

How to apply for the Job Support Fund and Training Support Fund Easy Read
<https://www.peoplefirst.org.nz/easy-read-library/resource/how-to-apply-for-the-job-support-fund-and-training-support-fund>

Employment support <https://www.disabilitysupport.govt.nz/disabled-people/support-and-services/education-and-employment/employment-support>

Removing barriers: A guide about reasonable accommodation for disabled people Easy Read <https://www.peoplefirst.org.nz/easy-read-library/resource/removing-barriers:-a-guide-about-reasonable-accommodation-for-disabled-people>



Friendships and relationships

United Nations Convention on the Rights of Persons with Disabilities

Article 23 - Respect for home and the family

Countries must make sure that disabled people have equal rights to marriage, a family and personal relationships.

Enabling Good Lives Principles

Relationship building

Supports build and strengthen relationships between disabled people, their whānau and community.

Ordinary life outcomes

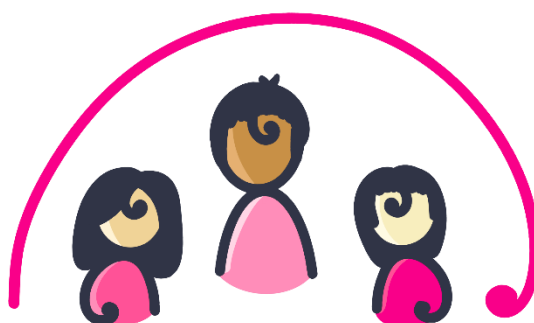
Disabled people are supported to live an everyday life in everyday places; and are regarded as citizens with opportunities for learning, employment, having a home and family, and social participation - like others at similar stages of life.

Human Rights

Section 21 of the Human Rights Act lists the prohibited grounds of discrimination, including sex and sexual orientation.

Resources

Rainbow Easy Read collection <https://www.peoplefirst.org.nz/easy-read-library/topic/people-communities>



United Nations Convention on the Rights of Persons with Disabilities

28. Adequate Standard of Living and Social Protection

Disabled people have an equal right to a good enough standard of living for them and their families. This includes food, clothing, housing and clean water. Disabled people should be able to get help to improve their standard of living the same as everyone else.

Enabling Good Lives Principles

Mana enhancing

The abilities and contributions of disabled people and their families are recognised and respected.

Human Rights

Right to social security

The right to an adequate standard of living is about “the human person’s rights to certain fundamental freedoms, including freedoms to avoid hunger, disease and illiteracy”. It includes specific rights to adequate food, clothing and housing, and to social security and work. This right is essential in order to achieve other economic, social and cultural rights, such as the rights to health and education.

Resources

Keep in touch with MyMSD Easy Read <https://www.peoplefirst.org.nz/easy-read-library/resource/keep-in-touch-with-mymd>

Powers to make decisions for others <https://www.justice.govt.nz/family/powers-to-make-decisions/personal-orders/how-a-personal-order-works/apply-for-a-personal-order/>

Information about MSD payments, support and services:

- Accommodation Supplement
- Child Disability Allowance
- Disability Allowance
- Jobseeker Support

- Making a complaint
- Power, gas and heating if you have a disability
- Help with power, gas and water bills
- Reviews of decisions and medical decisions
- Supported Living Payment

<https://www.workandincome.govt.nz/about-this-site/alternate-formats.html>



United Nations Convention on the Rights of Persons with Disabilities

24. Education

Disabled people have a right to education.

New Zealand Disability Strategy

Goal for Education

Every learner is supported to attend, participate and progress in education. There is a high expectation that all learners – including disabled learners – will achieve their potential in the education setting of their choice.

Enabling Good Lives Principles

Ordinary life outcomes

Disabled people are supported to live an everyday life in everyday places; and are regarded as citizens with opportunities for learning, employment, having a home and family, and social participation - like others at similar stages of life.

Mainstream first (mainstream school before specialist school)

Disabled people are supported to access mainstream services before specialist disability services.

Resources

Removing barriers: A guide about reasonable accommodation for disabled people Easy Read <https://www.peoplefirst.org.nz/easy-read-library/resource/removing-barriers:-a-guide-about-reasonable-accommodation-for-disabled-people>

Support for tertiary education learners Easy Read <https://www.peoplefirst.org.nz/easy-read-library/resource/support-for-tertiary-education-learners>

Settlement between IHC, the Ministry of Education and Minister of Education <https://www.education.govt.nz/ihc>



Physical and mental health

Code of Health and Disability Services Consumers' Rights

All Code of Health and Disability Services Consumers' Rights apply to all health services.

