

# NEW ZEALAND 2018 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

New Zealand is a parliamentary democracy. Citizens chose their representatives in a free and fair multiparty election held most recently in September 2017. The Labour Party formed a coalition government with the New Zealand First Party with Green Party support. Labour Party leader Jacinda Ardern serves as prime minister.

Civilian authorities maintained effective control over the security forces.

The most significant human rights issue was forced labor among foreign migrant workers.

The government has effective mechanisms for prosecuting officials who commit human rights abuses; there were no reports of such abuses during the year.

### **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

#### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were no reports the government or its agents committed arbitrary or unlawful killings.

#### **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

#### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The law prohibits such practices, and there were no reports government officials employed them.

#### **Prison and Detention Center Conditions**

Watchdog groups highlighted overcrowding, inadequate mental health treatment and treatment of prisoners who risked self-harm, excessive restraint, and prisoner-

on-prisoner violence. Both the government and civil society groups highlighted the disproportionate rates of incarceration of indigenous peoples (see section 6, Indigenous People).

Physical Conditions: Persons accused of a crime who are 17 years or older are tried as adults and, if convicted, sent to adult prisons. Authorities held male prisoners younger than 17 in four separate detention facilities operated by the national Child and Youth Welfare Agency. There was no separate facility for juvenile female prisoners because there were very few such prisoners. In early 2017 the independent Office of the Ombudsman reported that the Department of Corrections had breached national legislation and the Convention Against Torture in restraining at risk prisoners by excessive use of tie-down beds and waist cuffs. The Department of Corrections received additional funding in late 2017 to implement a new Transforming the Management of At Risk Prisoners program.

Suicide rates in prisons were higher than in the general population and were increasing, according to the latest statistics available. In August, three prison staff went on trial for assaulting an inmate, with one accused of attempting to pervert the course of justice by turning away a camera recording the incident. The trial continued at year's end.

Transgender prisoners who had the gender on their birth certificates changed were generally housed in accordance with their preferences and may undergo sex reassignment treatment or surgery while incarcerated.

Administration: Inmates could make uncensored complaints to statutory inspectors, an ombudsperson, and nongovernmental organizations (NGOs). The Ombudsman's Office reports to parliament annually on its findings about prison conditions.

Independent Monitoring: The government permitted prison-monitoring visits by independent human rights observers. The law provides for specified rights of inspection, including by members of parliament and justices of the peace, and information was publicly available on complaints and investigations, subject to the provisions of privacy legislation. The Office of the Ombudsman also inspects prisons and mental health facilities to prevent cruel and inhuman treatment, in line with national standards and the country's international obligations.

In April the Human Rights Commission (HRC) published a report on the legal and human rights safeguards for an estimated 5,000 elderly residents in secure

dementia units and psychogeriatric facilities. This followed local media reports criticizing the government's monitoring of locked aged-care and disability facilities where physical restraints were used to restrict patients' movements. The report recommended changes to current legislation, policy, and practice.

#### **d. Arbitrary Arrest or Detention**

The law prohibits arbitrary arrest and detention, and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court, and the government generally observed these requirements.

#### **Role of the Police and Security Apparatus**

The New Zealand Police, under the Ministry of Police, is responsible for internal security, and the armed forces, under the Ministry of Defense, are responsible for external security. Civilian authorities maintained effective control over police and the armed forces, and the government has effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving the security forces during the year.

#### **Arrest Procedures and Treatment of Detainees**

Police may arrest a suspect without a warrant if there is reasonable cause; however, a court-issued warrant is usually required. Police officers may enter premises without a warrant to arrest a person if they reasonably suspect the person committed a crime on the premises or found the person committing an offense and are in pursuit. Police must inform arrested persons immediately of their legal rights and the grounds for their arrest.

After arresting and charging a suspect, police may release the person on bail until the first court appearance. Except for more serious offenses, such as assault or burglary, bail is normally granted and frequently does not require a deposit of money. Suspects have the right to appear promptly before a judge for a determination of the legality of the arrest and detention. After the first court appearance, the judge typically grants bail unless there is a significant risk the suspect would flee, tamper with witnesses or evidence, or commit a crime while on bail. Authorities granted family members timely access to detainees and allowed detainees prompt access to a lawyer of their choice and, if indigent, to a lawyer provided by the government. The government did not detain suspects incommunicado.

Pretrial Detention: Approximately 31 percent of prisoners were held in custody on remand, while they await trial or sentencing. The number of prisoners held on remand has increased more than threefold in the past 20 years, primarily due to increased time required to complete cases, and stricter bail restrictions. The median duration of prisoners' time held in remand was approximately two months.

