

1 February 2023

Justice Committee
Parliament Buildings
Wellington

justice.submissions@parliament.govt.nz

Tēnā koutou Justice Committee

Submission: Human Rights (Incitement on Ground of Religious Belief) Amendment Bill

Tuia te rangi e tū nei
Tuia te papa e takoto nei
Tuia i te here tangata
Tihei mauri ora
He hōnore, he korōria ki te atua ki te runga rawa
He whakaaro maha ki a rātou kua haere ki te wāhi ngaro
Rau rangatira mā, anei ngā whakaaro me ngā kōrero nā Te Tūāpapa Hauora
Hinengaro

Thank you for the opportunity to comment on the Human Rights (Incitement on Ground of Religious Belief) Amendment Bill (the Bill).

The Mental Health Foundation of New Zealand (MHF) supports the intent of this Bill to improve protections for faith-based groups under the provisions of the Human Rights Act 1993 that make speech that is likely to excite hostility unlawful.

The MHF supports actions to minimise and eliminate hate speech. Hate speech can harm individuals, whānau and communities as a whole.¹ It can make groups feel unwelcome and alienated in their communities, which can have negative impacts on mental health² and research suggests that such exclusion is the most underlying determinant of poor mental wellbeing outcomes.³

The MHF supports this Bill on the basis that it is a core recommendation of the *Royal Commission of Inquiry into the terrorist attack on Christchurch masjidain on 15 March 2019*. We hope this legislative change will send a strong message and provide some protection towards communities who are part of religious groups, particularly our Muslim whānau. The MHF also supports the Law Commission's review into hate crimes and discrimination, particularly whether the scope of the proposed provisions ought to apply to rainbow, takatāpui and disabled (tāngata whaikaha) communities.

We also urge the Government to progress with haste other work to minimise and eliminate discrimination and hate speech. Real progress in this area will only be successful if changes to societal attitudes and practices are also made in parallel to legislative change. This will include, for example, targeted and focused national education campaigns and community-level interventions and support to improve social cohesion in Aotearoa New Zealand for groups that are at higher risk of exclusion than others, including: Māori, Pasifika, Asian, migrant and refugee communities, and the disability and rainbow and takatāpui communities. It is important that real, tangible cross-government goals, objectives and actions are developed in order to tackle discrimination towards these groups, as well as the other aspects of our society which actively prevent social cohesion, such as lack of access to safe housing, cultural disconnection, unemployment and the discrimination of mental distress.

¹ This is made clear in the [Report: Royal Commission of Inquiry into the terrorist attack on Christchurch masjidain on 15 March 2019](#).

² Research shows a link between exposure to hate speech among migrants and poor mental health outcomes. [Bilewicz, M., Wypych, M. (2022) *Psychological Toll of Hate Speech: The Role of Acculturation Stress in the Effects of Exposure to Ethnic Slurs on Mental Health Among Ukrainian Immigrants in Poland*. Cultural Diversity and Ethnic Minority Psychology. <https://doi.org/10.1037/CDP0000522>]

³ Cunningham, R., Kvalsvig, A., Peterson D., Kuehl, S., Gibb, S., Thornley, L., Every-Palmer, S. (2018). *Stocktake Report for the Mental Health and Addiction Inquiry*.

Thank you for the opportunity to provide comment on this Bill. This is important work to progress and we strongly urge the Government to commit to actions alongside legislation to effectively enhance social cohesion in Aotearoa New Zealand.

Mauri tū, mauri ora,

Shaun Robinson

Chief Executive