

# THE REP: RIGHTS

This education kit will help you facilitate a conversation with young people about their basic human rights including the right to vote. It includes classroom activities, workshop slides and background legal notes. This workshop is designed to last between 1-1.5 hours.



**CL**

community law

free legal help  
throughout aotearoa



# How to deliver a REP module

*Use this information to inform your facilitation.*

Kia ora! Thank you for being a REP volunteer. Your participation in The REP will help young Aotearoaians become more aware of their legal rights and responsibilities. By connecting young people with local support services, you will also help build a stronger community for all of us. So... what do you need to know about delivering a module?

## Know your Community Law Centre

- The most important thing about The REP is the connection you can build between members of your community and your local Community Law Centre.
- If a class takes only one thing out of a workshop, it should be that if they have a legal problem they can get help from their local Community Law Centre or YouthLaw.
- Use The REP modules as a way of talking about how Community Law Centres, other community-based services and lawyers can actually help. Learn about local support services available for youth in your area.
- If anyone in your class asks for help or needs legal advice (which you are not allowed to give if you are not a lawyer), direct them to their local Community Law Centre.
- Consider going the extra step: go along with a student to a Community Law Centre so they feel supported.

## Know the audience

- The second most important thing about The REP is that our education is meant to be interactive and fun. Getting your audience to relax and have a laugh is as important, if not more important, than talking about the law.

- Treat this resource as a guide only – try hard to deliver the material in a way that will suit your audience and that your audience will enjoy.
- REP modules are learner-led, so focus on what the class wants to talk about. There is no need to cover all the material in the time you have been given. See where the conversation goes, focus on what the class identifies as being important or relevant, and explore those ideas. Just to repeat: there is no need to get through all the material!

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- Every group you work with will be different, with different levels of knowledge, different needs, and different expectations. Let the group both guide and teach you; work together to build a picture of how the law actually works in New Zealand.
- Try and get to the heart of the matter: talk about the real world, and the greater social implications of the law. You will get much more out of it, and so will your class.

## Know the activities

- In general, everybody likes to know why they are here, whether it's relevant, and how long it will take. Take your time to signpost what the module is going to cover and the activities, by explaining or perhaps writing up a short plan on the board.
- These modules are structured so that all the important information can be covered through running the activities. The activities aim to get your class thinking about the issues being discussed and engage with them in a practical way.
- It is important to know and understand the way the activities are run, so you can lead them smoothly and effectively.
- If you can think of more diverse, more engaging and more fun games and exercises, please do. Just make sure you feed these new improved activities to us at The REP.



## Know the law

- You need to be up-to-date with the area of law this module covers.
- That said, you are not expected to know everything! If you don't know an answer, a good technique is to reflect the question to the whole class or say you will find out and let them know. Remember, if you say you will find something out, make sure you do.
- The background material in this guide is to help you learn the law. The Community Law Manual is also a fantastic guide to all the areas of 'community' law. Check out the manual online for the relevant chapters to this module here: [www.communitylaw.org.nz](http://www.communitylaw.org.nz).
- It's always helpful to have some relevant examples up your sleeve of how the law works in practice. If in doubt, check out the news, talk to your friends, family, teachers, or the lawyers and other kaimahi at your local Community Law Centre.

## Know some different teaching styles

- Everybody learns differently. Very few people enjoy being lectured to!
- The activities in this module attempt to cater for different kinds of learners:
  - Some people like to visualise what they're learning (by seeing it written down, making a list or studying an image)
  - Other people need to hear things to take them in (maybe by listening to a story or using rhythm or sound as memory aids)
  - Some people learn by talking (by sharing with a neighbour or taking part in a discussion)
  - Other people prefer to learn while moving around (when up on their feet and active)
  - And others learn with their hands (getting creative, drawing or cutting things out)
- Work hard at improving your own facilitation practice so that everybody can get involved in the class.

## From the outset, it is important to

- Establish a safe space. Be aware that the modules contain sensitive content. The key is how you leave the young people *feeling*, so make sure class members are comfortable at all times.
  - For example, if a young person blushes when answering a question, say "have a think about it" and move on to someone else or if a joke is made about a class member, divert the heat onto yourself

- If you notice that a young person seems triggered, approach them quietly and one-on-one or flag it with their teacher
- Build rapport with the young people. Be respectful, honest and authentic. Young people have a lot of lived experience, so start with the assumption that they know more than you. If you give them the chance to step up, they will.
- Establish flexibility. There is no 'right' way to facilitate these modules. If the class is only interested in one topic, that's fine. Be responsive to your audiences' needs and their body language.
  - For example, if the energy is flat, mix the games up and start with an activity involving movement or with a pair exercise "talk to your neighbour about..."
- Make participation voluntary. Encourage everyone to be involved, but always ask for volunteers so no one is embarrassed by being singled out. Don't ask the young people to do anything you wouldn't do!
- Work with the teacher. Most classes are likely to have a teacher present during your session so check in before the class starts. If something disruptive happens, ask the teacher to step in.
- Have fun! If you're having fun, the class will have fun. Having funny anecdotes helps the class relate to the content and if the session is fun and interesting, young people are more likely to remember.

