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Rural Women New Zealand
Oral Submission
Trusts Bill 2017
Justice Committee
Thursday, 5 April 2018

Kia ora tatou,

Mr Chair and members; thank you for the opportunity to present an oral submission to the Committee.

I am Angela McLeod, Rural Women New Zealand's Manager of Government, Public Sector and Academic Relationships. With me is Penny Mudford, National Chair of the Rural Women New Zealand's Board.

Firstly, I'd like to acknowledge the people on whose land we stand today, and acknowledge those that have gone before on whose shoulders we stand, and those that are coming after, our future.

Rural Women New Zealand are here today because we believe this bill brings much needed change to the legislation and regulation around Trusts and to this end we fully support both the written and oral submission of Federated Farmers of New Zealand. We ask that you take their concerns on board in your deliberations, especially given our full support of their comprehensive submission.

Our vision for Aotearoa New Zealand is strong rural communities and this bill goes some way to doing that through, mostly, positive changes to laws around Trusts. Rural Women New Zealand is here today to influence positive change for rural families and communities.

In order for this bill to bring positive change for rural families and communities, we believe two things need to happen. There needs to be both a rural impact analysis and a gender impact analysis and the intersectionality thereof. This bill can not and must not discriminate against women, particularly rural women, in any way and a thorough analysis of the impact on rural women needs to be undertaken.

We have been provided feedback which gives three examples of ways where women might be discriminated against:

- Women are shut out of a share of the family farm through old trusts that do not acknowledge the women in the family as beneficiaries. This must change. Its 2018, the year we celebrate the winning of the fight for women to vote. 125 years ago.
- Women are shut out of a share of the family farm and business, in the dissolution of a relationship, where a trust as been set up to protect those assets. This must change. It's 2018, 125 years since the suffragists won the fight for women to vote.
- Women trustees who are not involved with the on-farm business could be liable and we want to be sure, as per clause 3.2 of Federated Farmers submission, that through impact

analyses as mentioned above, that women are not unfairly treated in the definition and/or implementation of gross negligence.

Going back to our request that thorough rural and gender impact analyses are carried out – this is a requirement under International instruments that New Zealand has signed up for.

This being the UN Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) which New Zealand ratified in 1985. The Committee that hears the reports, makes general recommendations and recommendations to state parties. General recommendation No. 6 at the 7th session in 1988 states that:

*General recommendation No. 6 – seventh session, 1988 effective national machinery and publicity
Recommends that States parties establish and/or strengthen effective national machinery, institutions and procedures, at a high level of Government, and with adequate resources, commitment and authority to:*

(a) Advise on the impact on women of all government policies;

(b) Monitor the situation of women comprehensively;

(c) Help formulate new policies and effectively carry out strategies and measures to eliminate discrimination;

Take appropriate steps to ensure the dissemination of the Convention, the reports of the States parties and the reports of the Committee in the language of the States concerned; include in their initial and periodic reports the action taken in respect of this recommendation.

The 2007 report of the committee to New Zealand, in recommendation No. 15, urges the state party to put in place...

The Committee urges the State party to put in place an effective strategy for mainstreaming gender perspectives into all national plans and institutions and to strengthen the linkages between the New Zealand Action Plan for Human Rights and the Action Plan for New Zealand Women, with a view to ensuring that the promotion and protection of women's human rights as enshrined in the Convention are integrated into all national human rights plans, programmes and actions. The Committee also recommends that the State party require gender impact statements for all policy papers submitted to the Cabinet and to all Cabinet committees.

And, in the very latest agreed conclusions of the UN Commission on the Status of Women, released in March, which the NZ Government was instrumental in crafting, makes it abundantly clear in

several clauses that policies and legislation should not disproportionately disadvantage women and girls who live rurally.

We urge you to call for both a rural impact and gender impact analysis to ensure that this legislation empowers women and girls in the rural sector – glue that hold our rural communities together.

Kia ora!