

EVERY CHILD'S RIGHT TO HOUSING

How we might create a statutory right for every New Zealand child to be adequately housed

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New Zealand children have a number of statutory rights to protection against abuse, neglect and avoidable harm. These rights are well respected both by politicians and ordinary citizens, as witnessed by the recent release of a report by the Commissioner for Children of his review of Child Youth and Familyⁱ and by the public disquiet expressed about the poor outcomes being achieved for children by this Government agencyⁱⁱ. At one level New Zealanders appear passionate about ensuring that every New Zealand child is kept safe from harm and abuse. But on another level many are a little indifferent about the circumstances which thousands of these children live in which put them at risk of harmⁱⁱⁱ.

This widespread concern for preventing extreme or very serious harm to children, but an ambivalence to either moderate harm or just the risk of harm, creates a sort of policy dichotomy. This dichotomy is at least two-dimensional. In the world of realpolitik there is clearly a temptation and perhaps even a tendency for politicians to care sufficiently about children's wellbeing in order to appear concerned and to have available adequate responses to extreme examples of harm to children, but not to care so much that it distracts from their other political priorities. For those responsible for designing and administering policy, this dichotomy translates into having to develop and support policies which on one hand acknowledge the rights of children to be protected from harm, while on the other hand having to subtly determine when the level of harm or the risk of harm to children is tolerable politically.

This paper investigates this policy dichotomy with reference to children's right to housing. The paper takes it as a given that children's wellbeing is adversely affected when they do not have access to safe, secure and healthy housing, so the importance of such housing and of rights of access to this housing have been assumed without further discussion. Having assumed this relationship, this paper first considers the relationship between a child's legal rights to protection and their need for housing which is safe, secure and healthy. The focus then shifts to economic rights and because the economic rights afforded to children are generally inseparable from those available to their parents or guardians the paper considers these rights from the perspective of adults with dependent children. The paper then considers the gaps which exist between economic rights and existing legislative provisions around housing. Finally some suggestions are offered for how these gaps can be closed in order to bring more secure housing rights to children and their families.

AN OVERVIEW OF CHILDREN'S RIGHTS TO PROTECTION

Children in New Zealand have their rights to protection from violence, abuse and neglect set down in three main pieces of legislation – the Children, Young Persons and their Families Act 1989, the Crimes Act 1961 and the Domestic Violence Act 1995. In addition the Care of Children Act 2004 discusses such protections although its purpose is to decide who might best look after children who might be judged to be at risk of abuse or neglect.

The overall presumption offered in these statutes is that parents and families have the primary responsibility to care for and nurture their children and quite naturally that they have a duty not to harm them or allow them to be harmed. Behind these presumptions, responsibilities and duties stands the State. The State's role here is partly one of protector but also one of adjudicator and enforcer.

The Children, Young Persons and Their Families Act is the main statute protecting children from violence, harm and abuse. A central objective of this Act is '*providing for the protection of children and young persons from harm, ill-treatment, abuse, neglect, and deprivation*' (s4(e)). Section 13 of the Act sets out the Act's principles which include that:

- the *primary role in caring for and protecting children and young people* lies with their family or whanau,
- a child's family or whanau should be *supported, assisted and protected as much as possible* and,
- any *intervention into family life* should be the minimum necessary to ensure the safety and protection of children and young people.

Section 14 of the Act outlines the circumstances in which a child is determined to be in need of the care and protection of the State. These circumstances are:

- when a child (or young person) is being or likely to be harmed, ill-treated, abused or seriously deprived,
- when a child's development or wellbeing is or is likely to be impaired or neglected and where this impairment or neglect is serious and avoidable and,
- when parents or guardians are unwilling or unable to adequately care for their child.

The Domestic Violence Act specifically deals with violence and abuse in family or other domestic relationships. Section 3(3) of the Act states that '*a person psychologically abuses a child if that person— causes or allows the child to see or hear the physical, sexual, or psychological abuse of a person with whom the child has a domestic relationship*'. Section 3(2) defines violence to include '*financial or economic abuse (for example, denying or limiting access to financial resources)*'.

The Crimes Act has in sections 152 and 195 specified criminal offences against children. Section 152 outlines the '*Duty of parent or guardian to provide necessities and protect from injury*'. Section 195 sets out the duties of parents, guardians and caregivers in the care and treatment of children and vulnerable adults. Offences against these provisions occur when there '*is a major departure from the standard of care to be expected of a reasonable person*'.

