



HEALTH & DISABILITY COMMISSIONER
TE TOIHAU HAUORA, HAUĀTANGA

Ko te arotakenga o Te Ture Toihau Hauora, Hauātanga 1994 me te Tikanga o ngā Mōtika Kiritaki mō ngā Ratonga Hauora, Hauātanga

He Tuhinga Uiui Whakarāpopoto

ĀPEREIRA 2024





He kupu whakataki

Kei te arotakengia e Te Toihau Hauora Hauātanga (HDC) i te Ture Toihau Hauora Hauātanga 1994 (Te Ture) me te Tikanga o ngā Mōtika Kiritaki mō ngā Ratonga Hauora, Hauātanga (Te Tikanga).

He whakarāpopototanga tēnei tuhinga o te tuhinga uiui 'Ko te arotakenga o Te Ture Toihau Hauora, Hauātanga 1994 me te Tikanga Mōtika mō ngā Ratonga Hauora, Hauātanga: he tuhinga uiui'. Ki te hiahia koe ki ētahi atu mōhiohio hei āwhina i a koe ki te tuku kōrero, ka kitea te tuhinga uiui katoa ki review.hdc.org.nz.

Nau mai ōu whakaaro

Kei te hiahia mātou ki ōu whakaaro mō te pēhea mātou e whakapai ake ai i Te Ture me Te Tikanga.

He pātai ā mātou mō ngā kaupapa e rima:

- Te tautoko kia pai ake te whakatatū amuamu, kia mana taurite hoki;
- Ka whakaritea Te Ture me Te Tikanga kia mauritau atu, kia urupare atu hoki ki ngā matea o te Māori;
- Kia tika Te Ture me Te Tikanga mō ngā tāngata whaikaha;
- Kia whakaaro kōwhiringa mō tētahi mōtika hei pīra i ngā whakatau a HDC; me ngā
- Whakapai itinga, mea hangarau hoki.

Ka āhei koe ki te whakautu ētahi pātai te katoa rānei mā ēnei huarahi:

- Whakaoti i tā mātou rangahau tuihono i review.hdc.org.nz;
- Tiki ake i te rangahau tuihono i review.hdc.org.nz ka tukua ai tō puka i whakaotia ai ki review@hdc.org.nz ki Pouaka Poutāpeta 1791 rānei, Tāmaki Makaurau, 1140; ā,
- Tukua mai ōu whakaaro ki te īmēra, te kāinga mēra o runga rānei.

Ko te rā katinga mō te tuku whakaaro ko te 5 karaka o te ahiahipō, Wenerei, te 31 o Hūrae, 2024.

He kōrero atu anō mō te uiui me ngā hui uiui kei tō mātou pae ipurangi: review.hdc.org.nz.

Mehemea he pātai āu ka taea e koe te tuku mai mā te:

- Īmēra review@hdc.org.nz;
- Waea mai, pātuhi mai rānei ki 027 283 2219, ki 6448975955 rānei. Kua rēhitatia tēnei nama ki te Ratonga New Zealand Relay: www.nzrelay.co.nz;
- Waea utukore 0800 11 22 33, Mane ki te Paraire 8.30 i te ata ki te 6.00 i te ahiahipō, hei whakarite i tētahi hui ā-waea me te tima arotakenga.

Te huarahi atu

Mā āu whakahokinga kōrero mātou e āwhina kia tuhia he pūrongo ki te Minita Hauora e tohutohu ana i ngā panoni ki Te Ture me Te Tikanga. I raro i Te Ture me tāpae e te Minita he kape o tā mātou pūrongo ki te Paremata o roto mai i te 12 rangi o te rirohanga mai. Ā muri atu, kei te Minita Hauora me te Kāwanatanga te tikanga kia whakatinana i ā mātou tohutohu.

Mā ōu whakaaro ka āwhina i a mātou ki te whakapai ake i ā mātou mahi.

Te Ture me Te Tikanga

Ko tā HDC he whakatairanga me te tiaki i ngā mōtika o ngā tāngata e whakamahia ana i ngā ratonga hauora me ngā ratonga hauātanga. Kā meatia e mātou tēnei mā te whakatairanga ake i Te Tikanga me te whakatatū i ngā amuamu mehemea kua takahia ngā mōtika o te tangata.