## Evaluations

- Getting feedback is essential to improving The REP. Leave enough time at the end of the class to hand out and collect the evaluation forms. And remember to feed this back to us at The REP.
- Don't forget to fill in your facilitation evaluation form!

## Last, but not least...

... Smile! Enjoy yourself, have a laugh, and thanks again for volunteering your time.

## WHAT YOU WILL NEED

- Projector and laptop
- Slides (Ctrl+L for fullscreen)
- Facilitator notes
- Printing materials
  - Activity #2: 1 × A4 per pair (double-sided)
  - Activity #3: 1 × A4 per group
  - Activity #4: 1 × set per class (cut out before)
- Blu Tack
- Evaluations 1 × per class member
- Chocolate
- Community Law Centre flyers

# Opening



## THE REP: HUMAN RIGHTS



### GREETINGS

- “Kia ora, talofa lava, ni hao, hello” (introduce yourself, your name, a bit about yourself).
- “This session is brought to you by the Community Law Centre and The REP: the Rights Education Project”.
- Introduce the Community Law Centre:
  - Community Law Centres provide free legal advice, on most topics. You can see a lawyer, for free, on anything to do with employment, family, criminal, tenancy, debt, and beyond
  - Make sure the class knows where to find their local Community Law Centre and how to contact YouthLaw. For example: “Your nearest Community Law Centre is in Wellington Central at 203 Willis Street on Level 8 or in Lower Hutt at 59 Queens Drive on Level 2. Come in and see us some time!” and “You can call YouthLaw on **0800 UTHLAW (0800 884 529)** to talk to someone who can help!”
  - Community Law Centres are situated throughout New Zealand and you can locate your nearest one at: [www.communitylaw.org.nz/our-law-centres/](http://www.communitylaw.org.nz/our-law-centres/)
- Introduce The REP:
  - We are here to let you know your legal rights and responsibilities. We present the law on a number of areas, but if you have anything you are particularly interested in, we are always open to new ideas!

# ICEBREAKER



## INSTRUCTIONS

- The idea of this icebreaker is to encourage participation and to introduce the class members. Work hard to remember the names of everyone in the class.
- This icebreaker introduces the REP: Rights module by asking the class to say their name and answer a question.
- Ask the class "What's one right that you think you should have?"
- Start off by introducing yourself and a right you think you should have. For example, the right to breathe clean air, know what's in my food or the right to feel comfortable to speak up if I don't like what someone is doing.

## SECTION 1

# Your rights

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# KNOW YOUR RIGHTS



## ACTIVITY #1 INSTRUCTIONS

- Draw an imaginary line from one side of the room to the other.
- One end of the line represents 'YES' and the other 'NO' and 'SOMETIMES' in the middle, in response to each question.
- Ask the class members to move to the point on the line to show what they think about each issue.
- Read out the statements on the next page. After you read each statement, ask the class members to discuss why they chose to stand there with those around them.
- After a minute or two, ask for volunteers from different places on the line to share their answer with the class.
- Reward good contributions to the discussion with chocolate!



## ACTIVITY #1

# Know your rights



*You have the right to...*

*...An education*

**YES:** Everyone who lives in Aotearoa NZ (as a citizen or permanent resident) has the right to a free education.

*...Say whatever you want*

**SOMETIMES:** You have the right to freedom of expression. BUT just because you have this right doesn't mean you have the right to say whatever you want. You also have responsibilities not to discriminate against or harass others.

*...Vote when you turn 16*

**NO:** You are only eligible to enrol to vote once you turn 18.

*...Your spiritual, cultural or religious practices*

**YES:** Everyone has the right to freedom of religion and belief and to express and practice those. It includes the right to have no religious belief.

*...Free legal advice*

**NO:** BUT visit your local Community Law Centre or contact YouthLaw for FREE legal advice.





*...Make a complaint to the Human Rights Commission*

**SOMETIMES:** You can complain to the Human Rights Commission if you have been treated differently because of one of the prohibited grounds of discrimination (such as your ethnicity, sexuality, disability or religious belief)

You can only make a complaint about discrimination (or sexual or racial harassment) if it happened in an area of 'public life' such as:

- At school, kura or training
- At work, doing volunteer work or applying for a job
  - Renting a flat
- In public places such as shops, on the bus, at a swimming pool or restaurant by the person providing the service
- At government agencies, such as Work and Income

And the different treatment disadvantaged you in some way.

If you are discriminated against, or sexually or racially harassed, by a member of the public, you won't be able to complain to the Human Rights Commission.

