



## New Zealand

### International Religious Freedom Report 2008

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There were few reports of societal abuses or discrimination based on religious affiliation, belief, or practice, and prominent societal leaders took positive steps to promote religious freedom.

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights.

#### Section I. Religious Demography

The country is an island nation with an area of 103,000 square miles and a population of 4.2 million. According to 2006 census data, percentages of religious affiliation are: Anglican, 14.8 percent; Roman Catholic, 13.6 percent; Presbyterian, 10.7 percent; other Christian, 8.2 percent; Christian (no specific identification), 5 percent; Methodist, 3.3 percent; Buddhist, 1.7 percent; Hindu, 1.7 percent; and Muslim, 1 percent. There were also more than 90 religious groups that together constituted less than 1 percent of the population. In addition, 34.7 percent stated that they had no religious affiliation.

The indigenous Maori (estimated at 15 percent of the population) tend to be followers of Presbyterianism, the Church of Jesus Christ of Latter-day Saints (Mormons), or Maori Christian groups such as Ratana and Ringatu. The Auckland area, which accounts for approximately 33 percent of the country's population, exhibited the greatest religious diversity.

While the country is predominantly Christian, recent trends indicate that it is becoming more religiously diverse. According to the 2006 census, approximately 56 percent of citizens identify themselves as Christian, a 5 percent decrease from the 2001 census. Within the Christian community, Anglicans and Presbyterians exhibited a decline between 2001 and 2006, while the number of self-identified Pentecostals and "Evangelical, Born Again, and Fundamentalist Christians" increased by 17.8 percent and 25.6 percent, respectively. Syncretistic Maori Christian churches such as Ratana and Ringatu also experienced significant growth, and the proportion of Roman Catholics and Methodists grew slightly. During the same period, non-Christian religious groups continued to show steady growth rates, driven primarily by immigration.

#### Section II. Status of Religious Freedom

##### Legal/Policy Framework

The law provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion. The law at all levels protects this right in full against abuse, either by governmental or private actors. Providing that religious practices do not breach the peace, religious expression is unrestricted.

During the reporting period, the Human Rights Commission (HRC) continued implementation of its Statement on Religious Diversity published in February 2007, which aims to guarantee equal treatment of all faiths before the state, the right to safety for religious individuals and communities, freedom of religious expression, the right to recognition and reasonable accommodation for religious groups, and the promotion of understanding in education. In this regard, the Commission facilitated a national interfaith network with a monthly electronic newsletter and held its annual interfaith policy forum in March 2008.

The Education Act of 1964 specifies in its "secular clause" that teaching within public primary schools "shall be entirely of a secular character"; however, it also permits religious instruction and observances in state primary schools within certain parameters. If the school committee in consultation with the principal or head teacher so determines, any class may be closed at any time of the school day within specified limits for the purposes of religious instruction given by voluntary instructors. However, attendance at religious instruction or observances is not compulsory. According to the Ministry of Education, public secondary schools also may permit religious instruction at the discretion of individual school boards. The Ministry does not keep data on how many schools permit religious instruction or observances; however, the curriculum division stated that religious instruction, if provided at a school, usually was scheduled after normal school hours.

Under the Private Schools Conditional Integration Act of 1975, the Government, in response to financial difficulties experienced by a large group of Catholic parochial schools, permitted the incorporation of private schools into the public school system. Designated as "state integrated schools," they are deemed to be of a "special character" and receive public funding. Enrollment priority is given to "preference" students who share the special character of the school (for example Catholic students desiring to enroll in a Catholic school). State integrated schools also admit nonpreference students (for example, non-Catholics in a Catholic school), but a student cannot be required to attend a state integrated school; admission is voluntary only. As of April 2008, there were 328 state integrated schools.

