

New Zealand

New Zealand consists of two main islands and other outlying smaller islands. It has a population of approximately 4.9 million (as of the 2018 Census) and has a democratic, parliamentary government.

Constitution and government	Education and children's rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
<u>Preferential treatment is given to a religion or religion in general</u> <u>State-funding of religious institutions or salaries, or discriminatory tax exemptions</u>	<u>There is state funding of at least some religious schools</u>		
<u>Official symbolic deference to religion</u>	<u>State-funded schools offer religious or ideological instruction with no secular or humanist alternative, but it is optional</u>		
		<u>No religious tribunals of concern, secular groups operate freely, individuals are not persecuted by the state</u>	<u>No fundamental restrictions on freedom of expression or advocacy of humanist values</u>

Legend

Constitution and government

New Zealand does not have a written constitution, but laws and policies protect freedom of religion or belief, freedom of expression, and freedom of assembly and association. These rights are generally respected in practice.

The government does not generally promote any religion; however, a prayer is recited at the opening of every parliamentary session. In 2017, the traditional Christian prayer was altered to make it less faith-specific.

In March 2019, a long standing 'blasphemy' law was repealed.

However, a significant number of other laws privilege religious believers.

Religious privilege

There are some 170 Acts on the statute books that favour religion or Ministers of Religion at the expense of the non-religious community. For example: organizations that "advance religion" are given charitable status and tax exemption, regardless of any other charitable activity; all extradition

treaties and Mutual Assistance in Criminal Matters agreements with foreign countries provide that New Zealand may refuse assistance or extradition if it is suspected that the offence for which the person is sought relates to their religion but do not provide protection for those who are sought because they have no religion; the Marriage Act 1955 places different and more onerous requirements on non-religious organizations for the annual registration of Marriage Celebrants than it does for religious organizations; and religious workers are given preferential entry to New Zealand.

In addition, a “Statement on Religious Diversity” published and widely promulgated by the Human Rights Commission provides for the “Safety and Protection of Faith Based Communities” but not for non-theistic and other communities.

Exclusory religious symbolism

While the government does not have a state religion, non-denominational religious ceremonies and invocations are common at government events and in numerous other elements of the state’s self-representation. For example: a prayer is recited at the opening of every parliamentary session and some local authority meetings; both official National Anthems invoke god; religious symbols are incorporated into the New Zealand flag; religion in the form of prayer and song are used at many government, local authority, and other state functions; and state funerals are invariably religious even when the deceased person is not.

The state subsidizes religious activities through tax and local authority rate exemptions, through grants, and through subsidies to religious schools.

Education and children’s rights

The law (Education Act 1964, Sections 77 to 81) requires that teaching within state owned “public” primary schools “shall be entirely of a secular character.” However, it also permits religious instruction and observances in state primary schools within certain parameters. If the school committee in consultation with the principal or head teacher so determines, any class may be closed at any time of the school day for the purposes of religious instruction given by voluntary instructors. While attendance at religious instruction or observances is not compulsory, parents must opt their children out rather than opt them in and some parents are not notified that the religious instruction is to take place or not informed that they may opt their children out. Those pupils that do opt out are sometimes known to face discriminatory and punitive practices.

While teaching in state owned public secondary schools is generally of a secular character, there is no requirement for this, and religious instruction or other religious activities such as bible reading and hymn singing may also occur in secondary schools at the discretion of individual school boards.

The state also fully funds private “Integrated” schools and partially funds other private schools. The majority of Integrated and private schools are owned by religious organizations. There is no requirement for teaching in Integrated and other private schools to be of a secular character and these schools may introduce religious instruction at the discretion of individual school boards. The ministry does not keep data on how many schools permit religious instruction or observances. During 2014 it was reported that government grants to the new Partnership schools (known as Charter schools in other countries) per pupil were substantially more than grants to equivalent state schools and the government announced its intention to increase the number of Partnership schools. In 2017 the incoming government announced its intention to abolish Partnership schools. By September 2018, the twelve remaining Partnership schools had successfully converted to privately-owned state Integrated schools.

In 2019, new guidelines have been published by the Ministry of Education for the boards of trustees, which recommend the schools provide full and accurate communication to students and families about religious education and suggest the implementation of an opt-in rather than an opt-out system. However, this appears to contradict the currently standing Education Act 1964, which only provides for an opt out system.

Family, community and society

The New Zealand Bill of Rights protects freedom of religion and belief and the Human Rights Act outlaws discrimination on the grounds of religious or ethical belief. The Human Rights Act 1993 binds the crown and the government undertook to correct historical acts by the year 2000 to remove all discrimination, and this was undertaken for most grounds. However, many historical acts, and some enacted since 1993, continue to discriminate on the grounds of religion and belief (see “Religious privilege” above).

Pastoral care in hospitals is funded by the Ministry of Health and District Health Boards. Currently, the only provider is the Interchurch Council for Hospital Chaplaincy (IHC). IHC holds a contract for the chaplaincy service with the Ministry of Health. The IHC, formed by 8 partner churches in 1996 to work with the Ministry of Health and District Health Boards to provide Hospital Chaplaincy, became a registered charity in 2008.

However, on other social issues most legislative changes in recent decades have been positive and progressive.

A law to prevent Female Genital Mutilation was enacted in 1995 with the addition of sections 204A and 204B to the Crimes Act 1961. The Minors (Court Consent to Relationships) Legislation Act 2018 amended the Marriage Act 1955 and the Civil Union Act 2004 to require family court approval rather than parental approval for the marriage of persons aged 16 or 17 to ensure that marriages are not forced and are in the best interest of the persons involved, however there are no specific laws to prevent forced and underage marriage of a New Zealand citizen taking place in another country.

New Zealand introduced civil unions between any two persons regardless of sex from 26 April 2005 and legalized same sex marriage in 2013.

An abortion bill, introduced in August 2019 to liberalize restrictive abortion laws, will remove legal abortion from the Crimes Act, establish safe zones around abortion services, and allow women to access an abortion on request during the first 20 weeks of pregnancy and after 20 weeks with the approval of a health practitioner.

Moreover, humanists continue to call to cease concessions afforded to Christian groups, particularly as, according to the latest 2018 census, the number of non-religious in New Zealand has overtaken all other belief groups, with non-religious now representing 48% of the population.

[<humanist.nz/news/release/no-religion/>](http://humanist.nz/news/release/no-religion/)

Freedom of expression, advocacy of humanist values

Freedom of expression and media freedom are protected by law and broadly respected in practice. Freedom of assembly and freedom of association are also fully protected in law and broadly respected in practice.

Blasphemy Law repealed in 2019

Until 2019, a 'blasphemy' law had been in place in New Zealand, under a section on "crimes against morality and decency, sexual crimes and crimes against public welfare". In theory 'blasphemy' offences were punishable with a prison term. However, on 12 March 2019, this section 123 of the Crimes Act 1961 was repealed by section 5 of the Crimes Amendment Act 2019 (2019 No 4).

end-blasphemy-laws.org/2019/03/congratulations-new-zealand-seventh-country-repeal-blasphemy-since-2015/