

Appendix 5: UNCRC recommendations that are not currently being progressed

NB: The combined appendices contain all recommendations made by the Committee. Although the numbering does not run consecutively, this reflects the fact that some paragraphs included only general comments and did not contain specific recommendations. Please note these are actions provided by agencies as at the 25 June 2026.

Recommendations that are not currently being progressed				
Overarching Categories	Recommendation		Leadership	Response
Governance, Accountability and System Stewardship	6	Withdraw Reservation to article 37(c) of the Convention.	Corrections NZ Police MOJ Oranga Tamariki MBIE	No action proposed Comment: Requires significant funding and Cabinet agreement to progress. Comment: For Police, children (under 18 years) are only held for a short time, and Police has limited infrastructure to hold children in custody. Police continue to manage the separation of children from adults through operational decisions. Comment: For Corrections, while removing the reservation to Article 37c would have implications (given Corrections does occasionally have young people in custody), this is rare and involves very small numbers. Implications would be minor and relate more to how Corrections manages the young person in line with their best interests given they would effectively be isolated from all other prisoners. The impacts would be more operational than infrastructure related, though this may be impacted by the size of the overall prison population and Corrections ability to manage one or two prisoners in potential isolation. The Corrections Regulations 2005 were amended in July 2023 to clarify that mixing of adult and young prisoners should only occur if it is in the best interests of the young person. Comment: Disability Support Services (DSS) is responsible for the commissioning, planning and funding functions of the High and Complex Framework, a diversionary pathway for the care and rehabilitation of intellectually disabled people who have committed criminal offences. DSS is clear with its providers of secure facilities that age mixing should be avoided. DSS is exploring longer-term investment in the High and Complex Framework to address capacity pressures and improve access to appropriate services, which would support placing clients in the level of care that suits their needs rather than based on capacity and least restrictive care practices.
Governance, Accountability and System Stewardship	7 a)	Fully incorporate the UNCRC into the domestic law.		No action proposed Comment: Reference to the UNCRC is covered in several legislations including the Children's Commissioner Act 2022, Oversight of Oranga System Act 2022, Children's Act 2014, and the Oranga Tamariki Act – Children's and Young People's Wellbeing Act 1989.
Governance, Accountability and System Stewardship	10 a)	Child wellbeing indicators were prioritised in the 2023 Budget Policy Statement. The Committee recommends that New Zealand conduct a comprehensive assessment of funding needs across all areas affecting children (not only those focused on reducing child poverty) and allocate sufficient resources, in line with article 4 of the Convention, to implement children's rights across all areas of the Convention.	Treasury	No action proposed Comment: Budget proposals are assessed using wellbeing, distributional, and equity analysis frameworks, including consideration of impacts on different population groups such as children. These assessments support decision-making on budget priorities and resource allocation across a range of policy areas relevant to children's wellbeing.
Governance, Accountability and System Stewardship	10 c)	Define budgetary lines for all children, with special attention given to those in disadvantaged or vulnerable situations, who require special measures (such as Māori and Pasifika children, children in out-of-family care and children with disabilities). Make sure those budgetary lines are protected even in situations of economic crisis/disasters/emergencies.	Treasury	No action proposed Comment: The Government's budgeting and fiscal planning processes are informed by the Living Standards Framework, He Ara Waiora, and the annual Budget Policy Statement. These frameworks support consideration of wellbeing outcomes and distributional impacts, including for children and disadvantaged or vulnerable population groups, when setting budget priorities and allocating resources.
Governance, Accountability and System Stewardship	12 b)	Streamline and facilitate children's ability to report violations of all Rights under the convention.	MSD	No action proposed Comment: Existing oversight bodies—the Children's Commissioner, Independent Children's Monitor, and the Ombudsman are available for the reporting of violations of children's rights.
Protection from	14	Eliminate any exception to the minimum age of marriage	MoJ	No action proposed

