

Committee Secretariat
Justice Committee
(submitted through the online portal)

22 April 2026

RE: Policing Amendment Bill 2026

Who we are

Community Housing Aotearoa (CHA) is an Incorporated Society and a peak body for the community housing sector. To achieve our Vision of ‘all New Zealanders well-housed’, we have a strategic focus on supporting a responsive housing system underpinned by Te Tiriti o Waitangi and the Right to a Decent Home. We are also mindful of the broader institutional and regulatory context within which our members and other community organisations operate.

Our 103 member organisations provide homes for over 30,000 people nationally across 26,000 homes and our partner members include developers, consultants and local councils. Our member community housing organisations are primarily registered Charities or not for dividend entities that develop, own and/or manage social and affordable housing stock, with a variety of tenure offerings. We have 63 registered Community Housing Provider members.

CHA is a proud Tangata Tiriti organisation and works closely with national Māori housing advocate Te Matapihi, that represents iwi-based and Māori community housing organisations.

Key Points

CHA is concerned about the impact of Part 1 of this Bill on rangatahi Māori, children in general and communities experiencing poverty and discrimination all of which our members work daily to support with homes and related services. We believe it is not consistent with the Crown’s obligations under Te Tiriti o Waitangi. The Bill seeks to enable practices which the Supreme Court in *Tamiefuna v R*¹, and the Independent Police Conduct Authority/Office of the Privacy Commissioner Joint Inquiry found were not lawful². The Understanding Policing Delivery (UDP) Panel found Police actions to have inequitable impacts on Māori and other ethnic groups, and disabled people³.

People experiencing homelessness already live with significantly reduced privacy. Expanding Police powers to record images and sounds in these spaces will fall disproportionately on this population, who are also disproportionately Māori, subjecting their day-to-day lives to continuous

¹ <https://www.courtsofnz.govt.nz/assets/cases/2025/2025-NZSC-40.pdf>

² <https://www.privacy.org.nz/resources-and-learning/public-inquiries/ipcaopc-joint-inquiry-into-police-conduct-when-photographing-members-of-the-public/>

³ <https://www.police.govt.nz/sites/default/files/publications/upd-independent-panel-report-one.pdf>

surveillance. This risks further undermining trust and relationships with Police and may deter engagement with essential services.

We support the UPD Panel's call for Police to adopt an "explain or reform" approach wherever racial disparity exists. Currently, over half of Police intelligence photographs are of Māori. This Bill enables practices which have resulted in this inequity and does not put in place reasonable safeguards to prevent the recurrence of the same practices found to be unlawful.

Recommendations

Community Housing Aotearoa recommends:

- **Reject Part 1** until the UPD Panel's Fairness and Equity Framework is embedded in law and child engagement guidelines are operational.
- **Apply child engagement guidelines to all biometric collection.**
- **Centre rangatahi and whānau** voice through mandatory restorative processes and published assurance reviews.
- **Resource community oversight**, not just Police systems.

These recommendations are further explained in the Community Constellation submission, which we endorsed as a member, delivered by Hui E! Community Aotearoa. The roadmap to better community and Police engagement has been prepared by the UPD Panel, this Bill chooses to not implement those sensible recommendations. We believe a better balance can and should be adopted.

We thank you for the opportunity to submit on this consultation.

Ngā mihi



Paul Gilbert, **Chief Executive**
Community Housing Aotearoa – Ngā Wharerau o Aotearoa