

NEW ZEALAND 2016 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

New Zealand is a parliamentary democracy. Citizens choose their representatives in free and fair multiparty elections, most recently held in September 2014. The National Party won 60 of 121 parliamentary seats and formed a coalition government with three other parties, led by John Key as prime minister.

Civilian authorities maintained effective control over the security forces.

Principal human rights problems included disproportionate societal problems for indigenous persons, child abuse, trafficking in persons, and some societal discrimination against ethnic minority individuals.

The government has effective mechanisms for prosecuting officials who commit human rights abuses, but there were no reports of such abuses during the year.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, and there were no reports government officials employed them.

Prison and Detention Center Conditions

There were no significant reports regarding prison or detention center conditions that raised human rights concerns.

Physical Conditions: Persons accused of a crime who are 17 years or older are tried as adults and, if convicted, sent to adult prisons. Authorities held male prisoners younger than 17 years in residential facilities operated by the national Child and Youth Welfare Agency. There was no separate facility for juvenile females because there were fewer than five throughout the country at any one time.

Transgender prisoners who had the gender on their birth certificates changed to reflect their preferred gender were generally housed in accordance with their preferred gender and may begin gender reassignment treatment/surgery while incarcerated.

Administration: Inmates could make uncensored complaints to statutory inspectors or the ombudsman. The Ombudsman's Office reports to Parliament annually on its findings. The law provides for specified rights of inspection, including by members of Parliament (MPs) and justices of the peace, and information was publicly available on complaints and investigations, subject to the provisions of privacy legislation.

Independent Monitoring: The government permitted monitoring visits by independent human rights observers.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

The New Zealand Police are responsible for internal security, and the armed forces, under the Ministry of Defense, are responsible for external security. Civilian authorities maintained effective control over the security forces, and the government has effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving the security forces during the year.

Arrest Procedures and Treatment of Detainees

Police may arrest a suspect without a warrant if there is reasonable cause; however, a court-issued warrant is usually required. Police officers may enter premises

without a warrant to arrest a person if they reasonably suspect the person of committing a crime on the premises or have found the person committing an offense and are in pursuit. Police must inform arrested persons immediately of their legal rights and the grounds for their arrest.

After arresting and charging a suspect, police may release the person on bail until the first court appearance. Except for more serious offenses such as assault or burglary, bail is normally granted and frequently does not require a deposit of money. Suspects have the right to appear promptly before a judge for a determination of the legality of the arrest and detention. After the first court appearance, the judge typically grants bail unless there is a significant risk the suspect would flee, tamper with witnesses or evidence, or commit a crime while on bail. Authorities granted family members timely access to detainees and allowed detainees prompt access to a lawyer of their choice and, if indigent, a lawyer provided by the government. The government did not detain suspects incommunicado.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: Arrested persons have additional legal protections, including the right to initiate habeas corpus proceedings to decide the lawfulness of their detention, to be charged and tried without "undue delay," and to obtain compensation if unlawfully detained.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the government generally respected judicial independence.

Trial Procedures

The law provides for the right to a fair public trial, and an independent judiciary generally enforced this right. Defendants enjoy a presumption of innocence and the right to counsel. By law authorities must inform defendants promptly and in detail of the charges, with free interpretation as necessary, and provide adequate time and facilities to prepare a defense. Defendants cannot be compelled to testify or confess guilt, but they have the right to be present at their trial. Defendants also have the right to present witnesses and evidence, confront witnesses against them, access government-held evidence, appeal convictions, and receive free interpretation as necessary from the moment charged through all appeals. The government provides a lawyer at public expense if the defendant cannot afford counsel. The law extends these rights to all defendants.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Individuals and organizations may seek civil judicial remedies for human rights violations, including access to the Human Rights Review Tribunal. There are also administrative remedies for alleged wrongs through the Human Rights Commission (HRC) and the Office of Human Rights Proceedings.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions, and there were no reports that the government failed to respect these prohibitions.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and press, and the government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of speech and press.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports the government monitored private online communications without appropriate legal authority. The internet was widely available and used.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

The law provides for freedom of assembly and association, and the government generally respected these rights.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation and the government generally respected these rights. The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern.