Ka whakatakotoria e Te Ture ngā mahi ka taea e HDC, tae atu ki te pēhea e whakatatū ai i ngā amuamu. Ka whakatakoto hoki i ngā mahi a te Ratonga Tautoko Hauora, Hauātanga ā-Motu (Ngā Kaitautoko) me tētahi Tuku Whakarae Whakawā. Ko tā Ngā Kaitautoko, he whakamārama atu ki ngā tāngata i Te Tikanga me te āwhina i a rātou ki te tuku amuamu me te whakatatū i ō rātou āwangawanga tōtika atu ki ngā kaiwhakarato. Ko tā te Tumu Whakarae Whakawā he tiro tiro ki ngā amuamu taumaha mā roto o te Taraipiunara Whakatika Kaimahi Hauora me Te Taraipiunara Mana Tangata.

Ngā kupu ka mahia e mātou

Anei ētahi kupu ka whakamahia e mātou i tēnei pepa me te tikanga.

Hauātanga. Ka meatia e mātou tā te Rūnanga Whakakotahi i ngā Iwi o te Ao tikanga e kīia ana, ‘ko ngā tāngata e mau roa ana tētahi waimaero ā-tinana, ā-hinengaro, ā-mōhio, ā-tairongo, ā, ina pāhekoheko ana ki ngā tini taupā, ka whakararu i tā rātou āhei ki te uru i te pāpori pērā i ērā atu tāngata’. Ko te ariā nei o te hauātanga e kauawhi ana i ngā tāngata whai wheako whaiaro ki te uhi ā-hinengaro me te pāmamae rānei nō te raukoti tāmeha, te petipeti rānei.

Hohou te rongō. Ko Hohou te rongō ka whakaahua i ngā tukanga hei whakatatū tautohe mā te whakamahi mātāpono me ngā uara o te ao Māori (tā te Māori titiro).

Hui ā-whānau. Ko te hui ā-whānau he hui tahi (me te kiritaki) e whakahaeretia ana ki ngā tukanga reo Māori me ngā tikanga.

Tāngata whaikaha | disabled people. Ko ngā tāngata whaikaha he whakaahua whaikaha o te hauātanga me tōna tikanga kia whaikaha, kia whaiāhei, kia whakamanahia. Ko te kupu ‘tangata hauā’ ka whakamahia e te Rautaki Hauātanga o Aotearoa. Pai atu ki te tokomaha tangata te reo tuakiri-tuatahi, ‘tangata hauā’ kia kōrero whakahihi i tō rātou hauātanga.

Tāngata whai ora. Ko Tāngata whai ora ‘he tangata e rapu ana i te oranga’, ā, he tangata atu anō hoki e whakamahi ana i ngā ratonga hauora hinengaro me ngā ratonga wara.

Te ao Māori. Ko te ao Māori he huarahi ki tā te Māori e whakaaro ai, ki tā Māori e titiro ai ki te ao. Ko te mātauranga Māori te tūāpapa (mātauranga Māori, ngā uara, te tūhura, te auhatanga me ngā mahi).

Te Tiriti o Waitangi | the Treaty of Waitangi (te Tiriti | the Treaty). Kei te iho o te Tiriti o Waitangi ko te whakawhitinga mōtika me ngā haepapa i waenga i te Karauna o Piritene me te Māori, te tangata whenua, te mana whenua. Nā Te Tiriti i kī taurangi mai kia tiakina ngā rawa Māori kia āhei te tangata whenua ki te noho hei māori i Aotearoa. Nā te Tiriti hoki i tuku mana ki te Karauna o Piritene hei kāwana mō Aotearoa me te tū hei kanohi mō ngā matea katoa o ngā tāngata katoa o Aotearoa, tae atu ki ō te Māori.

Tikanga. He kupu ārahi i ngā mahi tika. Ko te tikanga Māori (tikanga) he mahi tūturu e raraua nei ki ngā whakapono tūturu, ngā uara me ngā mātāpono e whāia nei e te Māori i runga anō i te mātauranga Māori. Ahakoa he āhua ōrite te tikanga huri noa i ngā hapū me ngā iwi, ko te whakamahia ka rerekē pea.