During the period covered by this report, the HRC received 1,452 complaints having an element of unlawful discrimination under the Human Rights Act. Of these complaints, 72 (5 percent) were classified as unlawful discrimination on grounds of religious belief. Even though the percentage of discrimination complaints relating to religion has exhibited a net increase over the last three reporting periods (3.4 percent in 2005/2006, 5.1 percent in 2006/2007, and 5 percent in 2007/2008), the number of religious discrimination complaints remained generally consistent within each period (70, 84 and 72, respectively). The percentage increase was influenced by a drop in the total number of discrimination complaints registered with the HRC during the last two reporting periods, which the HRC attributed to a change in how it records and categorizes complaints and inquiries from the public.

In the event that a complaint to the HRC is not resolved satisfactorily with the assistance of HRC mediation, the complainant may proceed to the Human Rights Review Tribunal. The Tribunal has the authority to issue restraining orders, award monetary damages, or declare a breach of the Human Rights Act (which is reported to Parliament). During the reporting period, the Tribunal did not issue any decisions relating to religious discrimination, nor were any such cases pending.

Conduct that is prohibited by the Human Rights Act may also be prosecuted under other laws. Therefore, in addition to the dispute resolution mechanism offered by the HRC, a complainant may initiate proceedings in the court system. According to the New Zealand Department of Justice, there were no such proceedings in the court system during the reporting period.

The Government does not require the licensing or registration of religious groups. However, if a religious group desires to collect money for any charitable purpose, including the advancement of its religion, and wishes to obtain tax benefits, then it must register with the Inland Revenue Department as a charitable trust. There is no fee for this registration.

The country has two registered Christian-associated political parties. There are no other religiously affiliated parties, although the law does not prevent the registration of parties based on other religions.

The Government observes Christmas Day, Good Friday, and Easter as national holidays.

#### Restrictions on Religious Freedom

The Government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the Government during the period covered by this report. However, some businesses were fined up to \$680 (\$NZ850) if they attempted to operate on the official holidays of Christmas Day, Good Friday, or Easter Sunday. Australia New Zealand Army Corps (ANZAC) Day is the only nonreligious holiday that carries similar fines. Forty-five such fines were issued to businesses in 2007. The Government exempts businesses providing essential supplies, convenience items, and food and drink.

There were no reports of religious prisoners or detainees in the country.

#### Forced Religious Conversion

There were no instances of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### Section III. Societal Abuses and Discrimination

There were few reports of societal abuses or discrimination based on religious affiliation, belief, or practice, and prominent societal leaders took positive steps to promote religious freedom.

In June 2008 advertising agencies published an anti-Semitic slogan on three billboards (one in Wellington and two in Auckland) and in a New Zealand magazine advertisement to gain attention for a national advertising campaign. The campaign was terminated within hours of receiving complaints from the New Zealand Jewish Council. In addition, the billboards were quickly removed, the magazine agreed to print an apology in its next issue, and the agencies apologized. The media provided comprehensive coverage of the matter, and public response opposing the anti-Semitic slogan was strong and immediate.

In October 2007 six Jewish gravestones at the Wellington Karori Cemetery were found desecrated with swastikas and anti-Semitic epithets. No one has been charged in the incident and the investigation remained open.

In April 2008 protestors initiated a campaign against the Auckland headquarters of the Church of Scientology in New Zealand. No violence occurred, but a church spokesperson reported receiving threats via phone and e-mail. The spokesperson estimated that there were between 5,000 and 6,000 Scientologists in New Zealand, although only 357 people identified themselves as Scientologists in the 2006 census.

Incidents of religiously motivated violence are extremely rare, and none were reported to the HRC or in the news media during the reporting period. Due to the infrequency of their occurrence and difficulty in establishing such motivation, the police do not attempt to maintain data on crimes that may have been motivated by religion.

The government-funded HRC actively promoted religious tolerance. In addition to its efforts to implement its Statement on Religious Diversity, the HRC maintains an ongoing Diversity Action Program, of which respect for religious diversity is a pillar.

#### Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom with the Government as part of its overall policy to promote human rights. The U.S. Embassy continued to maintain contacts with representatives of the country's various religious communities and included them at sponsored events when appropriate. The Embassy maintained ongoing, open dialogue with all local interlocutors on the topics of religious freedom, tolerance, diversity, and related issues.

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