## LEGAL NOTES

*Learn this information and integrate it into your facilitation. Don't read it out word for word!*

### Human rights

- Human rights are the basic rights and freedoms that every person on the planet should have just because they are human.
- Everyone in Aotearoa NZ has basic human rights which have been written into the law.
- Rights sometimes need to be balanced and can only be reasonably limited in some circumstances.
- You have rights such as:
  - The right to an education
  - The right to be free from discrimination
  - The right to vote
  - Freedom of expression
  - The right to practice your religion
  - Freedom from unreasonable searches (see the REP: Police for more on school searches)
  - The right to remain silent or talk to a lawyer if you are arrested (see the REP: Police for more on your rights with the police)
  - The right to privacy (see the REP: Internet for more on your privacy rights)
  - And many more...
- In school or kura, your rights can be limited to provide your education and keep you safe (see the last section for more on reasonable limits to your right to freedom of expression).

### Where your rights come from

- If you are dealing with anyone official (for example, a board of trustees, the police, Work & Income or any other public body) then your rights come from the New Zealand Bill of Rights Act 1990.
- If you are dealing with another person in an area of public life, your rights come from the Human Rights Act 1993. This law prohibits discrimination on a wide variety of grounds and sets up a framework for the Human Rights Commission who can help you if you have experienced discrimination.
- Aotearoa NZ signed an international treaty called the United Nations Convention on the Rights of the Child in 1993. It sets out minimum standards for the treatment

of children and young people all around the world. This means that the government can't just take away your rights!

### Why rights are important

- They set out the minimum standards that are necessary for people to develop fully and live with dignity.
- Rights establish basic freedoms to protect people from abuse.
- They exist to keep you safe.

### How you can protect your rights

- You can stand up for your own rights or ask someone else to advocate for you.
- If you want to make a complaint about discrimination, you can complain to the Human Rights Commission by:
  - Using their online form at [www.hrc.co.nz/complaint-form/](http://www.hrc.co.nz/complaint-form/) (or click 'Make a complaint' on their homepage)
  - Email [info@hrc.co.nz](mailto:info@hrc.co.nz)
  - Free phone on 0800 496 877
  - Txt 021 0236 4253
  - If you are concerned about your or someone else's immediate safety call 111
- If the Human Rights Commission accepts your complaint, they will try to resolve it informally. If the other side agrees, you can go to mediation (which is free and confidential). At mediation, you can agree on an outcome to help make the situation better, for example, an apology, compensation and/or an agreement not to discriminate in future.
- If your complaint can't be resolved at mediation, you can go to the Human Rights Review Tribunal.
- Any decision made by a public body is able to be looked at by a court to check if the process was correct. Anyone in Aotearoa NZ can apply for judicial review. It can be a complicated process so it is helpful to talk to a lawyer first.
- Visit your local Community Law Centre or contact YouthLaw for more advice.

## SECTION 2

# Your right to an education

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# SCHOOL RIGHTS

## ACTIVITY #2 INSTRUCTIONS

- Divide the class into pairs and give each pair a 'School rights' worksheet.
- Give the class a few minutes to fill it out – circling whether they think what happened to the student was 'okay' or 'not okay.'
- Read out each scenario and ask the whole class to give a thumbs up or thumbs down.
- Ask one person from the thumbs up group and one person from the thumbs down group to say why they think it was 'okay' or 'not okay'.
- Reward good contributions with chocolate.

## School rights

Emma gets sent out of the classroom for a “time-out” for talking to her friend.

**OKAY.** BUT... Teachers need to consider your well-being and be aware that if they send you out of class too often it may violate your right to an education.

Max swears at his teacher.  
The teacher gives the whole class a detention for the lunch break!

**NOT OKAY.** You have the right not to be held or arrested without a good reason.  
If you are given a detention during lunchtime, you should be given enough time to have lunch and go to the toilet.  
Whole class detentions until someone owns up to something may well be illegal.

Josh falls asleep in class and is made to stand at the side of the room with his arms over his head for 15 minutes.

**NOT OKAY.** You have the right not to be punished in a way that is intended to humiliate you.

Willow is caught smoking in the girls’ toilets during class time. She has been caught on several previous occasions and given warnings. This time she is stood down for two days by the principal.

**OKAY.** Being stood down is a last resort and the behaviour needs to be serious enough to justify limiting your right to an education. You can be stood down for up to five days (but no more than ten days a year).

Duncan is suspended by his teacher when he is caught getting drunk and sharing vodka with other students.

**NOT OKAY.** Only the principal has the right to suspend a young person.



Jacob is 16. He started a fight with another student that his friend recorded. He posted the video on the class Facebook page. The board of trustees decides to expel him.

**OKAY.** Students may only be excluded (under 15) or expelled (over 16) because of behaviour that sets a harmful or dangerous example and is:

- Serious misconduct
- Continual disobedience
- Behaviour risking serious harm

If you are over 16, you no longer have to attend school or kura so the Ministry of Education doesn't have to help you find another one or support you into correspondence school or alternative education.

Misha is 14. She failed her mid-year exams. The acting principle tells her she has to find a new school and withdraw or else she will be excluded.

**NOT OKAY.** Students under 15 are 'excluded' not 'expelled'. This means their school and the Ministry of Education has to help them find a new school.

'Kiwi suspensions' are when you are told to go home from school or kura (but haven't been stood down or suspended) or you are asked to voluntarily withdraw or else you will be expelled or excluded. This practice is against the law.