Whānau. Tūturu, ko te ‘whānau’ ngā tāngata e hono ana ā-toto nei tae atu hoki ki ngā rāwaho, ki ngā whāngai hoki. Ko te whakamahinga o tō nāiane tikanga ko ngā tāngata me ngā whanaungatanga o te mahi tahi i runga anō i te kaupapa kotahi. Ka tautohu ngā tāngata i tō rātou whānau ki tā rātou e kite ai ina whakamahi ana i ngā ratonga hauora, hauātanga.



Ngā kaupapa mō te tuku whakaaro

Kaupapa 1: Te tautoko kia pai ake te whakatatū amuamu, kia mana taurite hoki

Ngā take

Kua rongu mātou:

- He taupā mō te whakamahi i ngā tukanga amuamu;
- Ko ā Te Ture mātāpono kia ‘tōkeke, kia māmā, kia tere, kia mauritau hoki’ mō te whakatatū amuamu kāore i te whakatutuki pai;
- Me aronui kē atu ngā tukanga whakatatū amuamu ki te tangata; ā,
- Ko ngā haepapa i roto i Te Tikanga mō te urupare ā-ahurea me āta mārama ake.

Kei te whakaaro mātou ka pai ake Te Ture me Te Tikanga mā ngā mea e whai ake nei:

- Mā te āwhina i a ngāi aotearoa ki te kōrero mō ā rātou anō me te hāpai āwangawanga tōtika atu ki ngā kaiwhakarato, tae atu kia āwhina mai Ngā Kaitautoko;
- Mā te āwhina i te HDC kia aro atu ki ngā amuamu e nui ana te take; ā,
- Mā te whakatinana pai i te Tiriti i ngā mahi.

Ā mātou mahi o nāianei

Ina tata nei kua whakaritea:

- Ngā hui ā-whānau me hohou te rongu hei āwhina i te tukanga whakatatū amuamu;
- Ngā Kaiwhakaterere rongoa hei ārahi i ngā tāngata i te tukanga whakatatū amuamu;
- Ngā rangahau kia kitea tokohia ngā tāngata e tuku amuamu ana me te whakaaro o ngā kaiwhakarato ki tā mātou tukanga; ā,
- Ngā mahi whakapai mō te pēhea mātou e tiro tiro amuamu mai i te orokotimatanga.

Pātai

1.1: I kōrerotia e mātou ngā take matua mō te tautoko kia pai ake te whakatatū amuamu kia mana taurite hoki?

Ngā huatau

Kei te rapu whakaaro mātou mō ngā huatau e whai ake nei kia panoni i Te Ture me Te Tikanga mō te tautoko kia pai ake, kia mana taurite hoki te whakatatū amuamu mō ngā tāngata katoa o Aotearoa.

a. Whakatika i te whāinga o Te Ture

Ko tētahi kōwhiringa hei whakapai ake i Te Ture ko te whakawhānui atu i te kupu matua mō te whakatatū amuamu kia 'tōkeke, kia māmā, kia tere, kia mauritau hoki' kia aro atu hoki ki te tangata hei pūtahi. Ka tāpirihia pea te ariā o te hāpai mana ki roto ki te kupu matua. He ariā te mana nō te ao Māori e whakaahua ana i te āinga ā-wairua nei, te kaha rānei kei roto i ngā tāngata katoa, ahakoa nō hea, kei roto taonga, kei roto taiao rānei, ā, tae atu ki te whakaute me te tino rangatiratanga.

b. Whakamārama i te urupare ā-ahurea

Kei te whakaaro mātou kia panoni i te kupu o Mōtika (Mana) o Te Tikanga kia nui atu te urunga mai o te tangata me te whakarite wawata mō te urupare ā-ahurea e hāngai ana ki ō te rāngai paerewa. Tae atu tēnei ki te mōtika o te Māori kia mauri mai te ao Māori ki ngā ratonga hauora, me ngā ratonga hauātanga. Ka āhukahuka hoki te urupare ā-ahurea i ngā matea, ngā uara me ngā whakapono o ngā rōpū, pērā i ngā tāngata whaikaha, tāngata nō ngā hapori LGBTQIA+, tae atu ki ngā tāngata o ngā rōpū mātāwaka matahuhua.

c. Kia mārama ki tā te whānau mahi

Kei te whakaaro mātou kia meatia ngā panoni e whai ake nei ki Te Tikanga, kia mārama ake te mahi a te whānau i roto i te whanaungatanga o te kiritaki me te kaiwhakarato me te āwhina i ngā kaiwhakarato kia tika te urunga mai o te whānau.

