

CROWN/MĀORI RELATIONS HUI NOTES

<b>Date of hui:</b>	Friday 13 April 2018
<b>Venue:</b>	Copthorne Hotel Hokianga, Omapere
<b>Attendees:</b>	Approx 65 hui participants Hon Kelvin Davis, Minister for Crown/Māori Relations Deborah Mahuta-Coyle, Senior Ministerial Advisor to Hon Davis Tihema Baker, Private Secretary, Crown/Māori Relations Te Rau Kupenga, Crown Facilitator Officials from: <ul style="list-style-type: none"><li>• the Crown/Māori Relations Roopu, Te Tāhū o te Ture / Ministry of Justice;</li><li>• Te Puni Kōkiri.</li></ul>

---

These notes provide a broad overview of the key points raised by participants and are not minutes of the hui. The headings used in this note correlate with the information contained in the pamphlet *Te Ara Whakamua ā tātou – Crown/Māori relations* (which can be found at <https://www.justice.govt.nz/maori-land-treaty/crown-maori-relations/initial-proposals-from-government/>).

**Main issues and opportunities raised**

- *Ngāpuhi sovereignty not ceded:* Many speakers noted that the Waitangi Tribunal found that Ngāpuhi did not cede sovereignty and asked the question about how will the Crown recognise this. A number of speakers also queried whether the Crown had considered the implications of the Tribunal's findings for the Crown's relationship with Ngāpuhi.
- *Local government:* Many speakers spoke about their dissatisfaction with local government systems and processes, and how local government interact with iwi and Māori generally. The same speakers indicated that the laws that set-up local government are not compliant with the Treaty and do not adequately provide for iwi / hapū / Māori.
- *Recognition in law of tino rangatiratanga:* Some speakers spoke of the need for the Crown to provide for the recognition of tino rangatiratanga in law and for the Crown to also recognise hapū rangatiratanga.
- *Central Government Agencies responsiveness:* Many speakers noted that government departments are not Treaty compliant and their services do not deliver fairly to iwi / hapū / Māori. Examples of government departments discussed were Ministry of Social Development, Department of Corrections, Ministry of Justice, Ministry of Education, Ministry for the Environment. The same speakers also noted that iwi / hapū / Māori are considered to be a stakeholder by those government departments rather than being recognised as a Treaty partner. There was a need for government departments to find better ways of engaging with iwi / hapū / Māori and enabling iwi / hapū / Māori to participate in decision-making processes.

- *Recognition of He Whakaputanga by Crown agencies:* Many speakers spoke of the need for the Crown to give recognition to He Whakaputanga.
- *Need for better infrastructure and economic development in Te Tai Tokerau:* A few speakers indicated that roads are of poor quality and sewage is pouring into the harbour in 5 different outlets. The consequences of this was that kaimoana is inedible and marae can't manaaki their manuhiri. A couple of speakers noted that the local hospital is underfunded, and that employment opportunities is very low in the region. There are limited shops and supplies in the regions.
- *Ngāpuhi Treaty settlement process:* A couple of speakers noted that the Crown needs to make sure that the Treaty settlement process is fair and that it does not proceed with Tūhoronuku.
- *The usefulness of Māori land:* Several speakers indicated that there is a need to remove barriers for Māori land owners, for examples rates. One speaker noted that much Māori-owned land has no infrastructure, so why do they have to pay rates?
- *Māori Land Court systems/processes:* Two speakers noted that the Māori Land Court has been used to disenfranchise Māori from their whenua; and that the systems/processes are too bureaucratic. Several speakers indicated that there is a need for Te Ture Whenua Māori Act needed to be changed so that it worked better so that Māori / iwi / hapū can better utilise Māori land.
- *Electoral system needs to be changed:* A number of speakers indicated that the law relating to local government should be changed to enable iwi to be represented on councils as Treaty partners. One speaker asked that the law be changed to enable prisoners the right to vote.
- *Recognition in law provided to Te Tiriti:* A few speakers outlined that the Crown should recognise *contra proferentem*, which would ensure the text of Te Tiriti takes precedence over the text of the Treaty.
- *Māori exercising control over their own affairs:* Several speakers asked for the Crown to not be a barrier to Māori having independence and control over their own affairs. Many speakers noted that Māori don't have the same access to services/resources as provided to other New Zealanders and that this needs to change and become more equitable. Some speakers noted that the Crown needs to provide support (resources/information) for Māori to ensure this can occur.
- *Marae can be used as venues:* Several speakers noted that marae could be empowered to assist government departments to deliver their services. For example, marae already play an important role with hosting rangatahi courts within the justice system.
- *Importance of the Environment:* A few speakers noted that a big shift to know the government has a focus on the environment. This is important in the Hokianga – Māori need to be trained and educated for the benefit of Hokianga. Environmental impacts on the Hokianga Harbour and Lake Omapere were recurring issues raised.
- *Poverty, poor housing and poor health outcomes need to substantially improve:* Many speakers indicated that there was a need for government to significantly change how it was delivering housing and health services as they were delivering poor outcomes for Māori. Many speakers also noted that poverty needed to be dealt with better by government too. Public services equity with other regions was raised as an issue by many speakers.

- *Engaging with Hapū:* Many speakers noted the need for government departments to recognise and speak to hapū, not just iwi. A sense that hapū have little influence on what is happening in their areas.
- *Co-creation/co-collaboration/partnership between Māori and the Crown:* Crown agencies should as a matter of course co-create, collaborate and partner with iwi / hapū / Māori on issues such as poverty, housing, education. Hapū / Māori to be involved in developing and co-creating government policy (not be treated as a stakeholder to be consulted once decisions taken).
- *Economic Development:* Several speakers noted that the government needs to support economic development in Hokianga.
- *Supporting Maori capacity:* Several speakers spoke about Maori having the capability to support government initiatives but that funding was required to support this. For example, the Department of Conservation's role in the management of taonga and noted that as Māori, the skills are there to assist and care for the whenua and resources but funding is required to support this.

