



OPINION PIECE

12th May 2020

Bishop Brian Tamaki

I am writing this article today in protest to the Level 2 restrictions on churches in New Zealand. A church can act as responsibly as a cinema when it comes to health precautions and physical distancing.

Our rights as churches under The New Zealand Bill of Rights are being violated, particularly section 15 regarding the freedom to manifest religion or belief in worship, observance practise and teaching either publicly or privately. In the Bill of Rights the Government must act fairly when making decisions about religious groups and it isn't doing so in allowing businesses to have more than 10 people on their premises but not churches.

This will be no surprise to this government. They know they are violating our rights. The Office of the Attorney-General, David Clark, recently released a damning document called 'Powers and authorisations to give effect to Alert Level 3' that states....

- **Item 84:** *The measures likely to be imposed by the new order under section 70 of the Health Act place significant restrictions on fundamental human rights. Specifically, the suite of measures clearly limits all New Zealanders' rights to movement, association and assembly, protected by sections 16 – 18 of the New Zealand Bill of Rights Act 1990 (NZBORA). Restrictions on gatherings could also limit the rights of ethnic, religious or linguistic minorities to enjoy the culture, to profess and practice the religion, or to use the language, of that minority affirmed in section 20 of NZBORA (the minority rights); and the right to manifest a person's religion or belief individually or in community with others as set out in s 15.*
- **Item 85:** *The measures also have the potential to limit the right to be free from discrimination affirmed in section 19(1) of NZBORA, in that the same treatment could have differential and disadvantageous effects on some groups (for example Māori, Pacific peoples, people who practice religion, older people, people with disabilities and women).*
- **Item 88:** *I would have concluded also that allowing small gatherings for commonly held religious services (which would need definition) could be justified under the Bill of Rights Act at Alert Level 3, if for a short period of time. However, that has not been necessary because the policy intention at Alert Level 3 is to confine permitted small gatherings to big life moments (such as funerals) which could not wait or be done online and to limit social gatherings which can lead to clusters of the virus.*

The above document relates to Level 3, surely it should be even better at Level 2 for churches? When the Funeral Directors association questioned Dr Ashley Bloomfield overnight about these Level 2 restrictions for funerals, he indicated it was not his decision, but that of Cabinets. We know that on several occasions now, Cabinet have disregarded Bloomfield's advice, and in their infinite, all-knowing, wisdom, made their own Nanny-State decisions.

New Zealand seems to have overly controlling parents as politicians, compared to other countries.



We could reclassify ourselves to be a cinema for a season, so we can have more than 10 people. Or maybe we could open up our school or cafe on Sunday, so we can have more than 10 people. Or perhaps we could turn in to a sports venue, where we can have more than 10 people. But why should we have to?

A church meets essential spiritual needs as recognized in well-known models used in core Government health practises such as Te Whare Tapa Whā.

We have up until this point been responsible in all requirements outlined by the Ministry of Health. Destiny Church over the Lock-down has even run a Covid-19 Testing Station in its spacious Manukau carpark. We will now invite all our members to be tested in the next few days and will be holding our church service this Sunday onsite on our Premises. I invite all churches in New Zealand to act according to your rights (see the NZ Bill of Rights) and to not allow this government to treat us as non-essential or as an afterthought at the bottom of the heap. **Let's stand up together for our freedoms!**