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Harm, Violence and Exploitation		of 18 for girls and boys.		Comment: There are no current plans to consider removing exceptions to the minimum age for marriage.
Child-Centred Policy, Participation and Rights Application	19 d)	Facilitate children's access to an effective complaints mechanism when their right to be heard is violated in judicial and administrative proceedings and facilitate their access to an appeal procedure.	MoJ	No action proposed Comment: The government is not currently progressing work to facilitate children's access to a complaint's mechanism and appeal procedure.
Wellbeing, Development and Living Conditions	21 b)	Strengthen the training on children's rights provided to all child protection authorities, including their right to privacy, and on relevant legislation, as well as on the use of the privacy, human rights and ethics framework tool to ensure its systematic application when assessing information-sharing and data analytics practices and proposals.		No action proposed
Wellbeing, Development and Living Conditions	21 c)	Ensure the application of the data protection and use policy operated by the Social Wellbeing Agency and specifically its right-to-dignity principle that refers to the right to participation of children and the duty of agencies to support children's participation in decisions regarding their personal data.	Statistics New Zealand	No action proposed Comment: In practice, application is not subject to direct monitoring or enforcement. Instead, the Data Protection and Use Policy set clear expectations, supported by guidance and capability-building activities. Rolling training led by the Social Investment Agency and Statistics New Zealand is being planned to help reinforce these principles. Agencies are supported through these mechanisms, with implementation ultimately depending on how they are reflected in day-to-day processes and decision-making.
Governance, Accountability and System Stewardship	21 d)	Ensure the application of information privacy principal 4 of the Privacy Act 2020 recognising special protection measures for children's personal information, including a duty heightened care when agencies are collecting information from children and young people.	MoJ	No action proposed Comment: Children and young people's privacy is a priority area for the Office of the Privacy Commissioner (OPC). In September 2023 OPC launched the Children's Privacy project which looks at how children's privacy is being protected and whether the rules protecting children's privacy rights are working. OPC consulted with government agencies, professionals who work with children, and non-governmental organisations who advocate for children and young people on how to improve children's privacy in New Zealand. In 2024, OPC released a report summarising the key themes and messages from consultation Office of the Privacy Commissioner Children's Privacy Project. In 2025 OPC developed guidance materials to help frontline workers in the education sector make sure personal information is properly used and protected. The guidance was developed with the support of an expert advisory group made up of specialists across the education sector. OPC has also developed guidance to help agencies confidently make good and timely decisions when they need to share information to protect children and young people's wellbeing and keep them safe from harm.
Equity, Inclusion and Outcomes for Priority Groups	29	Expedite the amendment of its adoption laws in line with its previous recommendations.	MoJ	No action proposed Comment: In 2025, Parliament enacted temporary changes to the Adoption Act 1955. These changes aim to support children and young people adopted overseas and brought to New Zealand to live free from abuse, neglect and exploitation. The Government has introduced the Overseas Adoptions Legislation Bill to Parliament to provide an enduring legislative solution to strengthen safeguards for international adoption and replace the temporary changes. Work on domestic adoption law reform is currently paused as the Government focuses on strengthening safeguards for international adoption.
Equity, Inclusion and Outcomes for Priority Groups	31 d)	Prohibit in law the sterilisation of children with disabilities without their free, prior and informed consent, and ensure that the safeguarding bodily integrity rights work programme raises awareness among children, parents, care givers and health professionals of children's rights not to be subject to non-consensual sterilisation and other bodily integrity abuse, and facilitate children's access to claims where those rights are violated.	MoH	No action proposed Comment: The Ministry of Health does not recommend a prohibition or criminalisation approach, as this approach would require prescribing in criminal law the surgical procedures that may or may not occur rather than upholding expert medical judgement, and this approach may deter health professionals from undertaking legitimate necessary surgical interventions in the best interests of the child or adult.

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Wellbeing, Development and Living Conditions	33 a)	Promote healthy lifestyles for adolescents, including by monitoring the implementation of the healthy active learning initiative, strictly enforcing the amendments to the Smokefree Environments and Regulated Products Act 1990 and developing programmes of education and awareness-raising on the harmful effects of second-hand smoke.	MoH	No action proposed Comment: The Healthy Active Learning Initiative is ongoing and aims to improve access to: 1) A skilled health promotion workforce collaboratively supporting schools and kura to create healthy and active learning environments, and better connection to their local communities. [BAU- work continues] 2) Toolkits to support schools and kura to create healthy food and drink environments. [COMPLETED]
Wellbeing, Development and Living Conditions	36 b)	Raise awareness of and promote public debate on the annual government child poverty report published through the annual budget process.	Treasury MSD	No action proposed Comment: Section 15EA of the Public Finance Act 1989 requires the Minister of Finance to present to the House on Budget Day a report on child poverty. This must discuss any progress made, in the most recent completed financial year, in reducing child poverty consistent with the targets under the Child Poverty Reduction Act 2018, and indicate whether and, if so, to what extent, measures in or related to the Budget will affect child poverty. The Child and Youth Strategy 2024-2027 also sets out three priorities to drive cross-government work, inform investment decisions and ensure progress is measured. These priorities focus on the first 2,000 days of a child's life, reducing material hardship and preventing harm against children.
Protection from Harm, Violence and Exploitation	41 b)	Facilitate access to a child-specific complaints mechanism that can receive, monitor and investigate reports of cases of labour exploitation of children, and raise awareness among children of the mechanism.	MBIE	No action proposed Comment: There is an all of Government plan against forced labour, however, this is not child specific.
Protection from Harm, Violence and Exploitation	43 a)	To raise the minimum age of criminal responsibility to 14 years for all children, regardless of the offence.	MoJ	No action proposed Comment: Former Governments have considered revising the minimum age of criminal responsibility following recommendations. However, work has not been progressed in this area and has instead focused on improving responses to child offending and, where possible, using alternatives to prosecution. New Zealand legislation and court procedure makes special provision for children and young people to be treated according to their age and capacity. Most children and young people who offend are dealt with outside of the courts and are not charged with an offence.
Protection from Harm, Violence and Exploitation	43 d)	To end the automatic transfer of 17-year-olds who are accused of serious offences to be tried by the adult courts and ensure that they are dealt with in the youth justice system.	Oranga Tamariki	No action proposed Comment: There was work on this in 2023 led by the Ministry of Justice, but no decisions were made and the current Government has focussed on other areas.
Governance, Accountability and System Stewardship	46	Consider ratifying the following core human rights instruments to which it is not yet a party: the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.	MoJ MBIE	Link to UPR-2024-A001: Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance. Link to UPR-2024-A004: Consider ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. Comment: New Zealand has previously considered the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and concluded that it is not in the national interest to ratify it. However, protecting the rights of migrants and migrant workers in New Zealand is of the utmost importance.