United Nations Convention on the Rights of Persons with Disabilities

25. Health

Disabled people have the right to good health and access to health services including family planning.

New Zealand Disability Strategy

Goal for Health

Disabled people will achieve the highest possible standard of health and wellbeing. They will decide what this means for themselves and their whānau.

Resources

Provisional Health of Disabled People Strategy

<https://www.health.govt.nz/publications/provisional-health-of-disabled-people-strategy>

Health Passport Easy Read <https://www.peoplefirst.org.nz/easy-read-library/resource/health-passport-form>

Summary of the health of people with learning disability in Aotearoa New Zealand Easy Read <https://www.peoplefirst.org.nz/easy-read-library/resource/summary-of-the-health-of-people-with-learning-disability-in-aotearoa-new-zealand>

Looking after how you are feeling after a natural disaster Easy Read <https://www.peoplefirst.org.nz/easy-read-library/resource/looking-after-how-you-are-feeling-after-a-natural-disaster>

Health and Disability Commissioner Easy Read resources (Code of Rights, Health Passport, information about making a complaint) <https://www.hdc.org.nz/disability/easy-read-resources/>

United Nations Convention on the Rights of Persons with Disabilities

11. Situations of risk and humanitarian emergencies

Making sure that disabled people are properly protected when there are risky situations for everyone, for example when hurricanes happen.

16. Freedom from exploitation, violence and abuse

Countries must make laws and rules to make sure disabled people are protected in the home and outside from violence, being used or abused.

Countries must also try to prevent abuse and they should make sure there is proper support, information and training on how to see abuse and how to report it.

Countries should make sure that services that support disabled people are properly checked up on to make sure abuse does not happen.

Countries should make sure that disabled people who have been abused get the help and support they need to keep them safe and help recover from the abuse.

Countries must make sure they have good ways of finding out about abuse and making the abusers go to court.

Countries must think especially about the abuse of women and children.

New Zealand Disability Strategy

Goal for Justice

Disabled people's human rights and freedoms will be protected, and their disability rights will be realised. Disabled people will be treated fairly and equitably by the justice system and will be supported to meaningfully participate. Justice system policies and practices will embed accessibility, inclusion and lived experience.

Enabling Good Lives Principles

Self-determination

Disabled people are in control of their lives.

When disabled people have control over their own lives, they can:

- Say who supports them and where they live.
- Refuse support that feels unsafe or uncomfortable.
- Choose who they trust and who they don't.

This helps prevent unsafe or abusive situations, including neglect, coercion, or exploitation.

Resources

Say no to abuse Easy Read <https://www.areyouok.org.nz/assets/Resources/Resource-files/Easy-read-Say-no-to-abuse.pdf>

What is bullying: What to do if you are being bullied Easy Read
<https://www.peoplefirst.org.nz/easy-read-library/resource/pink-shirt-day-what-is-bullying-what-to-do-if-you-are-being-bullied->

What to do in an emergency Easy Read:

[Talk about the impacts — Get Ready \(NZ Civil Defence\) — Emergency preparedness in New Zealand](#)

[Make a plan — Get Ready \(NZ Civil Defence\) — Emergency preparedness in New Zealand](#)