Somewhat interestingly the Vulnerable Children Act 2014 really fails to offer any additional legal protections for so-called vulnerable children. Rather, it provides for ministerial direction of processes to prepare a '*vulnerable children's plan*' and imposes requirements on public agencies

such as school boards to have 'child protection policies'. The circumstances or conditions which might contribute to a child's vulnerability are not even set down in the Act. Section 5 of the Act defines vulnerable children as '*of the kind or kinds (that may be or, as the case requires, have been and are currently) identified as vulnerable in the setting of Government priorities under section 7.*' Section 7 does not identify either these settings or the 'types' of children who might be classed as vulnerable but really just sets out a process where the '*responsible minister may from time to time, after consulting with the children's Ministers, set Government priorities for improving the well-being of vulnerable children.*'

Under these acts combined, the protections offered to children who are not being seriously harmed by abuse, neglect or deprivation appears minimal. This is especially so in the case of deprivation where a child has to be at risk of serious deprivation in order to warrant some form of intervention from the State. Furthermore, in all but the most extreme cases, the presumption is that the primary responsibility to avoid a child being deprived lies with the family and that it is a secondary role for the State to support families or whanau '*as much as possible*' – whatever that means.

While it is helpful that the Domestic Violence Act acknowledges the violence of '*financial or economic abuse*' which includes depriving individuals of access to economic resources, such violence is, through the purpose of the Act, limited to being within family or domestic relationships. The violence of '*financial or economic abuse*' outside of family relationships does not exist elsewhere on the statute books.

While the protections under the statutes cited above extend to deprivation and the harm caused by this deprivation the reason for such deprivation, the extent of deprivation which is considered tolerable, and the form this deprivation takes are not mentioned – outside of the access to economic resources within family units. Some of the legislation appears designed to clarify expectations that the core responsibility to look after children lies with their families or whanau. To this end the legislation also establishes that the State's first role is to enforce – not unreasonable, standards around how children are treated and cared for. Beyond these expectations the State does not appear to have an explicit obligation in the legislation cited here to ensure that families or whanau have access to the resources to ensure that children have the necessities of life, There is just a vague promise that families and whanau will be '*supported whenever possible*' by some outside party. In the extreme where children are being seriously deprived they may come under the explicit care and protection of the State.

In effect, children have fairly minimal explicit rights to reasonable access to the material resources which might be seen as unexceptional in a wealthy society such as ours. Against this background the promise of access to housing is completely missing. It is not that children have been intentionally denied a right of access to housing, it is just that it has never come into the conversation around statutory rights for children.

AN OVERVIEW OF ECONOMIC RIGHTS

New Zealanders enjoy a considerable range and depth of economic and social rights, although they are often not framed as such. Probably the best basis for considering economic rights is the International Covenant on Economic, Social and Cultural Rights (ICESCR), which was completed through the United Nations in 1966 and more or less ratified by New Zealand in 1978.

The main economic, social and cultural rights covered by the ICESR are as follows:

- **Article 6** covers the right to work in a freely chosen and accepted occupation,
- **Article 7** provides protections that such work is just, safe, free of discrimination and able to provide workers and their families with a *'decent living'*,
- **Article 8** provides for the right to join freely functioning trade unions,
- **Article 9** offers rights to social security including forms of social insurance,
- **Article 10** covers various rights attached to families including protections for pregnant women and the right to marry freely,
- **Article 11** recognises *'the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions'*,
- **Article 12** covers health rights including the right to enjoy *'the highest attainable standard of physical and mental health'*,
- **Article 13** recognises various education rights including the right to free and compulsory primary education and freely available secondary and tertiary education,
- **Article 15** covers cultural rights and the rights to both share in the benefits of scientific progress and enjoy property rights associated with copyright and cultural production.

An assessment of these various rights against New Zealand legislation which might be seen as supporting them is attached as a table in Appendix 1. This table indicates that there are some rights which are not specifically covered by legislation – the right to work for example. Such gaps raise important questions around the role of the State with respect to economic, social and cultural rights.

Is it, for example, the State's role to merely **respect** these rights – that is not trampling on them through other political agendas? Alternatively, it may be the State's role to **protect** rights especially for the most vulnerable citizens and especially in the face of market forces and property ownership structures. At perhaps the most idealist end of the spectrum is the idea that the State has a role to **fulfil** various economic, social and cultural rights. It is often assumed, or at least claimed by those who advocate for the respect of economic and social rights, that governments have obligations to fulfil these rights. There is very little in the ICESCR to draw such a conclusion and the reality of political practice to date is that the State's obligations often extend only to the respect and protection of rights. This is especially so for economic rights.

