

To Whom It May Concern,

Thank you for the opportunity to make a submission to the revision of the HDC Act and the Code.

On behalf of the [REDACTED], we would like to take the opportunity to comment on one item in the consultation document.

We note that on page 57 (Appendix 2) of the consultation document, there is a proposal to change the wording of Right 1 (3).

The proposal is to remove the words “different cultural, religious, social and ethnic groups” and replace these with “culture, language, identity, values and beliefs”.

We consider this may miss some key aspects and dimensions of a person, particularly their spirituality (wairua).

We consider the proposal to reduce the wording of Right 1 (3) reduces the depth of coverage and somewhat diminishes the right.

A person’s values and beliefs may not fully cover their religion and/or link to a religious group.

In its current form, Right 1 (3), may already miss any reference to persons spirituality as this is considered by many to also be different to one’s religion, values or beliefs.

This may be true for Māori as outlined in the definitions of “Mana”, “Tapu” and “Wairua” on page 30 of the consultation document; it is also true for many other world views, faiths and religious perspectives. Māori models of wellbeing, particularly Te Whare Tapa Wha, present an holistic approach to health and wellbeing that may not be fully represented in the current wording of Right 1 (3).

[REDACTED]
[REDACTED].

Our contract states:

- [REDACTED] provides spiritual, pastoral, and emotional care to patients and their whānau or support networks within all public hospitals regardless of their ethnicity, faith, sexual orientation, cultural, spiritual and religious beliefs.

- [REDACTED] provides basic rights under the Code of Health and Disability Services Consumer Rights Regulations 1996. Specifically, [REDACTED] is committed to taking “into account the needs, values, and beliefs of different cultural, religious, social, and ethnic groups, including the needs, values, and beliefs of Māori.”

In essence, we are currently contracted in alignment to the wording of the Code in its current form.

We would ask that consideration be given to maintaining much of the current wording and broadening the scope of Right 1 (3) to include spirituality.

By integrating spirituality into this right, it may promote a more holistic and person-centered approach to service delivery that honours the diversity of spiritual perspectives and practices within society.

To this end, we propose the Right 1 (3) be reworded along the following or similar lines:

"Every consumer has the right to be provided with services that take into account the holistic and spiritual needs, values, and beliefs of diverse cultural, religious, social, and ethnic groups, including Māori."

The National Adverse Events Policy 2023 recognises “Spiritual harm”, and we consider that adding spirituality to Right 1 (3) would strengthen consumers rights to be protected accordingly. Our hospital chaplains may be provided opportunity to advocate effectively for spiritual care but also be accountable in their provision of such care.

We thank you for taking time to consider our application among the many others you may receive.