### **e. Denial of Fair Public Trial**

The law provides for an independent judiciary, and the government generally respected judicial independence and impartiality.

### **Trial Procedures**

The law provides for the right to a fair public trial, and an independent judiciary generally enforced this right. Defendants enjoy a presumption of innocence and the right to counsel. By law authorities must inform defendants promptly and in detail of the charges, and provide adequate time and facilities to prepare a defense. Defendants cannot be compelled to testify or confess guilt, but they have the right to be present at their trial. Defendants also have the right to present witnesses and evidence, confront witnesses against them, appeal convictions, and receive free interpretation as necessary from the moment charged through all appeals. The government provides a lawyer at public expense if the defendant cannot afford counsel. The law extends these rights to all defendants.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

Individuals and organizations may seek civil judicial remedies for human rights violations, including access to the Human Rights Review Tribunal. There are also administrative remedies for alleged wrongs through the HRC and the Office of Human Rights Proceedings.

### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The law prohibits such actions, and there were no reports the government failed to respect these prohibitions.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Expression, Including for the Press**

The law provides for freedom of expression, including for the press, and the government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for the press.

#### **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports the government monitored private online communications without appropriate legal authority. The internet was widely available and used by approximately 90 percent of the population.

#### **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom or cultural events.

### **b. Freedoms of Peaceful Assembly and Association**

The law provides for freedoms of peaceful assembly and association, and the government generally respected these rights.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

### **d. Freedom of Movement**

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government cooperated with the Office of the United Nations High Commissioner for Refugees and other humanitarian organizations in providing protection and

assistance to refugees, asylum seekers, stateless persons, and other persons of concern.

### **Protection of Refugees**

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees.

Durable Solutions: The country's refugee policy commits the government to resettling 1,000 refugees annually under the Refugee Quota Program, commencing in 2018. The government consistently met or exceeded its previous target of admitting 750 refugees annually.

Temporary Protection: The government also provided temporary protection to persons who may not qualify as refugees under the country's UN quota commitment. Advocacy groups reported concern that approximately 100 annual asylum seekers did not receive the same level of governmental support as quota refugees, specifically with access to employment.

### **Section 3. Freedom to Participate in the Political Process**

The law provides citizens the ability to choose their government through free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

#### **Elections and Political Participation**

Recent Elections: Following the most recent general election held in September 2017, the Labour Party formed a coalition government with the New Zealand First Party and with Green Party support, led by Labour Party leader Jacinda Ardern as prime minister. Although the ruling National Party won the greatest number of seats in parliament, 58 of 120, it was unable to form a governing coalition and became the official parliamentary opposition.

Voter turnout in the general election was 79 percent, while turnout in designated Maori electorates was lower and ranged from 60 percent to 69 percent. In South Auckland electorates with a high percentage of Pacific Island voters, turnout was 69 percent.

### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were no reports of government corruption during the year. The Serious Fraud Office and police investigate corruption matters. Allegations can be reported anonymously and the law protects employees who make a report relating to their employers. Agencies such as the Office of the Controller, the Auditor-General, and the Office of the Ombudsman independently report on and investigate state sector activities, acting as watchdogs for public-sector corruption.

Financial Disclosure: The law requires members of parliament, including all cabinet ministers, to submit an annual report of financial interests, including income and assets, which the government releases to the public. There were no reports of criminal or administrative sanctions against elected officials for noncompliance to financial regulations. Career civil servants are not subject to this requirement but are subject to ethics standards established by the State Services Commission.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were generally cooperative and responsive to their views.

Government Human Rights Bodies: The Ministry of Justice funded the HRC, which operates as an independent agency without government interference. The HRC had adequate staff and resources to perform its mission. In April-May several senior staff at the HRC resigned or did not have their contracts renewed after a ministerial report found that the HRC had not adequately dealt with sexual harassment allegations at the organization.

The Office of the Ombudsman, responsible to parliament but independent of the government, is charged with investigating complaints about administrative acts, decisions, recommendations, and omissions of national and local government agencies; inspecting prisons; and following up on prisoner complaints. The office enjoyed government cooperation, operated without government or party interference, had adequate resources, and was considered effective. The office

produced a wide variety of reports for the government that were publicly available on its website.

## **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

### **Women**

Rape and Domestic Violence: According to a 2016 government report, one in three women reported having experienced physical, sexual violence, or both by an intimate partner. The law criminalizes rape, including spousal rape. The maximum penalty is 20 years' imprisonment; however, indefinite detention may occur in cases where the parole board, during its annual review, believes the prisoner poses a continuing threat to society.