Notwithstanding its genesis, the State most often functions as an entity in itself and not as some extension of the common will and consent of the people as proposed for example by Rousseau and other social contract theorists. This is especially so in New Zealand where the State’s legitimacy was originally based on conquest, confiscation and colonisation and remains without a constitution. The State as an entity in itself, and especially one without a constitution, then determines who has what rights according to its own political agenda^{iv}. In practice however, this determination is most likely mediated by the need to gain a bare majority of political support in order to claim a mandate.

Such political support is most easily garnered by acceding to the economic rights of the politically powerful against those of the least powerful. Such examples in New Zealand include a universal retirement income entitlement against a discriminatory and selective family income support programme^v and by an unwillingness to impose a capital gains tax on wealth while continuing to impose income taxes on all the income of the poorest paid.

This all suggests that economic and social rights need to be seen in the context of other rights such as legal and political rights of all citizens and property and other ownership rights of the more wealthy of citizens. An attempt to offer such a context is provided in Table 1 below. This table provides examples of statutes which to some extent codify the State’s roles with respect to various rights offered to New Zealand citizens. The statutes offered in this table are not meant to be an exhaustive list of how the State chooses to observe various rights but merely as examples of such observance.

Table 1: An overview of the State’s roles around rights in New Zealand

TYPES of RIGHTS			
THE STATE’S ROLE	CIVIL & POLITICAL	ECONOMIC SOCIAL & CULTURAL	PROPERTY & OWNERSHIP
TO RESPECT	Bill of Rights Electoral Act Habeas Corpus Act	Human Rights Act	Public Works Act Resource Management Act
TO PROTECT	Bill of Rights Privacy Act Human Rights Act	Human Rights Act Crimes Act Employment Relations Act	Land Transfer Act Crimes Act Companies Act
TO FULFIL	Human Rights Act	Social Welfare Act Education Act NZ Public Health & Disability Services Act	Commerce Act Credit Contracts & Consumer Finance Act

ECONOMIC RIGHTS AND HOUSING

Perhaps of most interest in a study such as this are those rights covered in Articles 9 and 11 of the ICESCR which set out States' obligations and citizens' expectations around social security and a material standard of living. In addition Article 10.3 may also be of some interest because it offers children protection from economic and social exploitation and from '*discrimination for reasons of parentage or other conditions*'.

As discussed above Article 9 deals with rights to social security while Article 11 deals with rights to an adequate standard of living, which includes access to housing. These rights as with others are subject to resource availability of each of the States signing up to the Convention – see Article 2. Article 11 however calls for the '*continuous improvement of living conditions*' so it can be assumed that the expectation of signatory States is that living conditions do not get worse and that the focus of States should be on continuously improving the living conditions of their citizens.

There are no specific requirements of States around measures of adequacy in terms of a standard of living or of the content and nature of any system of social security. This is probably to be expected given the great differences which continue to exist in the wealth and prosperity of participating States. Article 2 of ICESCR does however suggest that participating States should adopt legislative measures as the basis for '*achieving progressively the full realisation of the rights*' covered by the Covenant.

So what legislative measures in New Zealand cover housing rights?

Four main pieces of legislation deal with housing related matters although none of these provide any meaningful housing rights. The relevant statutes are the Social Security Act 1964, the Residential Tenancies Act 1986 and the Housing Restructuring and Tenancy Matters Act 1992. In addition, there is also the Housing Improvement Regulations 1947.

The Housing Restructuring and Tenancy Matters Act manages the operation of social housing within New Zealand^{vi}. This focus includes how the state owned social housing provider Housing New Zealand Corporation Ltd is governed and managed. The Act also establishes another public entity known as the Social Housing Agency whose job it is to provide '*assistance and advice to people on matters relating to housing or services related to housing*' and manage applications from citizens for social housing (section 101).

The Housing Restructuring and Tenancy Matters Act provides no guarantees or rights to housing and in fact does exactly the opposite. In sections 79 and 97 Housing New Zealand or other social housing providers are explicitly put under no obligation to allocate housing to any particular tenant or applicant who may have been referred from the Social Housing Agency.