- Te panoni i te kupu o Mōtika 3 (Mana me te Tū motuhake) mai i te 'tū motuhake' ki te 'tino rangatiratanga' kia mihi atu ki te taupuhipui o te tangata ki ngā whānau me ngā kōtuitui tautoko.
- Te whakakaha ake i te Mōtika 8 (Tautoko) kia whakauru mai i te mōtika kia uru mai te whānau, ahakoa kāore e taea te tae ā-tinana mai.
- Kia whakamārama ake i te Mōtika 10 (Mōtika hei Amuamu) kia mana te āhei o ngā tāngata tautoko ki te tuku amuamu i runga i te tono o te kiritaki.

d. Kia uru mai te reo ā-ira

Kei te whakaaro mātou kia whakahoungia Te Tikanga kia uru mai te reo ā-ira mā te panoni te kupu 'ia' ki tētahi kupu whakauru.

e. Kia tiakina i te rautipu

Kei te whakaaro mātou kia panoni i te Mōtika 10 kia whakaurua mai he rārangi rautipu-kore e āwhina ai te tangata kia noho haumarua mō te tuku amuamu.

f. Whakamārama i ā te kaiwhakarato tukanga amuamu

Kei te whakaaro mātou ki te panoni i te Mōtika 10 kia whakarite i ētahi tino haepapa a te kaiwhakarato mō ngā tukanga amuamu, tae mai ki te whakatairanga ake i te mōtika hei amuamu.

g. Whakakaha ake i a Ngā Kaitautoko

Kei te hiahia rongo i a koe mō ngā huarahi wātea kei te kitea e koe hei whakakaha ake i te mahi a Ngā Kaitautoko kia pai ake te tutuki matea o ngā tāngata me ngā hapori me te whakapiki i te mahi tahi me te HDC.

h. Kia whakapai ake i te reo o ngā huarahi wātea tuku amuamu i Te Ture

Kei te hiahia mātou ki ōu whakaaro mō te panoni i te reo o ngā huarahi wātea mō te whakatatū amuamu:

- Mā te panoni i te kupu 'tē haere tonu' ki te, hei tauira, 'tē tiro tiro anō' kia whakamana i te mahi, kia whakaata hoki i te mahi ka mahia hei aromatawai me te whakatatū i te amuamu;
- Mā te panoni i te kupu 'hui takawaenga' ki te, hei tauira, 'whakahaere whakatatū' kia aweawe i te whānuitanga o te whakatatū pērā i te hohou te rongo me ngā tukanga ā-tikanga nei.

Pātai

1.2: Pēhea ōu whakaaro mō ā mātou huatau hei tautokokia pai ake te whakatatū amuamu, kia mana taurite hoki, ā, he aha oti ngā pānga ka puta?

1.3: He aha ētahi atu panoni ā-ture, ā-ture kore hei whakaaro mā mātou kia pai ake te whakatatū amuamu, kia mana taurite hoki?



Kaupapa 2: Ka whakaritea Te Ture me Te Tikanga kia mauritau atu, kia urupare atu hoki ki ngā matea o te Māori

Ngā take

Kāore te Māori i te whaihua mana taurite i Te Ture me Te Tikanga.

- He iti iho te mahi tahi a te Māori me te HDC me Ngā Kaitautoko inā hoki ngā wheako o te Māori me ngā hua mō te Māori i te rāngai hauora, hauātanga.
- Kāore te whakatairanga o Te Tikanga e tae atu ana ki ngā hapori Māori. Ina tae atu ana, he tokomaha e whakaaro ana kāore ngā mōtika a Te Tikanga e hoahoa ana mā rātou.
- Kāore i te tino whakaata ngā tukanga amuamu me te āhua o ngā mōtika i ngā uara o te ao Māori me ōna tikanga.
- Ko Te Tiriti me tōna whakatinanatanga kāore i te tino kitea i Te Ture me Te Tikanga.

Ina whakahōnore i Te Tiriti ka puāwai te Māori. Mehemea ka mauritau Te Ture me Te Tikanga, ka urupare hoki ki ngā matea o te Māori ka tautoko i te Karauna kia whakahōnore i ōna kawenga i raro i te Tiriti me te puta ngā hua papai mō te Māori e whakamahi ana i ngā ratonga hauora, ratonga hauātanga hoki.