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees.

Durable Solutions: The country's refugee policy has committed the government to resettling 750 refugees each year since the 1987, and the government has since met or exceeded that number. In September 2015 the government committed to taking an additional 750 Syrian refugees in total over the next two and one-half years, increasing the 2016 refugee intake to approximately 1,000.

Temporary Protection: The government also provided temporary protection to persons who may not qualify as refugees, but information was not available on the number of such cases during the year.

Section 3. Freedom to Participate in the Political Process

The law provides citizens the ability to choose their government through free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: In the most recent general elections, held in September 2014, the National Party won 60 of 121 parliamentary seats and formed a government in coalition with minority parties ACT, the Maori Party, and United Future. The coalition re-elected John Key as prime minister. The Labour, Green, and New Zealand First parties were the other parties represented in Parliament.

Participation of Women and Minorities: There are no laws limiting the participation of women or minorities in the political process, and women and minorities did so.

Overall turnout in the general election was 81 percent, while turnout in designated Maori electorates was lower and ranged from 60 percent to 69 percent. In South Auckland electorates with a high percentage of Pacific Island voters, turnout was 69 percent. The country's Maori and Pacific Island populations had a higher than average percentage of persons under age 30, with a median age of 23. Younger cohorts demonstrated consistently lower voter turnout across all ethnic groups.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively. There were no reports of government corruption during the year.

Financial Disclosure: The law requires MPs, including all ministers, to submit an annual report of financial interests, including income and assets, which is revealed publicly. There were no reports of criminal or administrative sanctions against elected officials for noncompliance to financial regulations. Career civil servants are not subject to this requirement but are subject to ethics standards established by the State Services Commission.

Public Access to Information: The law mandates the government to provide the public access to government data upon request, including to noncitizens and foreign media, within 20 working days of a request, and the government generally adhered to the law. The government must make this information available unless a good reason, such as concern for national security, exists for not doing so. The government did not abuse this provision. Before acting on a request, the government must provide the requester an estimate of any fees associated with the request. If the government refuses a request, the relevant department must give a written reason for the refusal explaining the grounds for the decision. The

department must also give the applicant information on how to complain to an ombudsman to seek an investigation and review of the refusal.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were cooperative and responsive to their views.

Government Human Rights Bodies: The Ministry of Justice funded the HRC, which operated as an independent agency without government interference. The HRC had adequate staff and resources to perform its mission. The public considered the HRC effective, and it enjoyed high public confidence.

The Office of the Ombudsman, responsible to Parliament but independent of the government, is charged with investigating complaints about administrative acts, decisions, recommendations, and omissions of national and local government agencies; inspecting prisons; and following up on prisoner complaints. The office enjoyed government cooperation, operated without government or party interference, had adequate resources, and was considered effective. The office produced a wide variety of reports for the government that were available on its website.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: According to a 2014 government report, one in four women experienced intimate partner or sexual violence in their lives. Violence against women affected all socioeconomic groups. The law criminalizes rape, including spousal rape. The maximum penalty is 20 years' imprisonment; however, indefinite detention may occur in cases where the parole board, during its annual review, believes the prisoner poses a continuing threat to society.

Domestic violence is a criminal offense, but police did not classify domestic violence separately from other types of assault.

Police can issue Police Safety Orders, allowing police to remove an alleged perpetrator from the family home for up to five days. Police were responsive to reported domestic violence incidents. The government partially funded women's shelters, psychosocial services, rape crisis centers, sexual abuse counseling, family-violence victim support networks, and violence prevention services. In June the government announced it would allocate 45 million New Zealand dollars (\$32 million) over four years to support victims and prevent sexual violence.

