

CROWN/MĀORI RELATIONS HUI NOTES

<b>Date of hui:</b>	21 April 2018
<b>Venue:</b>	Manutuke Marae
<b>Attendees</b>	Approx 85 participants Minister for Crown/Māori Relations Associate Minister for Crown/Māori Relations Senior Ministerial Advisor to Hon Davis 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><li>• Ministry for Culture and Heritage</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/Māori-land-treaty/crown-Māori-relations/initial-proposals-from-government/>).*

**Main issues and opportunities raised**

- *Te Hau ki Turanga* – one participant noted that *Te Hau ki Turanga* has not been treated equally and they would like the return of the whare progressed.
- *Local Government* – some attendees indicated that despite this region having almost a 50% Māori population, there is no acknowledgement of this demographic, a lack of voter engagement and insufficient Māori representation on local government. The local district council also fails to reflect a current or aspirational relationship with all iwi in their 10-year plan. One participant suggested training and support for iwi to research this relationship and work with iwi, hapū and whānau to increase Māori participation.
- *New Portfolio* – a number of participants noted that the price of citizenship has been repeatedly paid by whānau Māori and this portfolio represents change and an opportunity to grow and strengthen the relationship. The Government needs to avoid replaying concepts that have impacted negatively on Māori communities.
- *Institutional Racism* – many participants notes that institutional and structural racism is a significant issue within Government which discriminates and limits choices for whānau.
- *Agency Capability* – some participants noted that Māori roles within agencies and at local government level are not valued or utilised which effects the way that services are delivered to Māori by Government. Māori models in mainstream are established and implemented at the whim of senior management rather than a compulsory requirement within agencies and local government. Lack of agency capability also results in increase in discrimination and institutional racism for Māori.

- *Māori Service Providers* – a number of participants noted there are a multitude of Māori organisations providing services to whānau that need recognition and better support to continue doing their successful work as they are responsive to community needs and provide services within a Māori framework.
- *Minerals* – a couple of participants congratulated the Government on restricting oil and gas permits but noted iwi are keen to work with the Government on the management of existing permits and there is still more to be done to reduce environmental impact in the region.
- *Environment* – Some speakers identified that experiences with MPI and DOC on managing and engaging on environmental crisis and issues such as myrtle rust have not been good. Agencies need to commit to working with local iwi and hapū to develop strategies and resolve issues in partnership. Local iwi and hapū have an intrinsic understanding of the complexities within their taiao (environment). Although statutory bodies have been established to resolve environmental issues (such as polluted waterways) a number of participants indicated that they are failing to address the issues and Māori are forced to return to litigation to get things back. Statutory bodies aren't necessarily the answer. The Government should invest in iwi and hapū to develop and implement solutions.
- *Corrections* – a speaker noted that the focus on incarcerating our people in prison walls is not conducive to improving statistics for the Crown/Māori relationship. The Government needs to prioritise people and not building prisons.
- *Mental Health* – a few speakers noted that mental health services need to be afforded priority. Local solutions are the most effective mental health solutions and provide the best support.
- *Local Solutions* – many speakers noted that local solutions lack resourcing and support but are responsive and more effective for community solutions.
- *Treaty Settlement Process* – a couple of participants noted there was a lack of engagement and communication from the previous Treaty Negotiations Minister and that iwi feel like they are being dictated to in the Treaty settlement relationship. This behaviour needs to change. Settlement negotiations are restricted by the Crown's quantum for this region and there were some significant omissions from the settlement with Rongowhakaata. Rongowhakaata has always been treated as rebels and the relationship with the Crown has always been fraught. This has transferred into the current relationship with Government. The Government needs to ensure it is settling grievances equitably so a new round of grievances isn't created. This includes ensuring previous settlements are durable and relative to subsequent settlements.
- *Large Natural Groupings Treaty settlement policy* – one speaker noted it is not the Government's role to determine who an iwi is. This creates division between iwi and hapū, and intensifies a loss of identity for people. Hapū are also deprived of the ability to own land and to have sole say over lands that are of specific cultural value to their hapū due to the large natural grouping process.
- *Māori Land* – a few speakers noted concern about protections in place for Māori to practice kaitiakitanga on Māori land when the Government establishes trade deals. A significant issue for Māori land is also the fragmentation of ownership which will intensify with further generations. Many whānau feel disconnected and disengaged from their land due to over-fragmentation. It's a significant issue that won't be easily resolved but we need to talk about ownership to find the solutions. Support for a coordinated Māori land service was noted.

