

CROWN/MĀORI RELATIONS HUI NOTES

<b>Date of hui:</b>	10 May 2018
<b>Venue:</b>	Waiwhetu Marae, Lower Hutt
<b>Attendees:</b>	Approx. 156 hui participants Hon Kelvin Davis, Minister for Crown/Māori Relations Hon Meka Whaitiri, Associate 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 Lil Anderson, Deputy Secretary, Crown/Māori Relations, Te Tāhū o te Ture - Ministry of Justice Officials from: <ul style="list-style-type: none"><li>• Crown/Māori Relations Roopu (Te Tāhū o te Ture - Ministry of Justice);</li><li>• Treasury; and</li><li>• Te Puni Kōkiri.</li></ul>

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These notes provide a broad overview of the key points raised by participants and do not represent 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

- *Māori Art* – a number of people sought better promotion and resourcing of Māori art to realise the aspirations of our people. Art is an expression of te ao Māori as individuals and a people. Performing arts can also play a leading role in supporting the healing, growth and connectivity of our whānau in jail and those who have mental health issues. It’s a connection with our tupuna. After many years of strategizing and networking, Māori art is acclaimed on the international stage. Art provides avenues and opportunities for artists as well as te ao Māori more broadly.
- *Māori Representation* – a few people indicated that some individuals selected by the Government to representative positions and boards are not always appropriate. More resource needs to be allocated for tikanga-based upskilling and the Government needs to work with renowned representatives to select others.
- *Marine & Coastal Area Act* – a speaker noted the regime is disruptive and creating contemporary issues. The Office of Treaty Settlements is conflicted and not independent. There needs to be some clarity around the independence of the officials and process. Another speaker asked where is the Crown engagement? The official options are to directly engage with the Crown or go to the High Court. Iwi sometimes need to do both. The speaker

suggested that it would be helpful for Crown engagement so that iwi can avoid spending money on high court proceedings that may not be necessary.

- *Mana Whakahono-a-Rohe* – a few speakers noted that Mana Whakahono-a-Rohe is a good policy example, but it is not adequately resourced which results in iwi not being well positioned to participate fully in the process.
- *Migrants* – a few speakers noted immigration policies for the settlement of migrants should be discussed within the context of the Crown/Māori Relationship. Migrants understand they are settling within Treaty-based multi-cultural communities, but don't have access to information to support their learning and understanding. There is little contact with te Ao Māori when entering New Zealand and the Government should assist to ensure that migrants can integrate with tangata whenua. The local migrant community requested support for a noho marae.
- *Policies* – a few speakers indicated that Government policies aren't solution focused and don't work anymore. Marae and Māori providers are often not involved in the design process despite being the entity delivering services. Policies need to be established using a tikanga framework and create solutions that provide opportunities for Māori to thrive together.
- *Marae* – a few speakers noted marae are strongholds and aware of all the issues within their communities. Government should work with marae to identify issues and solutions.
- *Homelessness* – Several speakers noted that a high percentage of homeless people are Māori.
- *Bureaucracy* – Several speakers indicated that there are too many agencies, overlaps with the work they are undertaking and disconnects across agencies and that accordingly it's confusing trying to navigate the public sector.
- *Judiciary* – A few speakers challenged the judiciary to be fair and impartial to Māori. If the judiciary are impartial it will have a corresponding impact on the number of Māori who are incarcerated and provide more positive outcomes for Māori.
- *Gangs* – A couple of speakers suggested that we need to be a society where people care for each other, and that we shouldn't lose hope for gangs and gang members. One speaker indicated that "Many are damaged" and that "We need to find a way to support each other and establishing collective strength rather than continuing to allow damage to occur".
- *Mental Health* – A few speakers noted there is a strong correlation between mental health and incarceration rates. Those speakers suggested that if mental health was adequately supported it would halve the prison population.
- *Reo Revitalisation* – A couple of speakers indicated that the establishment of Te Mātāwai and the loss of contestable funding with Te Taura Whiri i te Reo Māori has created a gap that needs to be filled. Not all organisations can fit within Te Mātāwai's funding specifications.
- *Health* – A couple of speakers noted the social sector trials to date have proved useful and that the Government should continue to support them as they have the potential to identify opportunities for transformational change. A couple of speakers also noted that Whānau Ora is a powerful delivery model as it begins with the strengths rather than deficits. The

commissioning model has been successful and the Government should continue to support it, with the next step being 'Iwi Ora'.

- *Housing* – Several speakers noted concern that the political housing efforts (to build 100,000 homes) may usurp iwi rights and interests in land, including the Rights of First Refusal (RFR) process set out in Treaty settlements. Some speakers suggested that the government shouldn't "fast-track building homes and create slums" as it's not just about building houses, it's about building communities to strengthen our people. A few speakers indicated that Iwi are keen to work with the Government to achieve that.
- *Water* – Some speakers noted that people don't own water, they have obligations to water. Those same speakers noted that the current discussions are the result of a Māori worldview being transposed into a non-Māori framework. It was suggested that providing water and other natural resources with legal personhood as in Te Awa Tupua will assist to manage the conversation. A few speakers noted that in urban areas pollution is directly caused by people – both industrial and domestic and that building more houses will create more pollution. The suggestion was that the Government needs to figure how it will offset this if we are to clean-up our waterways.
- *Institutional Bias* – Several speakers promoted the use of te re Māori in the upper management of the public service and increasing the recruitment of Māori into leadership positions in Government will assist to address the current issues of institutional bias. Some speakers suggested that agencies should be accountable for reporting on their recruitment and retention of Māori as requiring agencies to keep statistics and report on is an effective opportunity for them to reflect.