Domestic violence is a criminal offense under the law. Police were responsive to reports of domestic violence. In July parliament passed the Domestic Violence Victims Protection Bill, which provides victims of domestic violence with 10 days paid leave per year. The government partially funded women's shelters, psychosocial services, rape crisis centers, sexual abuse counseling, family-violence victim support networks, and violence prevention services. Victims' programs include a new crisis response plan for victims in the 72 hours after a sexual assault; programs to reduce harmful sexual behavior, offending, and reoffending; programs focusing on adults who pose a risk to children; and services for male survivors of sexual abuse.

Sexual Harassment: The law prohibits sexual harassment and provides civil penalties. Sexual contact induced by certain threats may also fall under the criminal code, with a maximum prison sentence of 14 years. The HRC published fact sheets on sexual harassment and made regular sexual harassment prevention training available to schools, businesses, and government departments.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: The law provides for the same legal status and rights for women as for men, including under family, religious, personal status, labor, property, nationality, and inheritance laws. The law prohibits discrimination in employment and rates of pay for equal or similar work.

### **Children**

Birth Registration: Children born in the country attain citizenship if either parent is a citizen or legal permanent resident of the country. Children born outside the country attain citizenship if either parent is a citizen born in the country. The law requires notification of births by both parents as soon as “reasonably practicable,” deemed as being within two months of the child’s birth, and most births were registered within this period.

Child Abuse: A March academic report found that, by age 17 years, nearly one quarter of children had at least one report submitted to child protection services, and almost 10 percent had been a victim of abuse or neglect, while 3 percent had gone into foster or other care. A disproportionately high number of reported cases of child abuse involved Maori children. The government promoted information sharing between the courts and health and child-protection agencies to identify children at risk of abuse.

Early and Forced Marriage: The legal minimum age for marriage is 20 years for both men and women, but persons between 16 and 19 may marry with parental permission. Marriages involving persons younger than 18 were rare.

Sexual Exploitation of Children: The law provides that any person who has a sexual connection with a person younger than 16 years is liable to a maximum prison sentence of 10 years. Further, the law makes it an offense punishable by seven years’ imprisonment to assist a person younger than 18 in providing commercial sexual services; to receive earnings from commercial sexual services provided by a person younger than 18; or to contract for commercial sexual services from, or be a client of, a person younger than 18. The law also makes it an offense to traffic in persons younger than 18 for sexual exploitation or for forced labor. The courts may prosecute citizens who commit child sex offenses overseas.

At least three cases in the courts involved child sexual exploitation and resulted in convictions during the year.

The law prohibits child pornography and provides for a maximum 14 years’ imprisonment, as well as maximum individual and corporate fines of NZ\$200,000 (\$137,000) if a person produces, imports, supplies, distributes, possesses for supply, displays, or exhibits an objectionable publication. The Department of Internal Affairs Censorship Compliance Unit polices images of child sex abuse on the internet and prosecutes offenders.

Institutionalized Children: In February, Prime Minister Ardern announced the creation of a Royal Commission--the highest level of governmental inquiry--into the historical abuse of children in state care. The Royal Commission is tasked with focusing on physical, sexual, and emotional abuse and neglect, as well as systemic bias based on race, gender, or sexual orientation during the period 1950-1999.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html>.

### **Anti-Semitism**

The Jewish community numbered approximately 7,000, according to the 2013 census. While anti-Semitic incidents were rare, in July media reported anti-Semitic posters and leaflets being distributed in two cities. The New Zealand Jewish Council said anti-Semitism was increasing, particularly online.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **Persons with Disabilities**

The law prohibits discrimination against persons with disabilities. The law prohibits the government from discriminating based on physical, sensory, intellectual, or mental disability, unless such discrimination can be "demonstrably justified." The government effectively enforced applicable laws. Most school-age children with disabilities attended either separate or mainstream schools.

Approximately 20 percent of eligible voters had a disability and faced obstacles to exercising their electoral right. The Electoral Commission has a statutory obligation to administer the electoral system impartially and seeks to reduce barriers to participation by developing processes that enable citizens with disabilities to access electoral services fully.

The HRC and the government's Office for Disability Issues worked to protect and promote the rights of persons with disabilities. In addition, both the HRC and the Mental Health Commission continued to address mental disabilities in their antidiscrimination efforts. The majority of complaints and enquiries about unlawful discrimination received by the HRC in 2017 concerned disability issues, both in government legislation, policy, or practice and in private workspaces.

### **National/Racial/Ethnic Minorities**

Pacific Islanders, who comprised 7.4 percent of the population, experienced some societal discrimination and had the highest rates of unemployment (13.1 percent) and lowest labor-force participation (61 percent), compared to the rest of the population. Asians comprised 12 percent of the population and reported some societal discrimination.

