



Summary of key themes from consultation

Amending the New Zealand Sign Language Act 2006



**MINISTRY OF SOCIAL
DEVELOPMENT**
TE MANATŪ WHAKAHIATO ORA



Whaikaha
Ministry of Disabled People

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Introduction

This document is a summary of key themes from consultation carried out by the Ministry of Social Development (MSD) and Whaikaha – Ministry of Disabled People (Whaikaha) on changes to the New Zealand Sign Language Act 2006 (the NZSL Act). Information from consultation informed advice officials provided to the Minister for Disability Issues on the options to amend the NZSL Act.

MSD and Whaikaha want to take this opportunity to thank all those who participated in the consultation process for giving your time, asking questions and sharing your views and experiences. We acknowledge the breadth of expertise and personal stories shared with officials.

Thanks also to the Deaf Clubs and organisations who helped publicise this engagement and provided venues so that more people could participate. We also want to thank the Turi Māori community who allowed us time in your hui.

We also acknowledge the role of the New Zealand Sign Language Board and Rōpū Kaitiaki for their leadership and guidance throughout the process.

This document does not detail each person's contribution, but detailed unidentifiable information is held securely in our records to inform our advice.

All the information collected, held, used, and disclosed by MSD is in accordance with the Privacy Act 2020. The information provided was used to understand people's views about the potential amendments to the New Zealand Sign Language Act 2006 and inform the development of final proposals to amend the NZSL Act.

Background

Background to developing proposals to amend the NZSL Act for consultation with the Deaf community

In its 2019 annual report to the Minister for Disability Issues, the New Zealand Sign Language Board (the NZSL Board) recommended that the NZSL Act be reviewed.

The Minister for Disability Issues requested that the NZSL Board provide her with more information about a possible review with a focus on how the NZSL Act could be better aligned with the NZSL Strategy 2018-2023.

In December 2020, the NZSL Board provided its advice to the Minister, which recommended that the NZSL Act be reviewed. The Minister for Disability Issues agreed in principle to a review of the NZSL Act, and requested that MSD officials provide her with initial policy proposals by early 2022.

MSD officials worked in partnership with the NZSL Board and NZSL Team in Whaikaha on developing policy proposals.

In April 2022, the Minister for Disability Issues sought agreement from Cabinet to undertake consultation with the Deaf community on potential amendments to the NZSL Act. The intention of the potential amendments to the NZSL Act is to create a stronger foundation to work in partnership with the Deaf community to support the promotion, maintenance, and acquisition of NZSL as an official language.

→ You can read the Cabinet paper here - [Consultation with the Deaf community on potential amendments to the New Zealand Sign Language Act 2006 - Ministry of Social Development \(msd.govt.nz\)](#)

Three potential amendments to the NZSL Act were consulted on, including:

1. The NZSL Board becoming a statutory Ministerial advisory group to provide strategic leadership on NZSL.
2. Monitoring the actions of government agencies in response to the NZSL Act
3. Recognising the identity and leadership of Turi Māori.

Consulting on the potential amendments

Public consultation on potential amendments began on 8 September 2022 and ended on 11 November 2022.

A ‘NZSL first’ approach was taken for the consultation. MSD officials partnered with the NZSL Team in Whaikaha and the NZSL Board to promote the consultation in accessible ways through various networks and social media channels.

This was to ensure that Deaf people and the Deaf community had multiple options and ways to providing feedback. There were in person meetings in NZSL, meetings for Turi Māori, options to provide feedback in NZSL and an online meeting in NZSL, as well as the option of providing written feedback.

Overview of responses and feedback

Over 155 people attended the three in person meetings in NZSL, and around 45 Turi Māori attended one of the three meeting for Turi Māori. Around 25 people attended on online hui, held in NZSL. There were seven submissions in NZSL (which were translated), and 23 written submissions.

MSD officials also met with the Disabled People’s Organisations Coalition, Deaf Action, Deaf Wellbeing, representatives from ethnic communities and a group of Pacific disability support providers, to get feedback on the potential amendments to the NZSL Act directly.

