

House of Representatives

Supplementary Order Paper

Thursday, 5 March 2020

Abortion Legislation Bill

Proposed amendment

Hon Alfred Ngaro, in Committee, to move the following amendment:

Clause 7

In *clause 7*, before the *cross-heading before new section 19* (page 8, before line 29), insert:

Cultural considerations

18 Cultural considerations to be recognised

- (1) Any person or organisation accorded a duty or responsibility under this Act must perform those duties or responsibilities in a manner that recognises, in relation to a woman requesting abortion services,—
- (a) the woman's ethnic background:
 - (b) the social attitudes or customs of the woman and others within the woman's community, including proper recognition of—
 - (i) the importance and significance to the woman of her ties with her family, whānau, hapū, iwi, and family group:
 - (ii) the contribution those ties make to the woman's well-being:
 - (iii) the woman's cultural and ethnic identity, language, and religious or ethical beliefs:
 - (c) the woman's spiritual beliefs, which may include a lack of spiritual beliefs.

- (2) A provider of abortion services must ensure that the services of a competent interpreter are provided for a woman who requests abortion services, if—
- (a) the first or preferred language of the woman is a language other than English, including the Māori language and New Zealand Sign Language:
 - (b) the woman is unable, because of disability, to understand or communicate in English.

Explanatory note

This Supplementary Order Paper amends *clause 7* of the Abortion Legislation Bill by inserting *new section 18* to require that persons and organisations with duties or responsibilities under the Bill recognise the cultural considerations relevant to the woman requesting abortion services and also ensure interpretation services are available.

Subclause (1) is primarily derived from the Coroners (Access to Body of Dead Person) Amendment Act 2018 and establishes a requirement that duties and responsibilities under the Act must be exercised recognising the ethnic background, social attitudes, and spiritual beliefs of the woman. Social attitudes or customs, set out in *paragraph (1)(b)*, include the woman's ties with her family, whānau, hapū, iwi, and family group; the contribution of those ties to the woman's wellbeing; and the woman's cultural and ethnic identity, language, and religious or ethical beliefs.

Subclause (2) is primarily derived from section 6 of the Mental Health (Compulsory Assessment and Treatment) Act 1992 and establishes a requirement that competent interpretation services be provided to any woman requesting abortion services whose first or preferred language is not English or who is unable to understand or communicate in English because of disability.