Sexual Harassment: The law prohibits sexual harassment and provides civil penalties. Sexual contact induced by certain threats may also fall under the criminal code, with a maximum 14-year prison sentence. The HRC published fact sheets on sexual harassment and made sexual harassment prevention training available to schools, businesses, and government departments on a regular basis.

Reproductive Rights: The government recognized the right of couples and individuals to decide freely and responsibly the number, spacing, and timing of their children; manage their reproductive health; and have access to the information and means to do so, free from discrimination, coercion, or violence.

Discrimination: Women enjoy the same legal status and rights as men, and the law prohibits discrimination in employment and rates of pay for equal or similar work. The Ministry for Women addresses problems of discrimination and gender equality, and there is a minister for women in the cabinet.

Children

Birth Registration: Children born in the country attain citizenship if either parent is a citizen or legal permanent resident of the country. Children born outside the country attain citizenship if either parent is a citizen born in the country. The law requires notification of births by both parents as soon as "reasonably practicable," deemed as generally being within two months of the birth, and most births were registered within this period.

Child Abuse: The number of substantiated cases of child abuse and neglect decreased slightly to 16,394 for the July 2015 to June 2016 fiscal year, from 16,472 the previous year. A disproportionately high number of reported cases of child abuse (more than 50 percent) involved Maori children.

The government promoted information sharing between the courts and health and child-protection agencies to identify children at risk of abuse. The Office of the

Commissioner for Children played a key role in deterring child abuse, advocating for children's interests, and monitoring violence and abuse against children.

Early and Forced Marriage: The legal minimum age for marriage is 20 for both men and women, but persons ages 16-19 may marry with parental permission. Marriages involving persons under age 18 were rare.

Sexual Exploitation of Children: The law provides that any person who has a sexual connection with a person younger than 16 years is liable to imprisonment for up to 10 years. Further, the law makes it an offense punishable by seven years' imprisonment to assist a person under 18 in providing commercial sexual services; to receive earnings from commercial sexual services provided by a person younger than 18; or to contract for commercial sexual services from, or be a client of, a person under 18. The law also makes it an offense to deal in individuals younger than 18 for sexual exploitation or engagement in forced labor.

The penalty for a person who enters into an arrangement or takes an action involving a person under 18 for the purposes of sexual exploitation or forced labor is 14 years' imprisonment. New Zealand courts may prosecute citizens who commit child sex offenses overseas.

Commercial sexual exploitation of children remained a concern. No recent data was available on its prevalence, however. The government, in concert with nongovernmental organizations (NGOs), operated programs to reintegrate children out of prostitution through vocational training and educational opportunities.

The law prohibits child pornography and provides for individual and corporate fines if a person produces, imports, supplies, distributes, possesses for supply, displays, or exhibits an objectionable publication. Penalties increase to up to 10 years' imprisonment or a substantially greater fine if such an act is committed with knowledge that the publication is objectionable. Simple possession of objectionable material is punishable by fines, while knowingly possessing objectionable material is punishable by up to five years' imprisonment and a larger fine. For sentencing purposes, it is an aggravating factor if the publication promotes or supports exploitation of youth for sexual purposes, deals with sexual conduct with or by children or young persons, or exploits nudity of children or young persons.

The Department of Internal Affairs Censorship Compliance Unit actively policed images of child sex abuse on the internet and prosecuted offenders.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at travel.state.gov/content/childabduction/en/legal/compliance.html.

Anti-Semitism

The Jewish community numbered approximately 7,000, according to the 2013 New Zealand Census. Anti-Semitic incidents were rare.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment; education; access to places and facilities, including air travel and other transport; and the provision of goods, services, housing, and accommodation. The government is prohibited from discriminating on the basis of physical, sensory, intellectual, or mental disability, unless such discrimination can be "demonstrably justified." There are laws and programs designed to provide access to communications and information for persons with disabilities. The government effectively enforced applicable laws. Most school-age children with disabilities attended school.