Call the Student Rights Service (0800 499 488), contact YouthLaw or visit your local Community Law Centre for more information and advice.

## LEGAL NOTES

*Learn this information and integrate it into your facilitation. Don't read it out word for word!*

### **Right to an education**

- Everyone who lives in Aotearoa NZ (as a citizen or permanent resident) has the right to a free education.
- Even though it is free, your parents or caregivers may still have to pay some fees.
- You have the right to enrol at a public school or kura from your fifth birthday until the end of the year you turn 19 (not including early childhood or tertiary education). But, you have to go to school or kura between 6-15 years old.
- Foreign students generally won't have the right to a free education in Aotearoa NZ.
- If you have special educational needs, because of a disability or some other reason, you have the same rights to go to a public school or kura as other students.
- It is against the law for a school or kura to refuse to enrol a student:
  - On the basis of a disability
  - If you are pregnant or have a baby (though schools may provide special units for pregnant students or young parents)
  - On any other ground of discrimination (see the last section for more on discrimination)
- Schools or kura can refuse to enrol a student if:
  - You have been excluded or expelled from your last school or kura
  - You do not meet the criteria for a private or integrated school or kura
  - You don't live within the zone of the public school
  - The school or kura was established for a specific purpose which does not apply to you (for example, attending a boys' school if you are a girl)
  - You also have the right to freedom from discrimination on the grounds of your gender identity, so if you are trans, you should be allowed to go to a school that matches your gender identity or stay in your current school while you are transitioning
  - You have the right to freedom from discrimination on the grounds of sex, which includes gender and gender identity – however, the school may ask for proof of your gender or of your intention to transition
  - The school or kura has reached its capacity
- If you are enrolled, you must attend every day unless the absence is justified. See the REP: Police for more on police powers when they think you are wagging (truant).

- You can be removed from the school roll if you don't go to school or kura for 20 days in a row, without a good reason (but you can enrol again).

### **Rights in the disciplinary process**

- Teachers and principals must always act within the law.
- You have the right not to be punished in a way that is intended to humiliate you. For example, your teacher putting you down in class or being forced to do physical exercise as a punishment in front of the whole school.
- Any punishment must also be **proportionate** to your behaviour. For example, a school or kura should not suspend or expel you for bad behaviour which is relatively minor.
- Any punishment should minimise any disruption to your attendance at school or kura.
- Generally, a school or kura gets to decide what the rules are – so long as they are clear, legal and necessary for your education and to keep you safe.
- Teachers have the power to discipline or punish students if they break a school rule or a teacher's instruction. However, rules must be lawful and not violate students' rights, for example, their freedom of expression.

### **Detentions and 'time-outs'**

- You have the right not to be held or arrested without a good reason.
- If you are given a detention outside of school hours, it is good practice for a school or kura to give your parents or caregivers notice in advance.
- If you are given a detention during lunchtime, you should be given enough time to have lunch and go to the toilet.
- Whole class detentions until someone owns up to something may well be illegal.
- If you are sent out of class or given a 'time-out', teachers need to consider your well-being and be aware that if they send you out too often it may violate your right to an education.

### **Stand-downs**

- A stand-down is a "time-out" from school or kura, usually for between one and three days to reflect on what happened. Legally it can be for up to five days at a time but no more than ten days a year.

- Students may only be stood down because of behaviour that sets a harmful or dangerous example and is:
  - Serious misconduct
  - Continual disobedience
  - Behaviour risking serious harm
- Schools and kura must ensure that enrolled students are able to exercise their right to an education. The behaviour needs to be serious enough to justify limiting your right by potentially damaging your education.
- So, stand-downs should be a last resort after other options, for example, a detention or a warning, have been considered.
- You can only be stood down by the principle. For example, your teacher shouldn't send you home for wearing the wrong uniform.
- When you are stood down after an investigation of an incident, your parents or caregivers should be told straight away and advised of the reason and for how long. You can ask for a meeting with the principal to talk about the decision.
- You should be offered guidance and counselling while you are stood down.
- Within seven days of you being suspended, there must be a suspension meeting with you, your parents or caregivers, support people or representatives, the board of trustees and the principal to decide whether to:
  - Lift the suspension and let you go back to school or kura
  - Set out reasonable conditions you must meet before you go back to school or kura
  - Extend your suspension to give you time to meet the conditions
  - Exclude or expel you
- The board of trustees must give you 48 hours' notice of when and where the meeting will be held. You can attend in person or via teleconference or video link.
- It is a good idea to prepare for a suspension meeting:
  - Be ready to take responsibility and apologise for your behaviour
  - Think about your reasons for the behaviour
  - Read the suspension report
  - Ask support people to attend (such as an advocate, lawyer or kaumatua)
  - Bring written character references
- You should be offered guidance and counselling while you are suspended.