The Residential Tenancies Act 1986 manages the relationship between landlords and tenants in residential properties and boarding houses. This Act sets out the minimum requirements of tenancy agreements between landlords and tenants and specifies each party's rights. The Act makes discriminatory practices in the letting or management of tenancies unlawful (section 12) but offers tenants no rights to secure tenure. In effect, landlords (or their agents) can terminate an open term or periodic tenancy for no reason whatsoever and give the tenant 90 days notice to vacate. This termination notice can be shortened to 42 days in some circumstance (section 51). Although no

specific housing standards are set down in the Residential Tenancies Act. Section 45(1)(b) requires landlords to *'provide and maintain the premises in a reasonable state of repair having regard to the age and character of the premises and the period during which the premises are likely to remain habitable and available for residential purposes'*.

Part 1K of the Social Security Act 1964 provides for the State to offer qualifying citizens assistance with their housing costs. The assistance is known as the Accommodation Supplement. The Supplement is paid out for costs which an eligible person faces for accommodation costs for the *'premises,'* which means *'the place that he or she occupies as a home'* or in the case of a boarder or lodger *'any room or other accommodation occupied as a home by that person'* (section 61EA). Rules around eligibility for an Accommodation Supplement payment and for the amount of such a payment are set out in section 61EC of the Act.

Minimum standards for what can be called a residence or dwellings are contained in a 68 year old regulation known as the Housing Improvement Regulations 1947. These regulations set down minimum standards for housing alongside provision for a \$40 fine for property owners who breach these standards. These standards are on any account fairly primitive by 21st century standards with for example allowance for shared bathrooms and toilets between separate dwellings (regulation 19).

A number of worthwhile observations can be made about these legislative provisions.

Firstly, not only do none of these provisions offer any rights to housing but they don't even express any interest or concern for rights outside of the provision for unlawful discrimination in the allocation of tenancies.

Secondly, none of the main statutes deal explicitly with the quality of the housing provided although the Residential Tenancies Act places a duty on landlords to maintain their properties in a reasonable state of repair after taking account of the property's age and future use. The Housing Improvement Regulations set some sort of minimum standards although these are now 68 years old and threaten trivial penalties for non-compliance. The lack of interest in reviewing these standards points to the lack of importance placed on housing conditions over the past 50 years. Recent moves by the present government to impose minimum standards for insulation and fire alarms are very welcomed. However, perhaps as many as 100,000 of the estimated 280,000 poorly insulated rental properties may be exempt from this requirement^{vii}.

Finally, children and the housing needs of children do not feature at all in housing related legislation. This failure is especially disappointing in provisions of the Social Security Act relating to the Accommodation Supplement, which provides for housing assistance subsidies of \$1.3 billion annually. The actual housing requirements of households with children do not feature at all in the setting of subsidy rates and in fact the proviso that the accommodation secured through the Supplement is of a minimum standard is entirely absent. The premises secured by the recipient simply has to be *'the place that he or she occupies as a home'*.

ADDRESSING CHILDREN'S HOUSING RIGHTS

The ICESCR places two not unreasonable requirements on signatory States, which have some relevance to the idea that all New Zealand children should be accorded a right of access to housing which is safe, secure and healthy. As cited above, Article 10.3 requires that *'Special measures of protection and assistance should be taken on behalf of all children and young persons without any discrimination for reasons of parentage or other conditions'*. Also as cited above there is an expectation, established under Article 11.1, of a *'continuous improvement in living conditions'*. In other words, children's economic rights should be given special protection and support and we should see on-going improvements in the standards of living achieved over time.

There is evidence of some improvement in housing conditions for children over recent years although this evidence is somewhat equivocal. For example Table 2 reports rates of overcrowding for children and the total population from the 2006 and 2013 censuses while Table 3 reports overcrowding by ethnicity for the same periods. Overall, there has been a slight reduction in the proportion of households living in overcrowded housing – from 10.4% in 2006 to 10.1% in 2013, but there have been significant declines in overcrowding rates amongst children aged between 5 years and 14 years. However given population increases overall there was a small numerical increase of around 9,000 people who lived in overcrowded housing.

Table 2: Proportions living in crowded housing by age from 2006 and 2013 Censuses^{viii}

	AGE in YEARS				TOTALS
	0-4 years	5-9 years	10-14 years	All ages	Total number
2006	16.9	17.4	15.3	10.4	389,385
2013	15.4	12.2	10.3	10.1	398,100

Overcrowding amongst Maori households fell appreciably between 2006 and 2013 while numbers increased for both European and Pacific people although the share of European and Pacific reported as being overcrowded declined slightly between censuses. Table 3 reports these results.