Ā mātou mahi o nāianei

Ina tata nei i whakatūria he tūranga Kaitohu Mātāmua, Māori i tō mātou rōpū whakahaere, me tētahi rōpū tokoiti, kia kaha ake te urupare a te HDC ki ngā matea o te Māori, kia kaha ake hoki te urupare a ngā kaiwhakarato me te hāpai o te kanohi o te HDC i ngā hapori Māori.

Pātai

2.1: I āta kōrerotia e mātou ngā take matua mō te **whakarite i Te Ture me Te Tikanga kia mauritau atu, kia urupare atu hoki ki ngā matea o te Māori?**

Ngā huatau

Kei te hiahia mātou kia rongō i ōu whakaaro mō ā mātou huatau hei panoni i Te Ture me Te Tikanga kia mauritau ake, kia urupare atu hoki ki ngā matea o te Māori.

a. Kia kōkuhu tikanga i Te Tikanga

Kei te hiahia whakaaro mō te whakatinana rānei i te tikanga ki Te Tikanga me te pēhea e tiaki ai i te māramatanga o te tikanga me te whakamahi. Mōhio ana mātou e whātuitui ana te tikanga, me te kore ai e taea te titiro atu ki te tikanga me tōna kotahi.

Kua rongō mātou mehemea ka whakaurua i tētahi wāhanga anake o te tikanga kātahi te 'mana' ka hopu i te iho o ērā atu wāhanga me te aha koia te pānga kaha rawa atu. Hei tīmatanga mō te whakahoki whakaaro, kei te whakaaro mātou ki te tāpiri atu ki te Mōtika (Mana) kei ia kiritaki te mōtika kia hāpaingia tō rātou mana.

b. Kia tika te pānga mai o te Tiriti o Waitangi

Mā te tāpiri tiaki ki Te Ture e whakamana ai i te Tiriti kia whakamahia ngā uara ao māori me te tikanga i runga anō i te mana. Ko ō mātou huatau e tika ai te pānga mai o te Tiriti ka tae atu ki ngā ture whakatika e āhei ai:

- Ngā tukanga kia mana taurite ngā hui tahi me te Māori, te tātaki i te whakamahi o Te Ture me Te Tikanga. Hei tauira, me whakarite e te HDC me te tiaki i ngā hononga ki te iwi/Māori me te mahi tahi ki te iwi/Māori i te wā ka arotakengia Te Ture me Te Tikanga, me te whakawhanake i ngā aratohu o Ngā Kaitautoko.
- ā te Māori anō ngā uara Māori te tirohanga Māori e whakahaere. Hei tauira, ko te whakatairanga me te tiaki i te tikanga i roto i ngā āheinga a te HDC me te kopou o tētahi Toihau Tuarua Māori.
- Ka whai hua te iwi Māori mai i ngā tika Hauora me te hauātanga hei Māori. Hei tauira, ka panonitia ngā tukunga amuamu kia pai ake ai te whakangao ki ngā tikanga.

Pātai

2.2: Pēhea ōu whakaaro ki ā mātou huatau mō te whakarite i Te Ture me Te Tikanga kia mauritau atu, kia urupare atu hoki ki ngā matea o te Māori, he aha oti ngā pānga mai?

2.3: He aha ētahi atu panoni ā-ture, ā-ture kore rānei hei whakaaro mā mātou kia whakarite i Te Ture me Te Tikanga kia mauritau atu, kia urupare atu hoki ki ngā matea o te Māori?



Kaupapa 3: Kia tika Te Ture me Te Tikanga mō ngā tāngata whaikaha

Ngā take

- Mai i te whanaketanga tuatahitanga o Te Ture, kua neke te māramatanga ki ngā mōtika o ngā tāngata whaikaha me ngā panoni o te tautoko me ngā ratonga, tae atu ki te hāngai ki te hauora hinengaro me te wara. Ka taea Te Ture me Te Tikanga te whakakaha ake kia whakaata mai i tētahi māramatanga o nāiane mō ngā mōtika hauātanga, tae atu ki ngā tāngata whai ora, me te whakarato ratonga.
- Kei te hiahia te HDC ki ngā whakaaro o tētahi arotakenga o mua, i titiro ai ki ngā pakeke e kore ai e taea e rātou te whakaae kia uru mai ki ngā rangahau, mehemea āe, he aha ngā mahi tiaki hei whakarite.