Several government ministries, such as the Ministry for Pacific Peoples and Ministry of Health, had programs to identify gaps in delivery of government services to Pacific Islanders and to promote their education, employment, entrepreneurship, culture, languages, and identity. The Office of Ethnic Affairs within the Department of Internal Affairs focused on improving dialogue and understanding about minority communities among the wider population.

### **Indigenous People**

Approximately 16 percent of the population claim descent from the indigenous Maori. The government bestows specific recognition and rights, enshrined in law, custom, and practice, to the indigenous Maori population.

The law prohibits discrimination against the indigenous population, but there were disproportionately high numbers of Maori on unemployment and welfare rolls, in prison, among school dropouts, with elevated infant mortality statistics, and among single-parent households.

Between July 2017 and June, the government enacted legislation that settled three claims for commercial and financial redress by indigenous groups ("iwi") relating to the 1840 Treaty of Waitangi, the country's founding document. The government continued active negotiations with almost all iwi who were in various stages of the claims process.

Although Maori represented 16 percent of the country's population, they comprised 50 percent of the prison population and 43 percent of persons serving community-based sentences. The Ministry of Justice and Ministry of Maori Development, along with Maori community partners and NGOs, continued to implement programs and services to reduce Maori recidivism and overrepresentation in the criminal justice system.

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

The law does not criminalize consensual same-sex sexual conduct between adults. The law prohibits abuse, discrimination, and acts of violence based on sexual orientation and gender identity, and the government generally enforced the law. During the year, approximately 1.6 percent of discrimination complaints received by the HRC related to gender identity or sexual orientation.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides for the right of workers to form and join independent unions of their choice without previous authorization or excessive requirements, to bargain collectively, and to conduct legal strikes, with some restrictions. The law prohibits antiunion discrimination. While it does not require reinstatement of workers dismissed for union activity, the courts may order this at their discretion.

Police have the right to freedom of association and the right to organize and bargain collectively, but sworn police officers (including all uniformed and plainclothes police but excluding clerical and support staff) do not have the right to strike or take any form of industrial action.

Contractors cannot join unions, bargain collectively, or conduct strike action.

Workers may strike while negotiating the right to a collective bargaining agreement or over matters of health and safety. Strikes by providers of key services are subject to certain procedural requirements, including mandatory notice of three to 28 days, depending on the service involved. Key services include production, processing, and supply of petroleum products; production and supply of electricity, water, and sewer services; emergency fire brigade and police services; ambulance and hospital services; manufacturing of certain

pharmaceuticals and dialysis solutions; operation of residential welfare or penal institutions; airport and seaport operations; dairy production operations; and animal slaughtering, processing, and related inspection services. The inclusion of some of these sectors was broader than international standards on the definition of “essential services.”

To bargain collectively, unions must be registered, independent, governed by democratic rules, and have a minimum of 15 members. Unions may not bargain collectively on social or political issues.

The government respected these rights and effectively enforced applicable laws without lengthy delays. The law provides for penalties for violations of freedom of association or collective bargaining protections and includes fines sufficient to deter violations. Cases were occasionally referred to the Civil Employment Court.

Nearly all unionized workers were members of unions affiliated with the New Zealand Council of Trade Unions (NZCTU), an independent federation that included unions representing various trades and locations. A few small, nonaffiliated unions also existed.

### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits and criminalizes all forms of forced labor. The government’s efforts to enforce the law were not always effective. Penalties were not sufficiently stringent to deter violations because of the possibility that a fine can be imposed in lieu of imprisonment. Fines can also be imposed for labor violations that may be indicators of forced labor such as underpayment of wages and excessively long working hours.

The government continued to pursue convictions under forced labor and trafficking laws.

Recruitment agencies based within the country that recruit workers from abroad must utilize a licensed immigration adviser. In August NGOs questioned the government’s licensing process for such advisers, after media reported that a company director who was fined NZ\$18,000 (\$12,000) in 2017 for underpaying staff at a clothing store, was later approved as a licensed immigration adviser. The Immigration Advisers Authority responded that it takes licensed immigration advisers ethics very seriously and, like all advisers, the advisor would be monitored. The government expanded partnerships with foreign governments

during the year to better monitor and regulate the recruitment of foreign migrant workers. According to the government, the aim of these partnerships was to reduce the risk of exploitation by providing greater transparency in recruitment and compliance to employment and immigration requirements.

