

# How Can Government Better Meet its Obligations Under Te Tiriti o Waitangi When Considering Policy or Legislation?



New Zealand Council Of  
Christian Social Services

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Contact Name:	Nikki Hurst Hamish Jarvie
Organisation Name:	New Zealand Council of Christian Social Services (NZCCSS)
Organisation Description:	The New Zealand Council of Christian Social Services (NZCCSS) welcomes the opportunity to provide feedback on the inquiry: How can government better meet its obligations under te Tiriti o Waitangi when considering policy or legislation? NZCCSS has six foundation members: the Anglican Care Network, Baptist Churches of New Zealand, Catholic Social Services, Presbyterian Support and the Methodist and Salvation Army Churches. Through this membership, NZCCSS represents over 250 organisations providing a range of social support services across Aotearoa. We believe in working to achieve a just and compassionate society for all, through our commitment to our faith and Te Tiriti o Waitangi. Further details on NZCCSS can be found on our website <a href="https://nzccss.org.nz/">https://nzccss.org.nz/</a>

## Tirohanga Whānui | Overview

### **Item 1 – Equal representation of Māori in government is essential and required to enact principles of te Tiriti o Waitangi in policy and legislation:**

Aotearoa prides itself on being progressive regarding indigenous peoples and cultures, however we lag in representation where it matters. Co-governance must be worked towards on all levels of government.

### **Item 2 – Requirement to act on Waitangi Tribunal Claims**

The government must be required to act upon recommendations from and settle claims made through the Waitangi Tribunal (which have not been deemed frivolous or vexatious).

## Taunakitanga | Recommendations

### **Item 1 – Equal representation of Māori is essential and required to enact principles of te Tiriti o**

#### **Waitangi in policy and legislation:**

Te Tiriti o Waitangi affords Māori kāwanatanga/governorship over their lands, and despite this Māori representation in central and local government has historically been low. This low representation is part of a larger picture of disenfranchisement, in which Māori do not have politicians who represent their values and interests. NZCCSS sees co-governance as a necessary fulfilment of New Zealand's obligations under te Tiriti o Waitangi, and we believe in its potential to produce fair and equitable outcomes for all. Māori need and deserve effective representation at all levels of government, as Tangata Whenua who retain kāwanatanga over the lands of Aotearoa. The [Bill of Rights Act 1990](#) includes provision for affirmative action, which may include co-governance on both the central and local government levels (Bill of Rights Act 1990).

### **Item 2 – Requirement to act on Waitangi Tribunal Claims**

The Waitangi Tribunal has a robust and tested process to sort through claims and make recommendations to government, however government is not required to act upon these recommendations. To redress the injustices committed against iwi and hapū in the past, there must be a legally binding requirement for government to act upon and settle claims which have been processed by the Waitangi Tribunal. This must be a central piece around which legislation is based to set a precedent for te Tiriti adherence throughout policy and legislation.

## Tohutoro | References:

Bill of Rights Act 1990, s 19.