Mā te whakahou i Te Ture me Te Tikanga hei tautoko i ngā tāngata whaikaha ka tautoko i te Karauna kia whakahōnore i ōna kawenga i raro i tā Te Rūnanga Whakakotahi i ngā lwi o te Ao Kawenata mō ngā Mōtika Tāngata Whaikaha (CRPD). Mā te whakahou i Te Ture me Te Tikanga ka pai ake ai ngā hua me te maha ake anō o ngā hua mana taurite mō ngā tāngata whaikaha e whai wāhi atu ana ki ngā ratonga hauora, ratonga hauātanga.

Ā mātou mahi o nāiane

Tūturu, kua whai Toihau Tuarua Hauātanga a te HDC me tētahi rōpū e ngākaunui ana ki te hauora hinengaro me ngā amuamu wara. Ina tata nei i panoni te HDC kia whakapai ake i te āna mahi mō ngā tāngata whaikaha, tae atu ki te:

- whakapai ake i tā mātou e ine ai, e tuhi pūrongo ai hoki mō ngā take hauātanga;
- aroturuki i te wheako o ngā tāngata whaikaha i roto i tā mātou tukanga amuamu kia pai ake ai te huarahi wātea me te urupare atu;
- urupare atu ki te ia o ngā amuamu mō ngā ratonga hauātanga me te maimoa whakakapi mō te whakaporehu; ā,
- arotakenga o ā mātou rauemi kia wātea mai, kia hou, kia tika ā-ahurea nei hoki.

Patai

·3.1: I āta kōrerotia e mātou ngā take matua mō te whakarite i Te Ture me Te Tikanga kia tika ake ai mō ngā tāngata whaikaha?

Ngā huatau

Kei te rapu whakaaro mātou mō ngā huatau e whai ake ana mō Te Ture me Te Tikanga kia tika ake ai mō ngā tāngata whaikaha. Kei te rapu whakaaro hoki mō tā te HDC tohutohu hukihuki 2019 e pā ana ki te rangahau tē whakaaetia.

a. Whakakaha i ngā āheinga hauātanga o roto o Te Ture

Mā te tāpiri mai i tētahi tūmahi ā-ture e aro mai ana ki ngā take hauātanga ka whakakaha ake i te whakahaere amuamu ki tā te ao hauātanga e titiro ai, ka whakapiki ake hoki i tā te HDC āronga ki ngā mōtika o ngā tāngata whaikaha me te hāpai i te whakapono me te mahi tahi ki te HDC. Tae mai hoki pea kia tukua tētahi pūrongo ki te Minita Take Hauātanga me te Minita Hauora.

b. Whakahoungia ngā tautuhi e hāngai ana ki te hauātanga

Ko ngā tautuhi o ngā 'ratonga hauātanga' me ngā 'kaiwhakarato hauātanga' i Te Ture me whakahou kia whakaata mai i ngā ariā whakakaha hauātanga e hāngai ana ki te CRPD.

c. Whakakaha ake i ngā hononga ki ngā huarahi wātea

Kei te whakaaro mātou ki te panoni i Te Ture kia āta kōrero mai i ngā huarahi wātea i roto i te Mōtika 5 (whakawhitiwhitinga whakaaro) ki roto hoki i te Mōtika 10 (Mōtika hei Amuamu). Kei te whakaaro hoki mātou kia tangohia ngā kupu 'te mahi ka taea' o roto o Mōtika 5 mō te mōtika kia whai kaiwhakamāori matatau.

d. Whakakaha ake me te whakamārama ake i te mōtika tautoko whiriwhiri

Kei te whakaaro mātou ki ngā panoni e whai ake nei kia whakamārama ake i te take me whai tautoko tētahi tangata hei whiriwhiri mō tā rātou manaakitanga ki tā rātou āheinga-whiriwhiri kaha rawa atu.