The Auckland Council, in coordination with the Blind Foundation, instituted assisted voting and increased access to information about candidates for blind and low vision voters. Auckland Council also provided information on local elections via the Blind Foundation's Telephone Information Service, distributed 12 hours of candidate and voting information to 1,600 individuals, and produced New Zealand Sign Language videos and an "easy read" leaflet for persons with learning difficulties and low English-language literacy levels.

The HRC reported in its key findings for 2016 that the number of complaints on the basis of disability decreased from 354 in 2014/2015 to less than 176 in 2015/2016. The government's Office for Disability Issues worked to protect and promote the rights of persons with disabilities. Additionally, both the HRC and the

Mental Health Commission continued to address mental disabilities in their antidiscrimination efforts.

National/Racial/Ethnic Minorities

Pacific Islanders, who constituted 7 percent of the population, experienced some societal discrimination and had the highest rates of unemployment (13.1 percent) and lowest labor-force participation (61 percent), compared with the rest of the population. Asians made up 12 percent of the population and also reported some societal discrimination.

The Ministries of Justice and Pacific Peoples had a program to identify gaps in delivery of government services to Pacific Islanders. The government's race relations commissioner managed the Diversity Action Program, which included a widely attended Diversity Forum and aimed to help eliminate race-based discrimination against the Maori, Pacific Islander, and Asian communities.

The Office of Ethnic Affairs within the Department of Internal Affairs focused on improving dialogue and understanding about minority communities among the wider population.

Indigenous People

Approximately 15 percent of the population claim descent from the country's indigenous Maori. The government bestows specific recognition and rights, enshrined in law, custom, and practice, to the indigenous Maori population. The government did not withhold rights to other particular persons or collectives.

Between July 2015 and June 2016, the government enacted legislation that settled seven claims by indigenous groups ("iwi"), relating to the 1840 Treaty of Waitangi, the country's founding document. An additional four groups signed deeds of settlement and were in various stages of the legislative process to make their deeds unconditional. The government continued active negotiations with almost all iwi in various stages of the claims process.

The law prohibits discrimination against the indigenous population, but there was a continuing pattern of disproportionate numbers of Maori on unemployment and welfare rolls, in prison, among school dropouts, in infant mortality statistics, and among single-parent households.

Maori constituted 51 percent of the prison population and 45 percent of persons serving community-based sentences. The government, along with community partners, continued to implement programs and services to reduce Maori recidivism and overrepresentation in the criminal justice system. The indigenous Maori population and the immigrant Pacific Islander community experienced higher rates of violence, including gender-based violence, compared with the nonindigenous population. The government implemented a number of programs targeting these communities to lessen rates of violence and improve community resilience.

The Ministry of Maori Development, in cooperation with several Maori NGOs, sought to improve the status of indigenous persons.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

The law does not criminalize consensual same-sex sexual conduct between adults. The law prohibits abuse, discrimination, and acts of violence based on sexual orientation and gender identity, and the government generally enforced the law. From July 2015 to June 2016, approximately 2 percent of discrimination complaints received by the HRC related to gender identity or sexual orientation.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers to form and join independent unions of their choice without previous authorization or excessive requirements, to bargain collectively, and conduct legal strikes, with some restrictions. The law prohibits antiunion discrimination. While it does not require reinstatement of workers dismissed for union activity, the courts may order this at their discretion.

Police have the right to freedom of association and the right to organize and bargain collectively, but sworn police officers (which includes all uniformed and plainclothes police but excludes clerical and support staff) do not have the right to strike or take any form of industrial action. Contractors cannot join unions, bargain collectively, or conduct strike action.