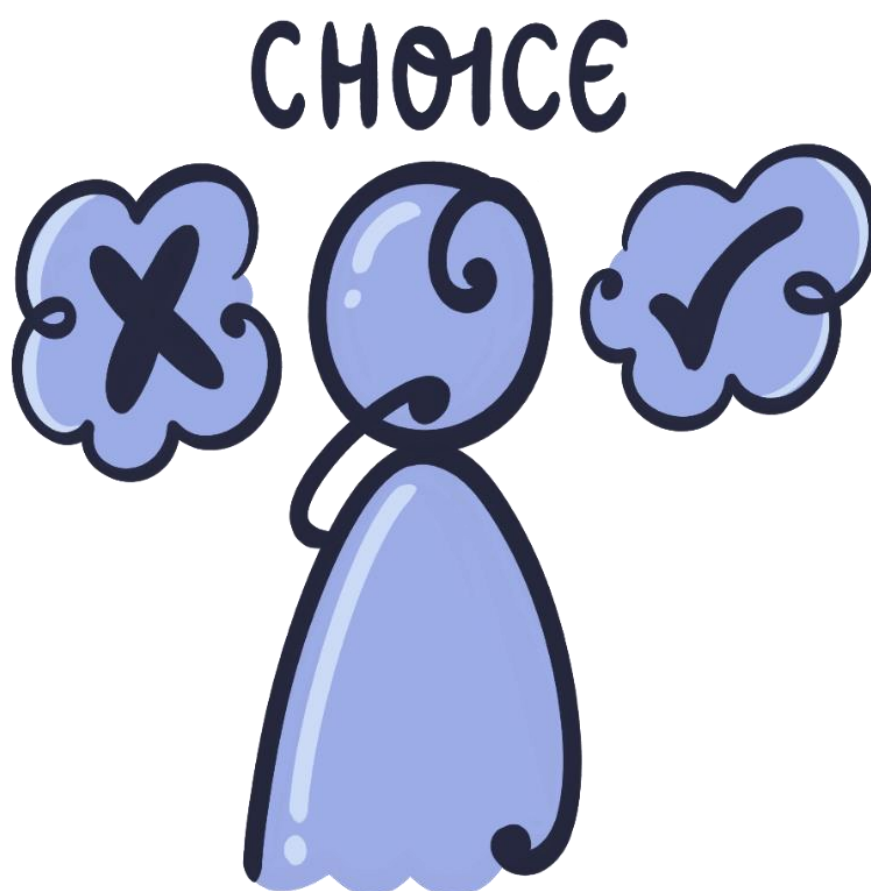
[Work out what supplies you need — Get Ready \(NZ Civil Defence\) — Emergency preparedness in New Zealand](#)

[Making your home safer — Get Ready \(NZ Civil Defence\) — Emergency preparedness in New Zealand](#)

[Advice for disabled people — Get Ready \(NZ Civil Defence\) — Emergency preparedness in New Zealand](#)

Whanaketia – Through pain and trauma, from darkness to light | Abuse in Care - Royal Commission of Inquiry <https://www.abuseincare.org.nz/reports/whanaketia>

Abuse in Care public apology links to Easy Read
<https://www.abuseinquiryresponse.govt.nz/for-survivors/public-apology-to-survivors-of/>



United Nations Convention on the Rights of Persons with Disabilities

19. Living Independently and Being Included in the Community

Countries should make sure disabled people have the same choices as everyone else about how they live and being part of their communities.

28. Adequate standard of living and social protection

Disabled people have an equal right to a good enough standard of living for them and their families. This includes food, clothing, housing and clean water.

New Zealand Disability Strategy

Goal for Housing

Disabled people and their whānau have affordable, safe, healthy, secure, and accessible homes that meet their needs and support their independence.

Enabling Good Lives Principles

Ordinary life outcomes

Disabled people are supported to live an everyday life in everyday places; and are regarded as citizens with opportunities for learning, employment, having a home and family, and social participation - like others at similar stages of life.

Resources

Easy Read Tenancy Agreement <https://www.peoplefirst.org.nz/easy-read-library/resource/easy-read-tenancy-agreement>

Housing Inquiry: Homelessness and human rights Easy Read
<https://www.peoplefirst.org.nz/easy-read-library/resource/housing-inquiry:-homelessness-and-human-rights>

The right to a decent home: For individuals, communities, and advocates
<https://tikatangata.org.nz/our-work/right-to-a-decent-home-for-individuals-communities-and-advocates>

Organisations that can help

Aotearoa Disability Law

Call: 09 257 5140, Text: 027 457 5140

Email: info@adl.org.nz

<https://www.aotearoadisabilitylaw.org.nz/>

Citizens Advice Bureau

0800 FOR CAB (0800 367 222)

www.cab.org.nz

Disability Connect

www.disabilityconnect.org.nz

09 636 0351

admin@disabilityconnect.org.nz

Health and Disability Commissioner

<https://www.hdc.org.nz/>

0800 11 22 33

Human Rights Commission

<https://tikatangata.org.nz/>

Call 0800 496 877, text 021 0236 4253

info@hrc.co.nz

National Advocacy Service

<https://www.advocacy.org.nz/>

0800 555 050

advocacy@advocacy.org.nz

Personal Advocacy and Safeguarding Adults Trust

<https://www.pasat.org.nz/>

0800 728 7878

advocacy@PASAT.org.nz