- Whakakaha ake i te Mōtika 5 (whakawhitiwhitinga whakaaro) i Te Tikanga kia āta hāpai i te mōtika tautoko kia mārama ai ki te mōhiohio.
- Whakahou i te reo o Mōtika 7 (whakaritenga mōu ake) e hāngai ana ki te 'matatau' me te 'matatau-kore' mō te āheinga-whiriwhiri kia hāngai ki tā Te Aka Matua o te Ture arotakenga o te ture āheinga-whiriwhiri a te pakeke.
- Whakakaha ake i te Mōtika 7(3) kia mana ai te mōtika tautoko kia whiriwhiri.
- Whakahoungia te reo o te Mōtika 7(4) mai tā te kiritaki 'tirohanga', ki te 'māia me ngā matea matua', kia hāngai ki te reo o te CRPD.
- Whakakaha ake i te Mōtika 7(4)(c)(ii) kia āta whakaarohia te māia me ngā matea matua o ngā tāngata e kore rawa ai e āhei ki te whiriwhiri.

e. Te whakaaro kauneke i ā te HDC tohutohu hukihuki mō te rangahau tē whakaaetia

I tohutohu mai te arotakenga a HDC i te tau 2019 ko ētahi rangahau hauora, hauātanga tē whakaaetia i tēnei wā kia whakaaetia, i ngā te pūāhua iti, ā, kia kaha hoki te mahi tiaki. Ko te whakaaro, kia whakapiki i te mātauranga mō ētahi āhuatanga me te whakapai ake i te manaakitanga me ngā ratonga mō ngā rōpū e raru ana i aua āhuatanga. Ko te mahi hei whai ake kia rapu whakaaro o te marea mō ngā tohutohu a te HDC. Ko te whakamātautau i tohua mai e te HDC mō te rangahau e kore ai e taea e te tangata te whakaae, ka whakaaetia mehemea 'e iti iho ana te whakapae tūraru, e iti iho ana hoki te whakapae kawenga' mō te kiritaki. Ko ngā mahi tiaki e tohua mai ko te āhei o ngā tangata papai e ngākaunui ana ki te tangata ki te aukati i tā tārou urunga mai ki te rangahau, ā, ka whakahaeretia te rangahau e ngā komiti mātanga matatika. Kei te hiahia mātou kia mōhio ki ōu whakaaro mō ēnei tohutohu. Ka āhei koe ki te pānui i te pūrongo 2019 katoa i <https://tinyurl.com/unconsented-research>.

Pātai

3.2: Pēhea ōu whakaaro ki ā mātou huatau kia tika Te Ture me te Tikanga mō ngā tāngata whaikaha, ā, he aha oti pea ngā pānga?

3.3: He aha ētahi atu panoni ā-ture, ā-ture kore me whakaaro mā mātou kia tika Te Ture me te Tikanga mō ngā tāngata whaikaha?



Kaupapa 4: Kia whakaaro kōwhiringa mō tētahi mōtika hei pira i ngā whakatau a te HDC

Ngā take

Ko tētahi petihana i tukua ki te Komiti Hauora Motuhake ka tautohea he iti noa iho ngā kōwhiringa hei wero atu i ngā whakatau a te HDC, me te aha, ka whakaritea tētahi mōtika ki te pira i ngā whakatau a te HDC ka whakatairanga ake me te tiaki i ngā mōtika a ngā tāngata e whakamahi ana i ngā ratonga hauora, ratonga hauātanga. Ko ētahi atu whakaaro mō te aromatawai i te uara o tētahi pira ko ngā utu pea, me ngā pānga mai o te takaroa; me te mātuatua kia whakatatūria; me te matatau o te tangata whiriwhiri tuatahi.

Ā mātou mahi o nāianei

I ngā tau ki muri iho nei, kua arotakengia e te HDC me te whakapai ake i te tukanga ‘arotake kōnae kōrero’/arotakenga ā-roto me te whakamārama i te ārahitanga whiriwhiri mō ngā huarahi whakatatū amuamu e kore e mahi anō me te tohu i tētahi tūhura.

Pātai

4.1: I āta kōrerotia e mātou ngā take matua **hei whakaaro kōwhiringa mō te mōtika kia pira atu ki ā te HDC whakatau?**



Ngā huatau

Kei te rapu whakaaro mō ngā huatau e whai ake nei kia wero Te Ture i ngā whakataua a te HDC.

a. Whakaritea he paerewa ā-ture nei mō te arotake whakataua a te HDC

I tēnei wā, kei a te HDC te mana kia mahia he arotakenga ā-roto ina tonoa. Ka whakatikaina Te Ture kia noho ko ēnei arotakenga. Ko tēnei kōwhiringa ka taea te whakauru i tētahi whakaritenga kia kore ai te kaiwhiriwhiri tuatahi e whai wāhi ki te arotakenga, kia whai wāhi rānei tētahi atu kaimahi. Ko tētahi kōwhiringa kia whakaritea rānei tētahi Pae Arotake Motuhake, tētahi atu rōpū rānei.