Foreign migrant workers, including in agriculture, horticulture, viticulture, construction, hospitality, and as domestic workers were vulnerable to forced labor. Some foreign migrant workers were charged excessive and escalating recruitment fees, experienced unjustified salary deductions, nonpayment or underpayment of wages, excessively long working hours, and restrictions on their movement. Some had their passports confiscated and contracts altered. In response to forced labor concerns, foreign-flagged fishing vessels in the country's economic waters are required to reflag as New Zealand vessels and follow New Zealand labor laws.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits the worst forms of child labor and provides for a minimum age of employment, limitations on working hours, and occupational safety and health restrictions for children. By law children younger than 16 years may not work between 10 p.m. and 6 a.m. The law also states that children enrolled in school may not work, even outside school hours, if such employment would interfere with their education. The law bans the employment of children younger than 15 in hazardous industries such as manufacturing, mining, and forestry.

Inspectors from WorkSafe New Zealand, an independent crown agent with its own governance board created to reform the workplace health and safety system, effectively enforced these laws. The law outlines prison sentencing guidelines and fines for the most serious offenses. Penalties were adequate to deter violations.

Children from 16 to 18 years worked in some hazardous industries and occupations, such as the agricultural sector. The law requires them to be fully trained. Children younger than 15 cannot drive a tractor or large vehicle, except children working in agriculture if they are older than 12 and are fully trained or are being trained, or they live on the property. Concerns remained about the commercial sexual exploitation of children (see section 6, Children).

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at [www.dol.gov/ilab/reports/child-labor/findings/](http://www.dol.gov/ilab/reports/child-labor/findings/) for information on the self-governing territories of New Zealand--Cook Islands and Niue--as well as the dependent territory, Tokelau.

#### **d. Discrimination with Respect to Employment and Occupation**

The law prohibits discrimination with respect to employment and occupation. The government effectively enforced these prohibitions.

The HRC has an equal opportunity employment team that focuses on workplace gender-related problems. This team regularly surveyed pay scales, conducted a census of women in leadership roles, and engaged public and private employers to promote compensation equality. The Office of Ethnic Affairs continued to take measures to promote ethnic diversity in occupation and employment.

According to the NZCTU, Maori and Pacific Island people remained disadvantaged compared to the general population in terms of conditions of employment and wages.

#### **e. Acceptable Conditions of Work**

The minimum hourly wage was NZ\$16.50 (\$10.75). The “training minimum wage” and the “starting-out” wage for workers between 16 and 19 years and new workers 20 and older was NZ\$13.20 (\$8.60). There was no official poverty-level income figure, but researchers frequently used 60 percent of the median household income, NZ\$57,300 (\$37,320), as the unofficial poverty-level marker.

The law provides that work hours should be set in collective or individual agreements between employers and employees. Although a 40-hour workweek is traditional, employer and employee parties may contractually agree to a workweek of more than 40 hours.

Extensive laws and regulations govern health and safety issues. Employers are obliged to provide a safe and healthy work environment, and employees are responsible for their own safety and health, as well as ensuring that their actions do not harm others. The government mandates employers to provide health insurance for their seasonal workers. The law allows workers to refuse to perform work likely to cause serious harm and permits legal recourse if they believed an employer penalized them as a result.

The government proactively investigated labor conditions and in cases of noncompliance with labor law inspectors levied fines, required restitution of wages to workers, and revoked licenses of offenders. The Ministry of Business, Innovation, and Employment enforces laws governing working conditions, including wages and hours, through Employment New Zealand's labor inspectorate. In particular, employers who have breached minimum employment standards with regard to vulnerable migrant workers face a set stand-down period from the ability to support migrant visa applications. In August the company behind Burger King's 82 fast-food outlets in the country was placed on the stand down list for one year for breaching the Minimum Wage Act. As of September, 83 companies or employers in the country were on the stand down list.

WorkSafe New Zealand deals with occupational health and safety issues. The department's inspectors effectively enforced safety and health rules in all sectors including the informal economy, and they have the power to shut down equipment if necessary. The department normally investigated reports of unsafe or unhealthy working conditions within 24 hours of notification. Convictions for violations of the occupational health and safety law and the wages and hours law carry either monetary penalties or imprisonment. The law stipulates penalties for employers who exploit workers, including migrant workers; penalties include imprisonment, a fine, and deportation for noncitizen residents.

Between July 2017 and July, the country saw 35 workplace-related fatalities. Agriculture, forestry, and fishing were the country's most dangerous sectors, with 17 persons killed while engaged in agriculture-related work. The majority of workplace assessments carried out in 2017 by WorkSafe New Zealand's health and safety inspectors targeted high-risk industries such as agriculture, forestry, construction, and manufacturing. WorkSafe New Zealand reported that 75 percent of surveyed employers had changed their workplace practices following its inspections.