## ***Suspensions***

- In 2017, nearly 3000 students faced suspension and the possibility of being kicked out of school or kura.
- A suspension is when a student is formally removed from school or kura by the principal until the board of trustees decides on an outcome at a suspension meeting.
- Being suspended can lead to you being expelled or excluded.
- You can be suspended for one big incident (for example, getting in a fight) or several smaller incidents (for example, continued disruptive behaviour in class). You can also be suspended to keep someone else safe.
- Your right to an education can only be limited by a suspension where your behaviour is serious enough to justify potential damage to your education.
- Suspension is the most serious disciplinary action a school or kura can take and should be a last resort.
- You can only be suspended by the principal.
- Your parents or caregivers should be told straight away if you have been suspended and advised of the reason why. The board of trustees and Ministry of Education will also be informed.
- If you are interviewed during an investigation of an incident, you can ask to have a support person be there with you.

## ***Being kicked out of school or kura (exclusions and expulsions)***

- In 2017, over 1000 were excluded or expelled (permanently kicked out).
- If you are 15 or younger, being kicked out of school or kura is called 'exclusion'.
  - Your principal has ten school days to try and place you in a new school or kura
  - If they can't, someone from the Ministry of Education will try and find you a new school or kura
  - Otherwise you might have to homeschool, start at correspondence school (Te Aho o Te Kura Pounamu) or enrol in alternative education
- If you are 16 or older, being kicked out of school or kura is called 'expulsion'. At this age you no longer have to go, so the school or kura and the Ministry of Education don't have to help you find another school or kura or support you into correspondence school or alternative education.

## ***'Kiwi Suspensions'***

- A 'kiwi suspension' is when you are told to go home from school or kura (but haven't been stood down or suspended) or you are asked to voluntarily withdraw or else you will be expelled or excluded. This practice is against the law.
- If you voluntarily withdraw, it can be difficult to make a complaint later and hard to find a new school or kura if you are over 16, as the Ministry of Education doesn't have to help you.

## ***What can you do?***

- If you are unhappy with a punishment, such as being excluded or expelled, you can:
  - Write to the board of trustees to ask for a rehearing
  - Make a complaint to the Human Rights Commission if you think you have been discriminated against
  - Complain to the Ministry of Education and/or the Education Review Office

- Complain to the Ombudsman (can be a long process and they can't force your school or kura to make a different decision)
- Hire a private lawyer to do a Judicial Review of the decision (can be a long and expensive process and only looks at the process, not the decision itself)

## ***Where can you go for help?***

- Student Rights Service provides support for students, parents and caregivers with problems at school or kura.
  - Phone: 0800 499 488
  - Website: [www.studentrights.nz](http://www.studentrights.nz)
- The Children's Commissioner has a child rights advice line (9am-5pm Mon-Thurs)
  - Phone: 0800 224 453
  - Email: [advice@occ.org.nz](mailto:advice@occ.org.nz)
- A specialist advocacy provider, such as IHC or CCS Disability Action.
- Visit your local Community Law Centre or contact YouthLaw for advice.



## SECTION 3

# Your right to vote

# VOTING AD CAMPAIGN



## ACTIVITY #3 INSTRUCTIONS

- Ask the class “who thinks the voting age should be lower?”
- Whether or not they agree, the class activity is about thinking about ideas for why it might be important for young people to vote.
- Divide the class into groups and hand out the “Ad Campaign” worksheets. The instructions are on the sheet.
- Explain that their job is to design a poster to convince Aotearoa NZ why the voting age should be lowered. Or you could change it up, so the ad campaign focuses on encouraging other young people to vote.
- Ask the class to think about the message they want to send for example:
  - Why is it important for young people to vote? (for example, young peoples’ voices matter because decisions made now will affect them most in the future)
  - What age should young people be allowed to vote from?
  - What would need to change for young people to be able to vote at a younger age? (for example, education in schools or political parties that are more relevant to young people)
  - What support do young people need to vote?
  - Should you learn more about voting in school?
- ...And come up with a cool catch-phrase!

## LEGAL NOTES

*Learn this information and integrate it into your facilitation. Don't read it out word for word!*

### The right to vote

- Aotearoa NZ is a democracy. This means that the way you can impact decisions made about this country is through voting (or by standing in an election).
- Every three years we vote to see how different political parties (for example, Labour, National, the Greens) will be represented in Parliament.
- We have an MMP system, which means that any combination of political parties can form a Government – so long as they have a majority.
- In Aotearoa NZ, you don't legally have to vote (in Australia there is a fine if you don't!)
- But it is a very important right that gives you a say in decisions that affect you, your family, Aotearoa NZ and the world.
- Fun fact: Aotearoa NZ was the first country in the world to give women the right to vote in 1983!