Table 3: Living in crowded housing by ethnicity from 2006 and 2013 Censuses

	ETHNICITY			
	European	Maori	Pacific	Total population
2006 - numbers	113,700	117,010	103,560	389,385
2006 - %	4.7	22.8	42.6	10.4
2013 - numbers	119,430	110,940	108,660	398,100
2013 - %	4.3	20.0	39.8	10.1

Although there has been a small reduction in the rates of overcrowding across New Zealand, the geographical distribution of this decline has not been even. Rates of overcrowding in the Counties-Manukau District Health Board area are around twice the national rate and in 2013 people living in overcrowded households in these communities accounted for almost one quarter of all the New

Zealanders living in overcrowded conditions. The proportion of people in the Counties-Manukau DHB area who are living in overcrowded conditions has changed little since 1991 when it was 21.1% rising to 21.9% in 2006 and falling very marginally to 21.8% in 2013^{ix}. Unsurprisingly rates of infectious diseases such as Rheumatic fever are three to four times higher in Counties-Manukau than the national average^x.

The distribution of the burden of poor housing is not evenly spread geographically, ethnically, or in terms of age. Overall there has been some material improvement in housing conditions New Zealand wide although there are more New Zealanders living in overcrowded housing than at least since 1991 when reliable data has been available. Fewer children overall seem to be living in overcrowded conditions although younger children (aged under 5) are about 50% more likely to live in such conditions.

But none of these changes are a result of any Government policies although Government may claim credit for the rising prosperity which New Zealanders have experienced over the past decade and which has contributed generally, but not equally, to improving living conditions. Housing pressure especially in and around Auckland may risk these gains along with the small advantages which have accrued to the least advantaged in the housing market.

Without specific legislative measures which guarantee children some rights to housing which is safe, secure and healthy, there remain no guarantees either that minimum housing standards are being achieved or that the almost \$2 billion spent annually on housing assistance is being spent prudently on worthwhile housing outcomes.

There are considerable barriers to introducing a right to housing for children. The absence of such a right is contrary both to the New Zealand Government's obligation under ICESCR and its statutory commitments under the Children Young Persons and Their Families Act. The poor housing conditions endured by thousands of New Zealand children place them at risk of serious deprivation and arguably should be subject to direct intervention, of some form, by Child Youth and Family. While such assistance should preferably not be one where children are taken into State custody, the measures and guarantees which are available to families struggling to provide adequate housing for their children remain vague and unreliable. Furthermore there are no mechanisms available which can translate financial assistance with housing costs into housing of an acceptable standard – mainly because the idea of acceptable housing standards has only a loose relevance in some housing markets.

These difficulties suggest that three connected responses are required if New Zealand children are to always have access to housing of an acceptable standard. These responses are:

- Agreeing that poor housing situations pose a serious risk to children's physical, social and emotional wellbeing,
- Clearly identifying the statutory responsibilities of public agencies to respond to housing need where children's wellbeing is at risk,
- Enforcing mechanisms to ensure that State assistance with housing and public subsidies specifically translate directly into housing for children which is safe secure and healthy.

CONCLUSIONS

A review of the various protections which children enjoy under legislation and agencies' practices suggests that many of these rights are not well defined both in terms of scope and responsibility. These rights and protections generally only relate to children's legal and social rights and it appears that children's economic rights have been given little consideration in legislation or practice. Essentially children's economic rights are delivered through their parents or guardians. The ease with which these parental rights can be rescinded with no regard for the impact of children – as with sanctions on non-compliant benefit recipients, points to the weakness of this approach. Ideally and practically children should have economic rights independent of their parents as provided for in Article 10.3 of the ICESCR.

Perhaps one way of both coordinating and safeguarding the rights which children have or should have, is to combine them all in a Children's Rights Act. Such a piece of legislation has at least two functions. Firstly, it allows for some cross-referencing of the various rights of children, as is already done in legislation, and by doing so to ensure that inconsistencies and ambiguities are identified and resolved. Secondly, such a statute has considerable symbolic value as a whole of community commitment to our children. Such a commitment should become a clear and unequivocal statement of what we offer all New Zealand children regardless of their circumstances and background.

