

Ref: 211047

Wednesday, 24 November 2021

Chuck Schooner
fyi-request-17130-aef9004d@requests.fyi.org.nz

Tēnā koe Chuck,

Response to your request for Official Information

On 19 October 2021, you made the following five requests to the Human Rights Commission (“the Commission”) in relation to the Labour Government and its implementation of a COVID-19 strategy:

1. Number of formal complaints against this Labour Government to date

We understand this request to be for the number of complaints made to the Human Rights Commission about the current government’s COVID-19 response. The date range we have considered is from 6 November 2020 (when the current government was formed) until 19 October 2021 (the date of your request).

During that time period our database records **1259 enquiries and complaints related to the COVID-19 pandemic**. Not all of these relate to government action (for example, some relate to racism by members of the public, some relate to employers’ or retailers’ actions, etc.)

Of the complaints related to COVID-19, **351 complaints** fall under Part 1A of the Human Rights Act 1993. Part 1A complaints are complaints which relate to alleged unlawful discrimination by Government, related persons and bodies, or persons or bodies acting with legal authority. The Human Rights Commission does not make findings about complaints. The Commission offers a dispute resolution service.

2. Number of legal challenges against this government

The Human Rights Commission does not hold information about the number of legal challenges against this government. On 18 November 2021 we transferred your request to Crown Law. Their response is due to you on 16 December 2021.

There is also publicly available information on this web page about Court judgments related to COVID-19: <https://www.courtsofnz.govt.nz/judgments/covid-19-related-judgments/>

3. Any and all correspondence from the Human Rights Commission to the Labour Government about the violation of Human Rights/Bill of Rights/Discrimination amid the laws passed under this medical emergency

We are extending the time for our response to this aspect of your request. We are working on collating and assessing the correspondence. We will respond to this aspect again before Friday 17 December.

4. Unequivocally state that having employers/worksafe any agency try to have the public vaccinated effectively through 'coercion' is denounced by the Human Rights Commissioner and sent to all media outlets immediately.

See our response below point 5.

5. Also include in this letter than anybody discriminated this way will have unlimited claim to fines exceeding the fine the government is trying to place on businesses for not having vaccinated employees.

We do not consider your requests at points 4 and 5 to be requests for official information. We consider them to be requests for the Commission to take a particular action.

The Human Rights Commission is taking a range of actions and making a range of statements in relation to COVID-19 and human rights.

See for example:

- Our latest “news” section of our website for recent releases: <https://www.hrc.co.nz/news/>
- Our COVID-19 human rights information and FAQs web page: <https://www.hrc.co.nz/resources/human-rights-relation-covid-19/>
- “New Covid-19 strategy raises te Tiriti and human rights issues” (October 26, 2021) - <https://www.hrc.co.nz/news/new-covid-19-strategy-raises-te-tiriti-and-human-rights-issues/>
- The Commission’s report: [Human Rights and Te Tiriti o Waitangi- COVID-19 and Alert Level 4](#)

Alternative avenues

If you are unhappy with this response, under the Official Information Act you are entitled to complain to the Ombudsman’s Office. Information about how to make a complaint is available at www.ombudsman.parliament.nz or on freephone 0800 802 602.

If you have any further queries about this response, please feel free to contact me directly.

Nāku noa, nā

Madelaine Cullen

Data Analyst and Data Steward | Kaitātari me te Kaitiaki Raraunga
New Zealand Human Rights Commission | Te Kāhui Tika Tangata