### Who has the right to vote?

- You **must** be on the electoral roll if you are eligible to enrol.
- The general electoral roll is a list of people in Aotearoa NZ who are eligible and registered to vote.
- If you are Māori, you can choose if you want to go on the general electoral roll or the Māori electoral roll. You have the same political parties to vote for on both rolls, but different representatives to choose from if you are on the Māori electoral roll.
- You are able to vote in national and local elections if you are:
  - Over 18 years old (you can apply when you are 17)
  - A New Zealand citizen or permanent resident, Cook Island Māori, Australian, Niuean or Tokelauan
  - And you have lived in Aotearoa NZ continuously for at least one year
- Some people who are New Zealand citizens or permanent residents or live in Aotearoa NZ are not eligible to vote:
  - If you are a New Zealand citizen but have been out of the country for the last three years
  - If you are a permanent resident but have been out of the country for the last one year
  - Most people on student, work or tourist visas
  - People in prison
  - Some people in a mental health unit because of criminal offending

### How to vote

- You need to register to enrol before you vote.
  - Enrol online at: [www.enrol.elections.org.nz/app/enrol/#/select-process](http://www.enrol.elections.org.nz/app/enrol/#/select-process)
  - Pick up an enrolment form at a PostShop
  - Phone: 0800 367656
  - Txt 3676 with your name and address
  - You can also enrol on the day at a voting station
- If you are enrolled to vote two weeks before a general election, an EasyVote card gets sent to your registered address.
- Before you vote, think about who you want to vote for. There is a lot of information available about your different options or you could use an online tool to help, such as: [www.votecompass.tvnz.co.nz](http://www.votecompass.tvnz.co.nz)
- You can vote up to two weeks in advance of election day.
- On election day, go to your nearest voting place (often town halls, libraries and schools are used as voting places).
  - Find a voting place and cast your vote between 9am-7pm
  - Go into the voting booth alone (you can bring a support person if you need help voting, but they can't tell you who to vote for)
  - You get to vote for one political party and a candidate you want to represent the area you live in
  - Make sure not to put extra marks on your voting paper as it may not be counted
  - You can't take photos or selfies in the voting place – but you can take a photo outside with your 'I voted' sticker!
  - When you leave the voting booth, fold your voting paper in half and place it in the ballot box on your way out
- You are allowed to take time off work to vote.
- You don't need to bring ID to vote, but your EasyVote card will speed up the process!
- Voting from overseas:
  - You need to be enrolled
  - You can get your voting paper and vote up to two and a half weeks in advance
  - Your voting papers are not automatically sent – you have to download them or ask for them to be posted
  - If you are a New Zealand citizen, you need to have visited this country in the past three years

- If you are a New Zealand permanent resident, you need to have visited this country in the past one year
- Make sure that you post your voting paper back before election day or upload your voting paper by 7pm on election day

### ***Enrolling to vote with a disability***

- If you need help filling out your enrollment form, a support person can do this with you.
- A support person can also come with you on election day to help you cast your vote.

### ***Voting in other elections***

- When you are enrolled to vote, you also have the right to vote in local elections for example, for city councils and mayors.
- Local elections directly affect you and your neighborhood. Local councils make decisions about naming local areas, revitalising rivers or reserves,

recycling, public transport, local pools, community hubs and heaps of other things. Different people make very different decisions, so have your say!

- You also have the right to vote in referendums (a vote about a specific question). For example, in 2020, there will be a referendum on legalising marijuana for personal use.

### ***Activism***

- Another way to have your voice heard about issues you care about is to protest.
- For example, the school strikes happening all over the world to protest government not doing enough to address climate change

## SECTION 4

# Your right to be free from discrimination

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### ACTIVITY #4 INSTRUCTIONS

- Divide the class into groups and give each group a 'Discrimination?' scenario card.
  - Give the class some time to talk about the questions on the back of their card.
  - Ask each group to read their scenario and facilitate a group discussion.
  - Reward good contributions to the discussion with chocolate!
- .....
- Before you start the next session make sure you say something like:
  - "Everyone in Aotearoa NZ has basic human rights. Rights are things every person on the planet should have just because they are human.
  - Today we're going to look at some difficult issues that many young people in Aotearoa face. We're going to about discrimination. The way that you feel when you have been mistreated is always valid. But the law only protects you in some areas of your life.
  - It is very important that everyone feels safe during this session, so taking time out is okay. If something comes up for you during the session, speak to your teacher, school counsellor, someone you trust, your local Community Law Centre or YouthLaw."



## ACTIVITY #4

# Discrimination?

### Scenario #1

You are applying to rent a single bedroom flat. After you put in your application, the landlord calls to confirm whether your boyfriend, Alex, is a man or a woman. When you say you are gay, he hangs up and won't return your calls.

*Is what happened discrimination?* **YES**

*Why or why not?* Discrimination because of your sexuality, in an area of public life and which causes you harm is illegal.

*What can you do?* Contact YouthLaw, your local Community Law Centre or the Human Rights Commission.

.....

### Scenario #2

When you go to a job interview in your wheelchair, the person interviewing you says "look, I'm gonna be honest, we just can't hire someone like you at the moment."

*Is what happened discrimination?* **YES**

*Why or why not?* Discrimination because of your disability, in an area of public life and which causes you harm is illegal.

*What can you do?* Contact YouthLaw, your local Community Law Centre or the Human Rights Commission.

.....

### Scenario #3

You go into a clothes shop to check out the sales rack. On your way into the shop, the security guard stops you and says "you can't come in here with that on!" while pointing at your hijab.