b. Whakaheke iho i te paepae e whai wāhi atu ai ki te HRRT

Ko tā te HRRT he whakaaro ki ngā takahanga o ngā mōtika e pā ana ki te Ture Matatapu 2020 me te Ture Mōtika Tangata 1993 tāpiri mai ko tā mātou Ture. Ko te paepae hei whai wāhi atu ki te HRRT koia te mea teitei i raro i tā mātou Ture, kia whakatauria hoki e te HDC nō muri i tētahi tirohanga he takahanga.

Ka taea te paepae te whakaheke iho ki tā te Ture Matatapu taumata, arā, me tirotiro tētahi amuamu, ka whakaheke iho anō ki tā te Ture Mōtika Tangata, inā hoki tētahi amuamu ka tukua ki te Toihau Mōtika Tangata. Mehemea he rerekē te paepae me rerekē ngā paepae rauemi mō te HRRT.

Pātai

4.2: Pēhea ōu whakaaro mō ā mātou huatau mō ngā kōwhiringa mō te mōtika hei pira ki ngā whakataua a te HDC, he aha oti ngā pānga ka puta?

4.3: He aha ētahi atu kōwhiringa mō te mōtika hei pira i ngā whakataua a te HDC ā ture nei, ā-ture kore hoki hei whakaaro mā mātou?



Kaupapa 5: He whakapai itinga, mea hangarau hoki

Ngā take me ngā huatau

Ko tā Te Ture me Te Tikanga arotakenga he whai wāhi ki te tautohu i ngā whakapai itinga me ngā whakapai hangarau. Ko ngā huatau mō Te Ture me Te Tikanga e rārangi ana ki raro nei.

a. Whakahoungia ngā ritenga mō te arotakenga o Te Ture me Te Tikanga.

b. Whakapiki ake i te whaina matua mō tētahi hēnga i raro i Te Ture mai i te \$3,000 ki te \$10,000.

c. Kia whaimana te Tumu Whakarae Whakawā ki te tiki mōhiohio.

d. Whakauru i tētahi tautuhi mō tētahi ‘ngākau pōuri’.

e. Whakaae mai ki te ratonga whakakapi.

f. Kia whaimana te HDC kia pupuri mōhiohio ina tika ana.

g. Whakawhānui atu i te ritenga mō te whakaae ā-tuhi nei hei whakarokiroki e ōrite ana ki te rongoā whakarehu.

h. Whakamārama me te whakaae ā-tuhi mehemea he nui te tūraru o ngā mahi tūkinu.

i. Whakamārama mai i te tā Te Tikanga tautuhi o te ‘whakaako’ me te ‘rangahau’.

j. Urupare atu ki te hangarau whakapiki

Kei te hiahia hoki mātou ki te rongo i ōu whakaaro mō te pēhea e whakatairanga ai, e tiaki ai hoki ngā mōtika o ngā tāngata e whai wāhi ana ki ngā ratonga hauora, ratonga hauātanga i te horopaki o te hangarau whakapiki, tae atu ki te atamai hangahanga me ngā panoni e hāngai ana ki te whakarato ratonga.

Pātai

5.1: E pēhea ana ōu whakaaro mō ngā take me ngā huatau mō te whakapai itinga, mea hangarau hoki me ngā pānga atu?

5.2: He aha oti ētahi atu whakapai itinga, mea hangarau ā-ture nei, ā-ture kore hei whakaaro mā mātou?

5.3: He aha hoki i ōu āwangawanga matua mō te hangarau whakapiki me tōna pānga mai ki ngā mōtika o ngā tāngata e whai wāhi mai ana ki ngā ratonga hauora, ratonga hauātanga hoki?

5.4: He aha oti ngā panoni ā-ture, ā-ture kore hei whakaaro mā mātou mō te hangarau whakapiki?



Kia ora

Tēnā rawa atu koe mōu i pānui mai i tēnei tuhinga. Kei te whakaaro mātou ki tō whakahokinga kōrero.



HEALTH & DISABILITY COMMISSIONER
TE TOIHAU HAUORA, HAUĀTANGA

EMBARGOED UNTIL
30/4/24 AT 2PM