- *Health* – one speaker indicated there are currently no health support systems left in communities' due to the centralisation of the district health boards. Concern that centralisation is being normalised but communities need the support more than ever.
- *Māori Electoral Roll* – one speaker suggested that rather than the Māori electoral roll being continued as an 'opt-in' arrangement there should be a correlation with birth registry.
- *Consultation Fatigue* – A few speakers noted that Māori capacity is stretched. A speaker was concerned that consultation is endless and Māori are required to support many kaupapa. Most consultation occurs without compensation for attendees. Many people will attend at their own cost and participation is complicated if someone who is participating is employed. The Government is resourced to participate in these discussions which creates an imbalance - iwi (and iwi members) should be too. Non-participation will have a detrimental impact on rights and interests being upheld.
- *Constitutional Reform* – there was a concern from a small number of participants about the possibility of New Zealand becoming a republic will have a detrimental impact on the Crown/Māori relationship and the creation of this portfolio.

### **Crown's intent**

- *Partnership* – many participants spoke about the Treaty establishing a partnership which requires joint participation. The Treaty needs to be at the heart of any Crown/Māori Relations portfolio. The relationship is not with Pākeha and their voice in strengthening the Crown/Māori relationship is not warranted or required. The relationship is between Māori and the Crown. An active partnership is a positive legacy that we can provide to our rangatahi.
- *Timeframe* – a couple of speakers indicated there was a need to establish a timeframe for rectifying issues and reporting back.
- *Indicators* – a couple of speakers suggested that the wellbeing indicators for the health of the Crown/Māori relationship should be:
  - No poverty.
  - Equality.
  - Improved conditions and increased access to housing.
  - Capacity and capability for higher income employment.

### **Ngā uara: Values**

- *Te Tiriti o Waitangi* – Many speakers noted that Te Tiriti is the document that needs to be regarded by the Government in line with the doctrine of contra preferentem. Te Tiriti provides a more accurate representation of the agreements made and the concepts within the agreement (ie. tikanga).
- *Partnership* – many participants spoke about the Treaty establishing a partnership which requires joint participation. The Treaty needs to be at the heart of any Crown/Māori Relations portfolio. The relationship is not with Pākeha and their voice in strengthening the Crown/Māori relationship is not warranted or required. The relationship is between Māori and the Crown. The Government's partnership responsibilities are with hapū, iwi and the mandated organisations that represent them. All of these entities need to be recognised as partners with the Crown.

- *Engaging with hapū, iwi and mandated organisations* – A number of speakers suggested that the Government needs to engage with hapū, iwi and mandated organisations to understand what is best for that specific iwi.
- *Tangata whenua not a minority group* – A few speakers suggested that Māori are often considered part of a diversity or minority grouping but should be regarded as tangata whenua by the Crown as this provides a more accurate view of rights, interests and partnership.
- *Engagement between Rangatira ki te Rangatira* – A few speakers indicated that Māori are equal partners not stakeholders.
- *Equality* – A few speakers noted that the Treaty of Waitangi provided for a relationship of equals and the Crown/Māori relationship needs to reflect that.
- *Name of portfolio needs to be changed* – Many speakers recommended that the the name of the portfolio be changed to Iwi, Māori/Crown Relations would reflect the partnership and equality.