*Is what happened discrimination?* **YES**

*Why or why not?* Discrimination because of your religious beliefs, in a public place and which causes you harm is illegal.

*What can you do?* Contact YouthLaw, your local Community Law Centre or the Human Rights Commission.

.....

*continued...*

## Scenario #4

On your first day at your new school, your teacher mispronounces your name. You explain that it is a Māori name and how it is pronounced. But when you ask her to say it correctly, she laughs it off and says “nobody can say that!”

*Is what happened discrimination?* **YES**

*Why or why not?* Discrimination because of your ethnicity, in a public place and which causes you harm is illegal.

*What can you do?* Contact YouthLaw, your local Community Law Centre or the Human Rights Commission.

.....

## Scenario #5

You have officially had your gender and name changed by the Family Court. When you are stopped in your car at a checkpoint and give the police officer your drivers licence, he scoffs and says “Izzy eh? What’s your real name sir?”

*Is what happened discrimination?* **YES**

*Why or why not?* Discrimination because of your gender, by a government official and which causes you harm is illegal.

*What can you do?* Contact YouthLaw, your local Community Law Centre or the Human Rights Commission.

## LEGAL NOTES

*Learn this information and integrate it into your facilitation. Don't read it out word for word!*

### Discrimination

- Discrimination is when someone is treated worse or differently than someone else in the same situation because of one of their inherent characteristics (things that someone CAN'T change, for example, a disability or physical characteristics).
- No one should ever have to put up with discrimination or harassment.
- The Human Rights Act says that no one can treat you differently because of your:
  - Age (applies once you're over 16 years old)
  - Ethnicity, nationality, colour or race (including the language you speak, where you were born, your accent, your physical features such as your hair or skin colour and whether you have citizenship)
  - Disability (for example, a physical disability or illness, mental illness or an intellectual disability or having a guide dog or wheelchair)
  - Sex or gender (your biological sex as well as the range of gender identities for example, a man, woman, transgender, agender, non-binary, gender non-conforming or intersex person)
  - Sexual orientation (for example, gay, straight, bisexual, pansexual or asexual)
  - Family status (for example, if you are pregnant or have children)
  - Religious beliefs or ethical beliefs (for example, not having religious beliefs)
  - Political beliefs (including who you vote for or not having a political opinion)
  - Employment status (including what job you do, or if you are unemployed or on ACC)
  - Relationship status (being married, separated, single or in a de facto relationship)
- Anyone can complain to the Human Rights Commission about discrimination if it is in an area of 'public life'. This could be:
  - In school, kura or training
  - At work, doing volunteer work or applying for a job
  - Renting a flat
  - In public places such as shops, on the bus, at a swimming pool or restaurant by the people providing a service (not a member of the public)
  - At government agencies, such as Work and Income
- You must show that the different treatment disadvantaged you in some way.

- Not all bad treatment will be discriminatory. And there are some exceptions where differential treatment is allowed:
  - If an institution is for a particular group for example, assistance for students with a disability or an education programme for people who are unemployed
- See the REP: Work for information about when you are discriminated against in your job.

### Sexual and racial harassment

- It is illegal for you to be sexually or racially harassed in 'public life'. For example, by teachers, employers, landlords, shopkeepers, bus drivers and government staff.
- If you are sexually or racially harassed by an individual in your community, for example, walking down the street, you won't be able to complain to the Human Rights Commission. See the REP: Sex for more information about criminal harassment.
- If you are experiencing the harassment online, it may be covered by the Harmful Digital Communications Act. See the REP: Internet about protection from online abuse.
- See the REP: Work for more on racial harassment.
- See the REP: Sex for more on sexual harassment.

### What can you do?

- If you experience discrimination or harassment, make sure that you:
  - **Keep evidence:** Record what happened by writing down 'who', 'what', 'when', 'where' and save any texts, emails, profiles or screenshots
  - **Ask them to stop:** If it's safe, try talking or writing to the person privately about what they've said or done
  - **Make a complaint:** Whether it was a one-off incident, or it doesn't stop, you can make a complaint to the Human Rights Commission
- Visit your local Community Law Centre or contact YouthLaw for advice about making a complaint.

### Freedom of expression

- You have the right to freedom of expression.
- Freedom of expression includes the right to have an opinion and to decide how you cut your hair.

- Just because you have this right doesn't mean you have the right to say whatever you want. You also have responsibilities not to discriminate against or harass others.
- Schools must recognise the unique position of Māori culture in our society. Under the Treaty of Waitangi, public and integrated schools have to make sure that uniform and appearance rules give Māori control over their taonga.
- Transgender students have the right to express their gender identity by having the gender they identify with recorded in school records and being able to use the toilet facilities of the gender they identify with.
- Schools can have different uniform rules for boys and girls so long as the effect of the rules isn't discriminatory. For example, transgender students should be allowed to wear the uniform of the gender they identify with.

