

## **POSITION PROFILE**

### **HUMAN RIGHTS COMMISSIONER (WITH RESPONSIBILITY FOR INDIGENOUS RIGHTS)**

Position Title: **Human Rights Commissioner**

Reports to: **Chief Human Rights Commissioner**

Appointed by: **Governor-General on the advice of the Minister of Justice**

Time commitment: **Full-time (reduced time commitment may be negotiable)**

Term: **Up to 5 years**

Salary: **As fixed by Remuneration Authority**

Expenses: **Travel, telephone calls etc, met by the Commission for Commission related business.**

Location: **The preferred location of the position is Christchurch, Wellington or Auckland**

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#### **Human Rights Commission**

The Commission is an independent Crown entity established under the Human Rights Act 1993 and Crown Entities Act 2004. The Commission works with Government and civil society to advocate for and promote respect for human rights and promote harmonious relations in New Zealand.

#### **Membership of Commission**

The Commission consists of the following Human Rights Commissioners:

- (a) the Chief Commissioner; and
- (b) not less than 3 and not more than 4 other Commissioners.

There must be a Commissioner, other than the Chief Commissioner, appointed to lead the work of the Commission in each of the following priority areas:

- (a) disability rights (the Disability Rights Commissioner);
- (b) equal employment opportunities (including pay equity) (the Equal Employment Opportunities Commissioner);
- (c) race relations (the Race Relations Commissioner).

## Functions of the Human Rights Commission

The Commission's primary functions are to:

- Advocate and promote respect for, and an understanding and appreciation of, human rights in New Zealand society
- Encourage the maintenance and development of harmonious relations between individuals and among the diverse groups in New Zealand society
- To promote racial equality and cultural diversity
- To promote equal employment opportunities including pay equity
- To promote and protect the full and equal enjoyment of human rights by persons with disability

Applicants should refer to sections 5(2) and (3) of the Human Rights Act for the full range of the Commission's functions.

## Role of Commissioners

Section 7(1) of the Human Rights Act provides that the members of the Commission acting together determine the strategic direction and the general nature of activities undertaken in the performance of the Commission's functions, including those under Part 4 of the Crown Entities Act 2004. Section 16 of the Human Rights Act sets out the additional functions of Commissioners and Section 15 of the Human Rights Act sets out the Chief Commissioners functions.

Practically, this means **all** Commissioners:

- Perform a governance role as a member of the Board of the Human Rights Commission (an Independent Crown Entity). Commissioners have collective and individual responsibility for setting the strategic direction and determining the general activities of the Commission, ensuring conformance with the Business Plan and statutory obligations and providing leadership and broader direction to the Commission
- Provide overall strategic leadership for the Human Rights Commission as a member of the Board. This includes providing high-level oversight within the strategic direction set by the Board each year in priority areas as set out in the Human Rights Act or by allocated spheres of responsibility. These functions are set out in section 16 of the Human Rights Act 2003. They are subject to any directions given by the Chief Commissioner in the exercise of his or her responsibilities under section 15 (b), (c), or (d) of the Human Rights Act.
- Participate in the day-to-day work of the Commission to the extent determined by the Chief Commissioner which is usually as set out in the Commission's business plan. The Act requires the Chief Commissioner to make such determinations.

## **Additional functions of Commissioner appointed or designated to lead work of Commission in priority areas**

A Commissioner who is appointed or designated to lead the work of the Commission in a priority area has the following additional functions:

- (a) to lead discussions of the Commission in relation to that priority area of work:
- (b) to provide advice and leadership on matters in that priority area of work that arise in the course of activities undertaken in the performance of the Commission's functions, both when engaging in those activities and when consulted:
- (c) to contribute to the public debate on matters in that priority area of work:
- (d) any other functions or duties conferred or imposed upon him or her by or under this Act or any other enactment.

However, the exercise by a Commissioner of the functions is subject to directions given by the Chief Commissioner in the exercise of his or her responsibilities.

## **Criteria for appointment**

Section 11(1) of the Act provides that in recommending persons for appointment as Commissioners or alternate Commissioners, the Minister must have regard to the need for Commissioners and alternate Commissioners appointed to have among them.

- (a) knowledge of, or experience in:
  - (i) different aspects of matters likely to come before the Commission
  - (ii) New Zealand law, or the law of another country, or international law, on human rights
  - (iii) the Treaty of Waitangi and rights of indigenous peoples
  - (iv) current economic, employment, or social issues
  - (v) cultural issues and the needs and aspirations (including life experiences) of different communities of interest and population groups in New Zealand society.
- (b) skills in, or experience in:
  - (i) advocacy or public education
  - (ii) business, commerce, economics, industry, or financial or personnel management
  - (iii) community affairs
  - (iv) public administration, or the law relating to public administration.

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**KEY COMPETENCIES**

- 1. Relevant professional qualifications or experience**
- 2. Appreciation of human rights issues**
- 3. Leadership skills**
- 4. Relationship management ability**

The successful applicants will have/be able to demonstrate:

**Relevant professional qualifications or experience**

- A tertiary qualification in a relevant discipline or comparable career experience
- Career experience at a senior level reflecting good judgement, integrity and impartiality
- Analytical skill and demonstrable clarity of thought
- Experience in advocacy or public education
- Experience of governance  
Experience in working with diverse groups and familiarity with dispute resolution processes
- Lived experience working with Māori and in indigenous rights
- Demonstrable understanding of the Māori world view.
- A deep knowledge of tikanga Māori and Māori language fluency

**Appreciation of human rights issues**

- Understanding of, and sensitivity to, Treaty of Waitangi issues
- Familiarity with issues relating to minority and disadvantaged groups
- Understanding of the issues arising from the multi-ethnic nature of the New Zealand population, including the need for different strategies and networks to communicate successfully with the various ethnic communities
- Understanding of the Human Rights Act 1993, the New Zealand Bill of Rights Act 1990 and New Zealand's obligations under various United Nations conventions  
Familiarity with issues facing employers and employees in a diverse workforce
- Experience supporting the human rights of indigenous people in New Zealand.
- Understanding of the human rights dimensions of the Treaty of Waitangi.

## **Leadership skills**

- The ability to provide vision and strategic leadership, to set clear policies and priorities, and to motivate staff
- The ability to provide advice and leadership arising in the course of the activities undertaken in the performance of the Commission's and Commissioners functions
- An understanding of good management practices and the ability to apply these effectively to achieve organisational goals and objectives
- An appreciation of public sector management as set out in the Public Finance Act 1989  
An appreciation of the Crown entity governance and operation role as set out in the Crown Entities Act 2004
- Successful experience in Māori leadership roles
  
- **Relationship management ability**
- The ability to establish and maintain constructive relationships at all levels both externally and internally
- The ability to work collegially with the Chief Commissioner and other Commissioners
- The ability to stimulate interest in, and promote understanding of, human rights issues
- Demonstrated consistent professionalism and fairness in dealing with others
- The ability to interact effectively with the media to promote positive human rights
- Superior public speaking and presentation skills
- An understanding of the aspirations of a diverse range of people and organisations, including other Commissions, Māori, central Government agencies, businesses, non-Government organisations, media representatives, Members of Parliament, diplomats, ethnic community organisations, service organisations, local bodies, religious organisations and other sectoral interest groups
- Established Māori networks