



New Zealand Nurses Organisation

Submission

on the

**Civil Union Bill and the Relationship
(Statutory References) Bill**

August 2004

1. The New Zealand Nurses Organisation (NZNO) represents over 35,000 health care workers. Among our members are nurses, midwives, health care assistants and allied health workers. As well as industrial and profession representation, NZNO participates in the development of social policy and legislation to promote the health and well being of the tangata whenua and all other New Zealanders. NZNO views the Civil Union Bill and the Relationships (Statutory References) Bill as a step forward in enacting progressive social policy and legislation in New Zealand.
2. NZNO welcomes the opportunity to make a submission on these significant Bills. The Civil Union Bill will establish clarity about the status of close relationships and have positive effects for the delivery of health services. The Civil Union Bill will also have positive effects for many of our members in defacto or same sex relationships.
3. NZNO is an affiliate of the New Zealand Council of Trade Unions (NZCTU) and supports the NZCTU submission on the Civil Union Bill and the Relationships (Statutory References) Bill. NZNO strongly supports the Civil Union Bill and accepts the Relationships (Statutory References) Bill as an obvious sequel to the Civil Union Bill.
4. Underpinning all NZNO goals and priorities is a commitment to the values of support, equity, and diversity. It is NZNO's strongly held view that the Civil Union Bill takes a step toward building a culture in our society that is not only tolerant of diversity, but embraces it, that recognises human rights and establishes clear and unambiguous rights for those who either choose not to marry or who cannot marry, but are in committed relationships.
5. Nurses, midwives and health workers work with patients and their families to promote health, to prevent illness, and provide cure, care and rehabilitation services. In providing these services nurses, midwives and health care workers establish relationships with patients, their spouses, partners, friends and their families. Through these relationships, and the delivery of health services, we have witnessed new forms of family structures and relationships emerge.
6. For nurses and health care workers, the definition of family extends from traditional nuclear families to people living together without the legal link of marriage and to same sex/homosexual couples. NZNO is guided by the International Classification for Nursing Practice which defines the family as "an assemblage of human beings seen as a social unit or collective whole composed of members connected through blood, kinship, emotional or legal relationships". (1)

7. Next of kin relationships and other related issues affect our members directly. The Civil Union Bill provides recognition of defacto partners and same sex partners giving them formal next of kin status and rights in law. This clarity is particularly important in health care delivery as clinical decisions are made under pressure and in difficult enough circumstances, without next of kin issues being an additional and unnecessary burden.
8. The Civil Union Bill does not, as opponents of the legislation advance, undermine the institution of marriage. NZNO asserts the rights of homosexual persons to have the same legal rights as heterosexual couples. NZNO also recognises the rights of couples, who choose not to marry, to have their relationships legally recognized and have the same entitlements as those who choose to marry.
9. The Bill supports moves by NZNO to ensure that policies and practices to prevent discrimination, on the grounds of sexual orientation, are in human resource policies and collective employment agreements. NZNO notes this legislation is similar to that being enacted in many other countries that have also taken steps to remove discrimination based on sexual orientation.
10. NZNO is committed to a positive human rights culture and the enactment of legislation to reflect positive human rights. NZNO supports these Bills as a commitment to basic human rights as evident in the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993. NZNO also believes they are an essential commitment from New Zealand as a signatory to the Universal Declaration of Human Rights 1948 and to the International Covenant on Civil and Political Rights 1966.
11. NZNO supports that the comments made by the CTU that a transition period will be required for this legislation especially as some people in our society may be vulnerable to the impact of this legislation. Specifically we refer to older gay/ homosexual couples who may not wish to declare their relationships.
12. NZNO believes the Civil Union Bill and the Relationships (Statutory References) Bill are progressive steps towards addressing the discrimination that currently exists toward persons on the basis of their sexual orientation. The Civil Union Bill, once passed into legislation, will reflect the diversity of relationships that exist in New Zealand society today and the rights of all persons to have their relationships recognised legally.