#### **Crown's intent**

- *Parliament's prayers* – One speaker noted that taking Ihu Karaiti out of the Parliamentary prayer is disrespectful.
- *Partnership* – Many speakers raised issues relating to partnership noting that:
  - the Government needs to establish an authentic partnership to fulfil its Treaty obligations.
  - the Treaty provides for a partnership, and partnership provides for more significant expectations and obligations than a relationship.
  - This partnership needs to be applied across the spectrum.
  - Much work is required to repair the last 178 years of damage that has been caused due to the lack of partnership between the Crown and Māori.
  - Partnerships are also based on hand-ups but not hand-outs – money doesn't always solve the problem.
  - Based on the Treaty, the relationship that the Government has should be with hapū.
  - All the issues that have been raised won't be resolved unless the balance of power shifts.

- To realise and achieve the aspirations of a partnership, the Government needs to establish working relationships with hapū.
- *Language* – One speaker noted that the current language in the pamphlet ‘is military and divisive and not conducive to change’.
- *Procurement* – A couple of speakers noted that procuring advice within Government is currently adhoc and that there is a need for more transparent processes to be established when the Government is procuring advice on engaging with the most suitable experts. A couple of speakers indicated that the Iwi Chairs Forum is not always the most suitable channel as they are not necessarily integrated with issues on the ground.
- *Monitoring* – A few speakers indicated that there is no agency currently monitoring how the Government deliver services to Māori which is important for influencing change and holding agencies accountable.

### Ngā uara: Values

- *Tikanga* – Several speakers noted that tikanga drives outcomes - “It’s agile, transformational, flexible and lasting”. Those speakers indicated that:
  - tikanga can provide a framework for everything but it must provide the framework for the Crown/Māori partnership.
  - It’s important to recognise that Māori have a spiritual history and identity and this also needs to be acknowledged within the partnership.
- *Partnership*—Several speakers noted that:
  - tikanga needs to be at the heart of any partnership between the Crown and Māori.
  - Institutional racism will be best addressed by requiring all agencies to participate in the partnership.

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

- *Multiple Voices* – Some speakers noted that 85% of Māori do not live in their hau kainga. These speakers noted that the Government needs to reset the infrastructure and provide national and urban roopū such as the Māori Women’s Welfare League the opportunity to contribute when discussing critical issues. Further, those speakers indicated that providing opportunities to hear the multiple voices will identify the most important needs and develop powerful solutions.

### Possible Crown/Māori Relations Priorities

- *Centralisation* – Several speakers talked about how distributing policies, programmes and resources across Government has not been effective and that agencies have not been able to deliver for Māori. The suggestion from speakers was that Māori responsive services need to be restored within a single agency such as Te Puni Kōkiri and that this will support the approach for Māori development being collective and driven by Māori.

- One speaker commented that the priorities outlined in the pamphlet are a good start but more needs to be done to reset the relationship.
- *Local Government* – Several speakers raised points about how local government is not working for, and with, Māori. One speaker said “they don’t see themselves as Treaty partners however they act as a subsidiary of the Crown given their duty to discharge Crown responsibilities”. Several speakers indicated a preference for the partnership to be maintained directly with the Government, otherwise the rule of partnership needs to be applied within local government and the Government needs to provide stronger direction to local government about how this occurs. Several speakers noted that Māori organisations are under resourced and struggling to keep up with consenting responsibilities and that more support from central and local government needs to be provided to enable iwi to fulfil obligations. Several speakers raised the issue of Māori representation on local authorities being low, noting that it is important for strengthening relationships with local government and having an impact at grassroots level.
- *Treaty Settlements* – Many speakers commented on the Treaty settlement process including:
  - how the process is adversarial and doesn’t fit with the aspirations for the resetting of the Crown/Māori relationship. Several speakers indicated that tikanga needs to be the framework for a Treaty settlement based process.
  - Noting that the RFR process is not being honoured or implemented as per the agreement. The process also has a tight turn-around and iwi miss out on assets due to truncated timeframes. Some speakers noted that iwi are also finding themselves excluded from discussions involving RFR land and properties.
  - Monitoring of post-settlement commitments needs to be increased.
- *Education* – Several speakers noted concerns that kohanga reo and kura kaupapa will be compromised in current reforms and iwi want to be involved in any conversations that might be determining the future of them. Kohanga reo has been instrumental in supporting rangatahi grow as Māori. A number of speakers noted that education is a priority for Māori and the mainstream system needs to be reformed so it’s more palatable for Māori. A lack of education contributes to poverty and suicide. Several speakers also suggested that making New Zealand’s history, and Māori culture and language, compulsory in schools is key to alleviating racism and ensuring future generations are informed.
- *By Māori for Māori* – Several speakers noted that Māori institutions need to be supported to be capable and have the capacity to work with our own within a tikanga framework. Those same speakers noted that services need to be delivered in a Māori way so the effects are positive for Māori.
- *Te Ture Whenua Māori* – A few speakers suggested that the reform of Te Ture Whenua Māori should be put it back on agenda. The speakers noted that land is an important asset base for driving economic development and that the current act is outdated and outmoded.

#### **ACTIONS:**

- 4 written submissions received and entered into the submissions database.