→ **You can find out more about the consultation process here - [NZSL Act Consultation 2022 - Office for Disability Issues \(odi.govt.nz\)](https://www.od.govt.nz/nzsl-act-consultation-2022)**

Key themes

Key themes of the feedback on the potential amendments to the NZSL Act

The key themes from all forms of feedback were compiled by MSD officials and informed the advice to the Minister for Disability Issues on the final proposals to amend the NZSL Act.

These key themes are not presented as a percentage of the total number of people providing feedback. This is because much of the feedback was collected from public meetings, where assessing a percentage or number of people who supported a point made by an individual was difficult.

1. The NZSL Board becoming a NZSL statutory Ministerial advisory group to provide strategic advice on NZSL

There was strong, but not universal, support for the proposal to strengthen the Deaf community's leadership on NZSL by the NZSL Board becoming a statutory Ministerial advisory group.

Feedback supporting this proposal mentioned that it would increase the stability, mana, and authority of the NZSL Board and allow it to become a stronger mechanism to push for change for the Deaf community.

There was also strong support for an amended NZSL Act to include a reference to a national language strategy for NZSL, and for the NZSL statutory Ministerial advisory group to have responsibilities in relation to the development, monitoring and reporting on this strategy.

We also received suggestions on how to improve this potential amendment to the NZSL Act. These included:

- increasing the powers of the NZSL Board, particularly in relation to monitoring actions of government agencies to meet their obligations under the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)
- publishing recommendations of the NZSL statutory Ministerial advisory group to increase transparency.

Some feedback suggested that a NZSL Commission, along similar lines to Te Taura Whiri i te Reo Māori / Māori Language Commission, should be established, because it would give a NZSL leadership group more influence and resource.

Increasing funding for the NZSL Board (if it became a statutory Ministerial advisory group) was suggested as essential to fully support a potential statutory role and increased functions.

2. Monitoring the actions of government agencies in response to the NZSL Act

There was significant support for the proposal to create a mechanism to monitor and report on actions government agencies are taking to support the promotion, maintenance and acquisition of NZSL.

We received feedback supporting a NZSL statutory Ministerial advisory group to have responsibilities and oversight of this process, and for reference to a monitoring mechanism in an amended NZSL Act.

There was also feedback that this proposal did not go far enough. Some feedback suggested that a NZSL statutory Ministerial advisory group needed to have the power to investigate and enforce accessibility standards in relation to NZSL.

Suggestions for improving this proposal included:

- the principles guiding government agencies should be strengthened to responsibilities and go beyond consulting with the Deaf community on matters relating to NZSL
- all government agencies should be required to submit an annual strategic plan for supporting a NZSL statutory Ministerial advisory group
- a professional system to monitor and assess the quality of NZSL translations of government agencies information should be created
- a NZSL statutory Ministerial advisory group should have legislative powers to receive and investigate complaints on how the NZSL Act is implemented combined with powers of dispute resolution, monitoring and enforcement.

3. Recognising the identity and leadership of Turi Māori

There was very strong support for embedding Te Tiriti o Waitangi / The Treaty of Waitangi in an amended NZSL Act to recognise and support Turi Māori identity and leadership. There was an acknowledgement of the lack of Turi Māori representation in government and leadership at a national level.

Other suggestions included:

- a parallel Turi Māori statutory Ministerial advisory group with associated budget and strategy
- Turi Māori leadership roles set out in an amended NZSL Act
- a Māori NZSL strategy that develops priorities for improving Turi Māori access to te reo Māori and te ao Māori.

Scope of the review

We received some feedback that the review was too limited in scope and that there was not enough information about alternative proposals for people to provide informed feedback.

Concern was expressed that the potential amendments to the NZSL Act fall short of advancing language rights and strategic priorities of NZSL users.

Feedback outside the scope of the review

We received feedback on various issues that were outside the scope of this review, which are summarised below. This information will be used to inform future work and the work of the NZSL Board.