Workers may strike while negotiating the right to a collective bargaining agreement or over matters of health and safety. Strikes by providers of key

services are subject to certain procedural requirements, including mandatory notice of three to 14 days, depending on the service involved. Key services include production, processing, and supply of petroleum products; production and supply of electricity, water, and sewer services; emergency fire brigade and police services; ambulance and hospital services; manufacturing of certain pharmaceuticals and dialysis solutions; operation of residential welfare or penal institutions; airport and seaport operations; dairy production operations; and animal slaughtering, processing, and related inspection services. The inclusion of some of these sectors was broader than international standards on the definition of “essential services.”

To bargain collectively, unions must be registered, independent, governed by democratic rules, and have at least 15 members. Unions may not bargain collectively on social or political issues.

The government respected these rights and effectively enforced applicable laws without lengthy delays. The Employment Relations Act 2000 administers penalties for violations of freedom of association or collective bargaining protections and includes fines sufficient to deter violations. Cases were occasionally referred to the Civil Employment Court.

Unions conducted their activities without government or employer interference. Nearly all unionized workers were members of unions affiliated with the New Zealand Council of Trade Unions (NZCTU), an independent federation that included unions representing various trades and locations. A few small, nonaffiliated unions also existed. There were no cases of antiunion discrimination reported during the year.

b. Prohibition of Forced or Compulsory Labor

The government amended its law to prohibit all forms of forced labor. The government’s efforts to enforce the law were not always effective. The law criminalizes forced labor, imposing penalties of up to 500,000 New Zealand dollars (\$350,000) or 20 years’ imprisonment. Such penalties were not sufficiently stringent to deter violations, because of the possibility that a fine can be imposed in lieu of imprisonment. Fines can be imposed for labor violations that may be indicators of forced labor such as underpayment of wages and excessively long working hours.

Migrant workers, including in agriculture, horticulture, viticulture, construction, hospitality, and as domestic workers were vulnerable to forced labor. Some foreign workers were charged excessive and escalating recruitment fees, experienced unjustified salary deductions, non- or underpayment of wages, excessively long working hours, and restrictions on their movement. Some had their passports confiscated and contracts altered. Foreign men aboard foreign-flagged fishing vessels in New Zealand waters were subjected to forced labor, and in response the government passed legislation enabling it to address that problem more effectively. Recruitment agencies based within the country that recruit workers from abroad must have a licensed immigration adviser. The government expanded partnerships with foreign governments to better monitor and regulate recruitment of foreign workers by foreign companies outside the country, even if the employer was foreign owned and operated. For example, in September the government signed a bilateral arrangement with the Philippines on the recruitment and treatment of Filipino migrant workers. The arrangement was intended to reduce the vulnerability and potential for exploitation of workers by improving the transparency of recruitment processes and ensuring compliance with both countries' employment and immigration requirements.

In 2015 the government made its first certifications of 34 forced labor victims. On September 15, a high court handed down the country's first conviction under its recent trafficking law, in a case of forced labor.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

By law children under age 16 may not work between the hours of 10 p.m. and 6 a.m. The law also states children enrolled in school may not work, even outside school hours, if such employment would interfere with their education. The law bans the employment of children under age 15 in hazardous industries such as manufacturing, mining, and forestry.

Inspectors from WorkSafe New Zealand, an independent crown agent with its own governance board created to reform the workplace health and safety system, effectively enforced these laws. The workplace and safety regime is governed by the Health and Safety at Work Act 2015, which outlines prison sentencing guidelines of up to five years and fines up to 3 million New Zealand dollars (\$2.13 million) for the most serious offenses. Penalties were adequate to deter violations.

Children between 16 and 18 years of age worked in some hazardous industries and occupations, such as the agricultural sector. Concerns remained about the commercial sexual exploitation of children (see section 6, Children).

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/ for information on the self-governing territories of New Zealand--Cook Islands and Niue--as well as the dependent territory, Tokelau.

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination on the basis of race, color, sex, religion, political opinion, national origin or citizenship, social origin, disability, sexual orientation, and/or gender identity, age, language, HIV-positive status, or other communicable diseases.