– **APPENDIX 1: The legislative acknowledgement of social and economic rights in New Zealand**

SPECIFIC RIGHT	ICESCR ARTICLE	RELEVANT LEGISLATION
Right to work	6.1	None
Just & favourable conditions of work	7	Employment Relations Act 2000
Fair wages	7(a)(i)	Minimum Wage Act 1983
Right to earn a decent living	7(a)(ii)	None
Safe & health working conditions	7(b)	Health & Safety in Employment Act 1992
Equal opportunity in employment	7(c)	Equal Pay Act 1972
Rest and leisure	7(d)	Holidays Act 2003
Right to form & join trade unions	8	Trade Union Act 1908
Social security	9	Social Security Act 1964
Right to protection for families	10.1	Children, Young Persons & their Families Act 1989
Protection & support for pregnant women	10.2	Parental Leave & Employment Protection Act 1987 NZ Public Health & Disabilities Services Act 2000
Protection & assistance to children	10.3	Children, Young Persons & their Families Act 1989
Adequate standard of living including adequate food, clothing and housing	11	None
Highest attainable standard of physical and mental health	12	NZ Public Health & Disabilities Services Act 2000 Health Act 1955
Free & compulsory primary education	13.2(a)	Education Act 1989
Freely available secondary education	13.2(b)	Education Act 1989
Freely available tertiary education	13.2(c)	Education Act 1989
To take part in cultural life	15.1(a)	NZ Bill of Rights Act 1990
To enjoy the benefits of scientific progress	15.1(b)	None
Copyrights to creative production	15.1(c)	Copyright Act 1994

Endnotes

ⁱ See Children's Commissioner (2015) *State of Care: What we learnt from monitoring Child Youth and Family*. Available at <http://www.occ.org.nz/assets/Publications/OCC-State-of-Care-2015.pdf>. See also the Minister of Social Development's comments on the needs for a review of Child Youth and Family at '*Minister vows to CYF review right*' at <http://www.radionz.co.nz/news/national/282605/minister-vows-to-get-cyf-overhaul-right??> support for the release of the report at

ⁱⁱ See for example some of the following media commentary. Public Service Organisation '*Children's Commissioner report highlights continued underfunding of CYF*' at <http://www.psa.org.nz/media/releases/childrens-commissioner-report-highlights-continued-underfunding-of-cyf/>. Family First '*If CYF was a family, it would have had state intervention by now at*' <https://www.familyfirst.org.nz/2015/08/if-cyf-was-a-family-it-would-have-had-state-intervention-by-now/> and Save the Children at <http://www.voxy.co.nz/national/scnz-responds-cyf-report/5/230152>

ⁱⁱⁱ Research commissioned by Child Poverty Action Group on New Zealanders' attitudes to poverty found that 40% of respondents attributed child poverty to economic and other structural factors while 40% blamed bad parenting and poor budgeting for this poverty. See MM Research (2014) '*New Zealanders' attitudes to child poverty*' available at http://www.cpag.org.nz/assets/MMResearchReport_CPAG_%2818.7.14%29.pdf

^{iv} A recent and clear example of an arbitrary decision by the New Zealand State over the extent of citizens' right is the decision in 2004 by the Clark led Labour-Coalition Government to use specific legislation to override Maori claimant's legal rights to use the courts to establish their ownership rights in the foreshore and seabed.

^v For example under the Working for Families programme some income entitlements are only available to families which are working for 30 hours or more per week despite the fact that children living in benefit dependent households are more likely to be living in poverty – see Perry, B. (2015) '*Household incomes in New Zealand: Trends in indicators of inequality and hardship 1982 to 2014*' Table 11.4

^{vi} The Housing Act 1955 also provides various powers to the Government for the provision of 'state housing' and for various miscellaneous operational powers of Housing New Zealand as a statutory body. This Act has nothing to do with actual provision of housing however

^{vii} See Housing Minister Nick Smith's proposals for legislated minimum standards for rental properties at <https://www.beehive.govt.nz/release/tenancy-law-changes-include-insulation-and-smoke-alarm-requirements>
<http://www.mbie.govt.nz/info-services/housing-property/consultation/changes-to-residential-tenancies-act?searchterm=changes+to+residential+tenancies>

^{viii} Data for Tables 2 and 3 is taken from Baker M, Goodyear R, Telfar Barnard L, Howden-Chapman P. (2012) '*The distribution of household crowding in New Zealand: An analysis based on 1991 to 2006 Census data*', and Ministry of Health (2015) '*Analysis of household crowding based on Census 2013 data*.'

^{ix} Ibid.

^x Data from New Zealand Public Health Observatory which is available at <http://www.nzpho.org.nz/NotifiableDisease.aspx>