NZSL use beyond legal proceedings

Feedback was received that the right to use NZSL should be extended to include all aspects of the justice system, for example, during police interviews and within prisons. The right to use NZSL was also as important in medical and education settings. Suggestions to support this included:

- having a pool of 'on-call' NZSL interpreters, funded by the government
- expanding the right to use NZSL beyond legal proceedings.

Other feedback raised the issue of who is responsible for providing (and paying) for NZSL interpreters, particularly when accessing government services.

Education

There was a significant amount of feedback expressing concern about lack of access to education in NZSL. Education in NZSL (in all parts of the education system) was viewed as very important for Deaf identity and culture, as well as overall wellbeing and future opportunities.

Some of the themes related to education included:

- there should be greater provision of quality, fully NZSL education by Deaf or NZSL-fluent teachers
- the current system enables language deprivation and discrimination
- NZSL education will lead to more equitable outcomes for Deaf people (for example, improve their chances academically, improve their mental health, increase future opportunities)
- NZSL education should be as accessible as education in Te Reo Māori.

There was a significant amount of feedback that the NZSL Act should include a reference to the right of access to education in NZSL and for this to be enforced.

Other feedback expressed the view that NZSL education needs to be improved and supported through NZSL Act. This included making a specific reference to language acquisition in an amended NZSL Act.

There was the suggestion that Deaf schools should provide more education on Te Tiriti o Waitangi / the Treaty of Waitangi, as well as te ao Māori in Deaf schools. This would support Turi Māori identity and leadership.

We also received feedback that there should be increased options for people to learn NZSL in later life, particularly for those who experience hearing loss. Furthermore, people told us that to promote NZSL as an official language, more should be done to support the hearing community learn NZSL, including by offering this as a language option in secondary schools.

Interpreter workforce and standards

The lack of NZSL interpreters was often raised, as was the lack of options for training interpreters. The lack of NZSL interpreters was identified as contributing to poorer outcomes for Deaf people compared with the hearing population.

We received some feedback expressing concern about the inconsistent quality and training of some NZSL interpreters. It was suggested there needs to be a system for accrediting NZSL interpreters.

Support to train trilingual interpreters

The lack of trilingual interpreters was raised as a significant concern for Turi Māori. This is a frequent barrier for supporting their access to identity, leadership and culture and prevents rights for Māori under Te Tiriti o Waitangi. Many Turi Māori shared that they have experienced poorer outcomes due to not having access to Te Reo in areas of their lives.

The costs of training trilingual interpreters and the limited choice of where training can be done was identified as a significant barrier to growing the numbers of trilingual interpreters.

Accessibility issues

Many people shared experiences of daily accessibility barriers experienced by Deaf people and the Deaf community. These were raised as significant issues that directly impacted Deaf people's wellbeing and participation in their communities.

Suggestions to address accessibility barriers included the government:

- leading work on NZSL interpreter workforce planning
- developing a NZSL interpreter service infrastructure
- creating regulations for NZSL interpreter competency standards
- making all public information accessible in NZSL
- providing closed captions and NZSL videos in public spaces such as museums and galleries
- clarifying who is responsible for providing interpreter standards to support full participation in democratic processes, for example, attending local government meetings, engaging with government agencies to access services.



We also received feedback that the amount of government public communications currently translated into NZSL is minimal. Access to information is vital for social participation and inclusion, as well as exercising human rights.

Recognising and valuing the linguistic and cultural identity of the Deaf community

We received some feedback that including Deaf people in the ‘disability’ paradigm, as well as locating the NZSL Team within Whaikaha, fails to recognise the linguistic and cultural identity of Deaf people and the Deaf community.

To address this concern, it was suggested that NZSL-related work be located within a government agency that is concerned with culture and language issues.

Defining what is meant by official language

Feedback was received on the need to clarify what it means for a language to be recognised as an official language in Aotearoa / New Zealand.

Next steps

→ In April 2023, Cabinet agreed to amend the NZSL Act. [The Cabinet paper will be published on the NZSL Consultation webpage once it has been translated into accessible formats - NZSL Act Consultation 2022 - Office for Disability Issues \(odi.govt.nz\)](#)



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