## ***Changing your name and sex on your birth certificate***

- Did you know that you can change your gender and name on your birth certificate?
- If you are transgender, you can apply to the Family Court to have your birth certificate changed to reflect your gender identity. While the law does not yet provide for everyone to have their gender identities recognised, for example, genderqueer or intersex identities, you do have the right to have your gender identity recognised when changing your gender to male or female.
- If you are under 18 years old, your parent or caregiver can make the application for you.
- Visit your local Community Law Centre or contact YouthLaw for advice about this process.



# THANK YOU!



## WRAPPING UP

- Hand out the evaluation forms: make sure everyone fills one in.
- Thank everyone for participating. Find your own way to wrap up the class.
- Remember to link people in with their local Community Law Centre or YouthLaw if needed.
- Follow up on any questions or issues: bring the correct answers to your next class.
- Make sure to pass on any feedback you have about this module to: [info@wclc.org.nz](mailto:info@wclc.org.nz)
- Have a rest!

ACTIVITY #2

# School rights

Emma gets sent out of the classroom for a "time-out" for talking to her friend.

OKAY?

NOT OKAY?

Max swears at his teacher. The teacher gives the whole class a detention for the lunch break!

OKAY?

NOT OKAY?

Josh falls asleep in class and is made to stand at the side of the room with his arms over his head for 15 minutes.

OKAY?

NOT OKAY?

Willow is caught smoking in the girls' toilets during class time. She has been caught on several previous occasions and given warnings. This time she is stood down for two days by the principal.

OKAY?

NOT OKAY?

## ACTIVITY #2

# School rights

Duncan is suspended by his teacher when he is caught getting drunk and sharing vodka with other students.

OKAY?

NOT OKAY?

Jacob is 16. He started a fight with another student that his friend recorded. He posted the video on the class Facebook page. The board of trustees decides to expel him.

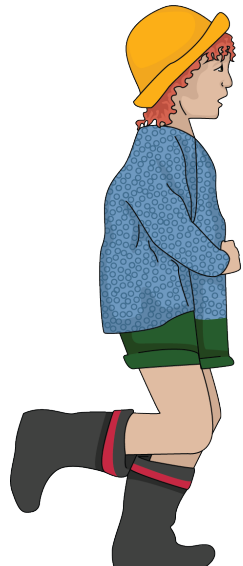
OKAY?

NOT OKAY?

Misha is 14. She failed her mid-year exams. The acting principle tells her she has to find a new school and withdraw or else she will be excluded.

OKAY?

NOT OKAY?



### ACTIVITY #3

# Ad campaign

Design a poster to convince Aotearoa NZ why the voting age should be lowered.

- What age should it be lowered to?
- Why it is important for young people to vote?



# Discrimination?

## SCENARIO #1

You are applying to rent a single bedroom flat. After you put in your application, the landlord calls to confirm whether your boyfriend, Alex, is a man or a woman. When you say you are gay, he hangs up and won't return your calls.

## SCENARIO #3

When you go to a job interview in your wheelchair, the person interviewing you says "look, I'm gonna be honest, we just can't hire someone like you at the moment."

## SCENARIO #2

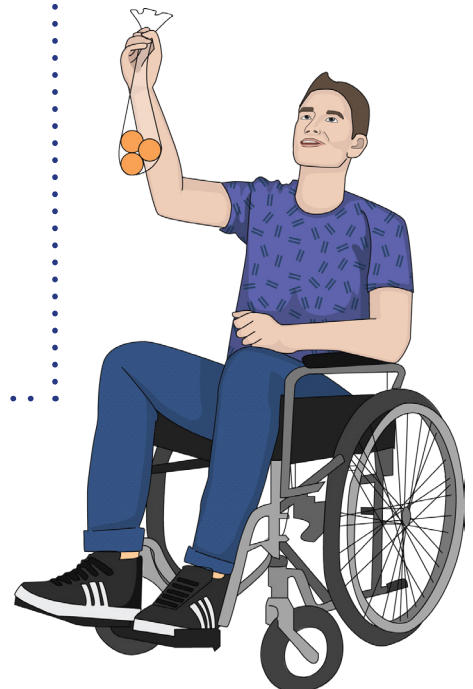
You go into a clothes shop to check out the sales rack. On your way into the shop, the security guard stops you and says "you can't come in here with that on!" while pointing at your hijab.

## SCENARIO #4

On your first day at your new school, you teacher mispronounces your name. You explain that it is a Māori name and how it is pronounced. But when you ask her to say it correctly, she laughs it off and says "nobody can say that!"

## SCENARIO #4

You have officially had your gender and name changed by the Family Court. When you are stopped in your car at a checkpoint and give the police officer your drivers licence, he scoffs and says "Izzy eh? What's your real name sir?"





## ACTIVITY #4

# Discrimination?

*Is what happened discrimination?*

*Why or why not?*

*What can you do?*

*Is what happened discrimination?*

*Why or why not?*

*What can you do?*

*Is what happened discrimination?*

*Why or why not?*

*What can you do?*

*Is what happened discrimination?*

*Why or why not?*

*What can you do?*

*Is what happened discrimination?*

*Why or why not?*

*What can you do?*