### **Looking forward, most important issues for the Crown/Māori relationship**

- *Definition of sovereignty and recognition of it in law.* Many speakers noted that *Te Paparahi o Te Raki* Waitangi Tribunal report needs addressing and that the Crown needed to work through what does that report mean for the Crown/Māori Relations?
- *Local Government* – Many speakers indicated the lack of Māori representation and ability for Māori to be decision-makers in local government decisions was derisory. Lack of capability within local government to understand Māori and provide for Māori was a recurring theme of many speakers.
- *Role of Crown officials in Crown/Māori Relations.* Several speakers noted that they have to fight against officials to be heard by Ministers. There was a belief that officials are the main drivers within the Crown and that they do not know how to work with Māori nor understand Te Tiriti. Several speakers sought a commitment that all government departments should relate their actions back to te Tiriti. It was noted by a couple of speakers that most government departments have different interpretations of Te Tiriti and its principles.
- *The Crown/Māori relationship is ongoing:* A couple of speakers noted that once a treaty settlement agreement is signed it can be seen as the start of a new Crown/iwi / hapū relationship. Those speakers noted that Crown/Māori relationships are not based solely on a Treaty settlement. Many speakers indicated that He Whakaputanga and Te Tiriti form the basis of the relationship with ongoing responsibilities to be carried out and obligations on both sides to ensure the relationship remains strong and effective.
- *Using appropriate narratives:* Several speakers noted that Māori and Pākehā have different ideas of what “poverty” and “diversity” means and that there was a need to change narratives that are mainly Pākehā-driven.

### **Crown's intent**

- *Transparency of intent:* Most hui participants indicated that people need confidence that whatever comes from the engagement hui is implemented. Many speakers asked for the Minister to come back after the engagement hui have been completed with what he had

heard and his proposed work programme, so that it could be checked for accurately reflecting what was said, and can then partner on the implementation of the work programme.

- *Co-design/Collaborate:* Most hui participants indicated that Māori want more than consultation; they wish to participate in decision-making where it affects them. They want to co-design and collaborate.

### Ngā uara: Values

- *Partnership:* Many speakers noted the Crown needs to recognise partnership for what it is. It is not a relationship where one side governs the other. Partnership is about walking side-by-side in unity. Several speakers sought clarification of how can Māori walk in unity with Pākehā when the Crown and local government make decisions for hapū and manawhenua?
- *Trust and confidence:* A couple of speakers noted they had a lack of confidence in the proposed set of values set out in the pamphlet. They had no trust in the Crown to actually use them based on previous practice.
- *Values need to be real and work in practice:* A couple of speakers saw the proposed Values set out in the pamphlet as tokenistic. They need action to validate them.
- *Recognition of Māori values:* A couple of speakers noted that the Crown should recognise the unique rights of tangata whenua e.g. kaitiakitanga, manaakitanga, as they would better underpin the Crown/Māori relationship. The same speakers indicated that Māori operate differently to the Crown and this needs to be recognised in the Crown/Māori relations work.

### What's the best way for the Crown and Māori to engage?

- *Engagement needs to be appropriate:* Many speakers noted that the Crown needs to understand that Crown/Māori relations are not homogenous. The Crown interacts with Māori as individuals, whānau, hapū, business owners. Most hui participants spoke about the need for the Crown to ensure it had the skills and experiences to engage appropriately, often and early. Several speakers asked for the Crown to actively value Māori participation (because by the Crown's previous actions – it didn't).
- *Kanohi ki te kanohi engagement preferred:* Several speakers spoke about when the Crown does consult with Māori it is always the same – time is short. Many speakers noted that Māori want and need to meet kanohi-ki-te-kanohi (with themselves, and with the Crown).
- *Treaty settlements refresh relationships but are not the only mechanism for recognising Crown/Māori relationships:* Several speakers noted that while a Treaty settlement can be the beginning of refreshing the relationship, opportunities for Māori should not be taken off the table until a Treaty settlement is signed.
- *Role of Iwi Chairs Forum:* Several speakers noted that the Iwi Chairs Forum do not speak for hapū.

### Crown/Māori Relations Priorities

- *Long term view of Crown/Māori relations priorities required:* Several speakers indicated that the Crown/Māori relations priorities that need to be delivered to significantly improve the Crown/Māori relationship will take years. Future planning needs to cover the next 15-20 years. A long-term view of the priorities will build confidence beyond the three-year parliamentary term.

- *Setting up a government agency to support the Minister:* A couple of speakers noted that the Crown/Māori Relations portfolio should have its own Ministry. One suggestion is to establish an Office of Treaty Affairs, separate from Te Puni Kōkiri.
- *Focus on improving education outcomes for Māori:* Most hui participants sought a commitment for the Crown to make sure the education system provided for Māori – because it didn't currently. There was a need to help train and educate Māori. Several speakers suggested the use of Māori providers could help.
- *Focus on regional economic development opportunities:* Several speakers noted the need for regional economic development where the economy is geographically remote, the employment opportunities are low, unemployment rates high and there is a need for growth (i.e. Northland region needed to have focused attention).
- *Focus on the environment.* Several speakers noted the need for government to continue focusing on improving environmental outcomes.

**Actions:**

- Nine written submission were tabled and have been entered into the Ministry of Justice submissions database.