

Response ID ANON-VT9N-HMER-W

Submitted to Incitement of Hatred and Discrimination in Aotearoa New Zealand
Submitted on 2021-07-16 15:24:51

Introduction

What is your gender?

Prefer not to say

Gender:

What is your age?

36-50

Ethnicity:

Prefer not to say

Other:

Are you submitting on behalf of an organisation?

Name of the organisation (optional response):

Auckland Property Investors' Association Incorporated

Proposal 1: Change the language in the incitement provisions so that they protect more groups that are targeted by hateful speech

Do you agree that broadening the incitement provisions in this way will better protect these groups?

Yes

Why or why not?:

In your opinion, which groups should be protected by this change?

Groups:

Do you think that there are any groups that experience hateful speech that would not be protected by this change?

Groups not protected:

Groups that are identifiable along socio-economic fault lines. For example, property investors/owners, landlords, private tenants, social housing tenants. As a non-profit group representing private landlords, we regularly experience harassment on the phone or online. We also witness bullying behaviours online against landlords AND tenants. Given the current anti-landlord environment, we would like to see more explicit protection for all groups that are identifiable by their ownership (or lack of) of properties.

Proposal 2: Replace the existing criminal provision with a new criminal offence in the Crimes Act that is clearer and more effective

Do you agree that changing the wording of the criminal provision in this way will make it clearer and simpler to understand?

No

Why or why not?:

Do you think that this proposal would capture the types of behaviours that should be unlawful under the new offence?

No

Why or why not?:

Proposal 3: Increase the punishment for the criminal offence to up to three years' imprisonment or a fine of up to \$50,000 to better reflect its seriousness

Do you think that this penalty appropriately reflects the seriousness of the crime?

Unsure

Why or why not?:

If you disagree, what crimes should be used as an appropriate comparison?

Proposal Three: If disagree what crimes should be used as comparison:

Proposal 4: Change the language of the civil incitement provision to better match the changes being made to the criminal provision

Do you support changing this language in section 61?

Yes

Why or why not?:

Do you think that any other parts of the current wording of the civil provision should be changed?

Unsure

Why or why not?:

Proposal 5: Change the civil provision so that it makes 'incitement to discrimination' against the law

Do you support including the prohibition of incitement to discriminate in section 61?

Unsure

Why or why not?:

Proposal 6: Add to the grounds of discrimination in the Human Rights Act to clarify that trans, gender diverse, and intersex people are protected from discrimination

Do you consider that this terminology is appropriate?

Unsure

Why or why not?:

Do you think that this proposal sufficiently covers the groups that should be protected from discrimination under the Human Rights Act?

Unsure

Why or why not?:

Do you consider that this proposal appropriately protects culturally specific gender identities, including takatāpui?

Unsure

Why or why not?:

General comments

Do you have any other comments or feedback?

Other:

Aside from the criminalisation of hate speech, we would like to see the government setting a more balanced tone from the top in response to increased harassment and alienation of landlords from society. As a non-profit landlord group, we are experiencing increased harassment by phone, online and occasionally in person. It is problematic when the Minister of Justice blithely dismiss these acts as merely 'having a go' in an interview (<https://www.newshub.co.nz/home/politics/2021/06/could-millennials-be-jailed-for-hating-on-boomers-kris-fafoi-answers-tough-questions-about-the-new-hate-sp>) and the Minister of Housing openly calling for landlords to show more compassion (<https://www.newshub.co.nz/home/politics/2021/06/minister-megan-woods-encourages-landlords-to-show-more-compassion-to-ease-housing-crisis.html>) which is a dog whistle to the public that landlords are inherently unkind. We believe the tone set at the top is emboldening hatred towards landlords in this environment. No amount of criminalisation and broadening of government power will put a stop of these behaviours than if the government simply speak about private landlords in a more balanced tone.