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

- *Planning of this engagement hui* – A couple of speakers noted that many whānau unable to attend due to kapa haka regionals which is not a reflection of a lack of interest or representation. This occurs often. Officials need to ensure that planning is well informed to enable better engagement.
- *Statistics* – A couple of speakers indicated that the government has been consulting on the Crown/ Māori Relations issues for years. The issues are the same but worsening. Māori statistics are key to identifying what the Government needs to prioritise. Addictions, suicide, homelessness, poverty, gambling, education and harm reduction are all priority issues and represented in statistics.
- *New Zealand Māori Council* – A couple of speakers noted that the NZ Māori Council is the only body that has a statutory mandate to speak for Māori yet they are not represented in the Crown/Māori relationship discussions.
- *Venues for engagement* – A few speakers suggested that marae are part of the solution for strengthening the Crown/Māori relationship.
- *Engaging within the rohe* – A few speakers noted that Iwi and hapū need to be engaged in conversations with the Government in their own communities. Travelling to another region disempowers whānau from participating.
- *Rangatira ki te Rangatira* – Many speakers indicated that Māori are equal partners not stakeholders.

### **Possible Crown/Māori Relations Priorities**

- *Capability* – a speaker noted that officials behaviour reflects disconnect and continued dictation from Crown. Officials need to be decolonised.
- *Local Government* – some speakers requested that iwi be resourced to provide training to local councils to address lack of cultural capability which will also provide an opportunity to strengthen relationships with local councils. The disconnect with local government has also created a disconnect with Māori voters in the region. Resourcing research projects to address regional voter disengagement would also assist to better understand the issues and how these might be addressed.

- *Institutional Racism* – a number of participants held the expectation that the Crown/Māori Relations portfolio will call out institutional racism and will hold the actions of other Ministers and agencies to account. This focus will also improve the Government’s engagement with all New Zealanders. To counter institutional racism this portfolio should:
  - Monitor agencies and hold them accountable.
  - Improve the conduct of agencies and Ministers towards iwi and kaupapa Māori.
  - Be an advocate.
  - Shine a light on Crown inaction that limits life choices for our tamariki and whānau.
  - Address disparities and focus on improving the conditions for everyone.
  - Recognise and support successful Māori organisations.
- *Partnership* – Many speakers repeatedly noted that to realise the Government’s partnership responsibilities are with whānau, hapū, iwi and the mandated organisations that represent them. Whānau and hapū should not be left out of the partnership equation.
- *Legislation* – one speaker noted an overarching statute should be developed to embed the scope of this portfolio and provide assurance.
- *Economic Development* – One speaker suggested that the region is bordering on an economic collapse. A fresh approach is required. Housing and employment issues are urgent. The Government needs to include opportunities which respond to the urgent issues when developing an economic development plan.
- *Education* – a number of speakers indicated that New Zealand history in schools is a priority so we can move forward with a mutual understanding of our shared history. This would particularly assist to enable all New Zealanders to have an understanding of Māori perspectives and New Zealand’s history. Change doesn’t occur quickly and is inter-generational. Making New Zealand history compulsory in the education system provides a strong intervention for developing informed future generations.
- *Health* – many speakers suggested money should be invested in prevention services rather than the district health boards and district health boards should have more Māori. Addictions and mental health issues need to be supported urgently. The Government is aligning more money to policing but that only exacerbates the issue. Whānau are crying out for help and there is not enough support currently available. This could be addressed by providing services that are accessible to communities.
- *Māori Land* – A few speakers noted that the review of Te Ture Whenua Māori addressed some of the issues of over-fragmentation of land ownership given preceding generations of fragmentation. Some aspects of the review were useful and should be used.
- *Māori Community Development Act* – a speaker suggested the review needs to be completed. Māori Wardens are waiting for the Government to progress the review that was underway as they are in a state of limbo. Wardens are also under-resourced for the work they do in communities.
- *Monitoring* – A couple of speakers recommended that the Crown/Māori portfolio needs a mandated monitoring role to ensure it is effective and to hold government agencies accountable.
- *Commissioner* – One speaker suggested that the appointment of an indigenous rights commissioner would assist to rectify the issues and ensure there is a statutory monitoring function.

**ACTIONS:**

- 6 written submissions received and entered into the Ministry of Justice submissions database.