The government effectively enforced these prohibitions. There are financial penalties for not complying with employment laws up to 10,000 New Zealand dollars (\$7,000) for individuals and 20,000 New Zealand dollars (\$14,000) for companies. Such penalties were sufficiently stringent to deter violations. The HRC had an equal opportunity employment team that focused on workplace gender-related problems. This team regularly surveyed pay scales, conducted a census of women in leadership roles, and engaged public and private employers to promote compensation equality. The Office of Ethnic Affairs continued to take measures during the year to promote ethnic diversity in occupation and employment.

According to the NZCTU, Maori and Pacific Island people remained disadvantaged relative to the general population in terms of unemployment and wages.

e. Acceptable Conditions of Work

The minimum hourly wage was 15.25 New Zealand dollars (\$10.75). The “training minimum wage” for persons who are age 20 or over and the “starting-out” wage for 16- to 19-year-old workers is 12.20 New Zealand dollars (\$8.60) for nonsupervisory workers with fewer than three months or 200 hours of employment. There was no official poverty-level income figure, but researchers

frequently used 60 percent of the median household income, (NZ\$26,300 (\$18,500)), as the unofficial poverty-level marker.

The law provides work hours should be set in collective or individual agreements between employers and employees. Although a 40-hour workweek is traditional, employer and employee parties may contractually agree to a workweek of more than 40 hours. There are no legal provisions regarding overtime pay rates, but this is negotiable between the employer and employee. In the absence of a negotiated agreement on overtime, employers may request, but may not require, employees to work overtime hours.

The law does not provide specifically for a 24-hour rest period weekly; however, management and labor have accepted the practice, and it was the norm for most industries. The law provides for 11 paid public holidays and a minimum four-week annual paid vacation. Employees who work on a paid holiday are entitled to time and a half for that day and a day off with pay on another date. This benefit does not apply to those working in the armed forces.

Extensive laws and regulations govern health and safety issues. Employers are obliged to provide a safe and healthy work environment, and employees are responsible for their own safety and health, as well as ensuring that their actions do not harm others. The government mandates employers to provide health insurance for their seasonal workers. The law allows workers to refuse to perform work likely to cause serious harm and permits legal recourse if they believed an employer penalized them as a result.

The government proactively investigated labor conditions and in cases of noncompliance with labor law inspectors levied fines, required restitution of wages to workers, and pulled licenses from offenders.

The Ministry of Business, Innovation, and Employment is responsible for enforcing laws governing working conditions, including wages and hours, and occupational health and safety, the latter of which is handled by WorkSafe New Zealand. The department's inspectors effectively enforced safety and health rules in all sectors including the informal economy, and they have the power to shut down equipment if necessary. The department normally investigated reports of unsafe or unhealthy working conditions within 24 hours of notification. Convictions for violations of occupational health and safety and wages and hours laws carry penalties of up to 500,000 New Zealand dollars (\$350,000) or imprisonment of up to two years. The Immigration Amendment Act 2015

stipulates penalties for employers who exploit migrant workers, including a jail term of up to seven years, a fine up to 100,000 New Zealand dollars (\$70,500), and deportation for noncitizen residents.

As of September, WorkSafe New Zealand employed 180 assessment, investigations, and response inspectors, including four chief inspectors and 16 inspectors in the High Hazards Unit. The number of inspectors was sufficient to enforce compliance. WorkSafe New Zealand reported that 83 percent of surveyed employers had changed their workplace practices following its inspections. From 2014 to December 2015, WorkSafe New Zealand initiated 106 prosecutions following those inspections, and 91 percent of those prosecutions were successful.

Workers ages 15 to 24 years and 65 years and over had the highest claim rates for work related injuries across all age groups. The fishing and forestry industries had the highest number of entitlement (i.e., more serious) claims as a proportion of all claims within the industry, both with 18 percent of claims involving entitlement payments.