



# The Treaty of Waitangi & Māori Health

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“Nā tōu rourou, nā  
taku rourou, ka ora  
te manuhiri”



# Setting the scene

## The Treaty - a snapshot in history

- Key mechanism for British settlement & recognition of respective rights
- two versions – English and Māori
- the two versions say different things
- founding document for the nation



# Setting the scene

## The Treaty

- negotiation
- two parties
- concise
- two languages
- founding document of New Zealand

Largely ignored in law until 1975



# Setting the scene

## The Treaty since 1975...

### Summary of Crown's responses:

- establishment of the Tribunal
- direct negotiation
- policy development
- service specification & standards
- statutory recognition
- consultation



# Treaty Principles

Royal Commission on Social Policy:

- **Partnership:** compact between Crown and Māori
- **Participation:** each partner participating in affairs of nation
- **Protection:** Crown to protect Māori interests



# Social Policy

## **Policy themes:**

- 1975: Waitangi Tribunal refers to Treaty principles in legislation
- mid-1980s: direct reference to Treaty responsibilities
- late 1980s: mainstreaming policies
- 1990s: change of Government & policy; needs/inequalities base.



# Māori Health Policy

- 1990s: focus on Māori health disparities
- 1999 – change of Government and sector changes signalled
- 2000 – Treaty clause in NZ Public Health & Disability Act.

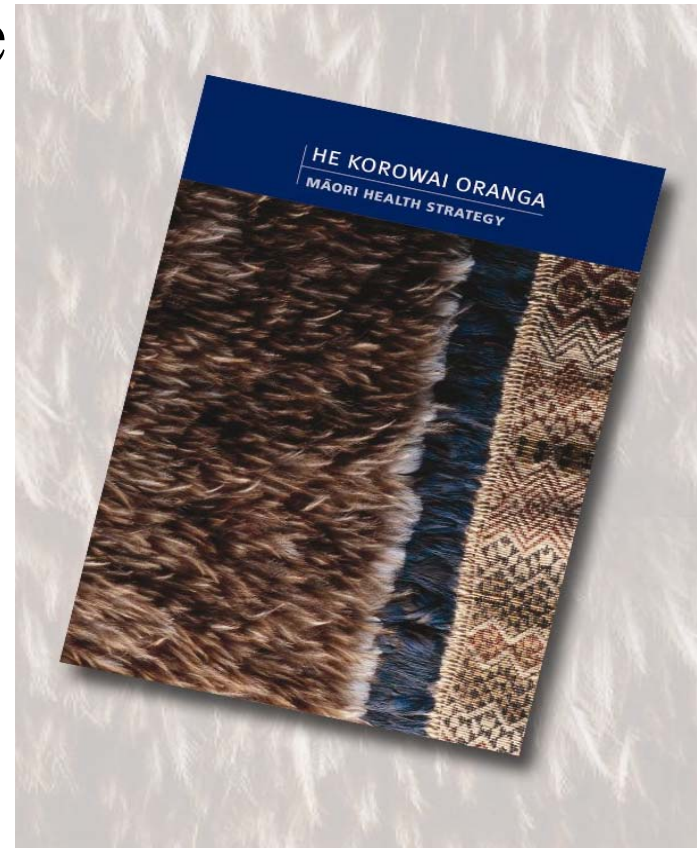


# Treaty Clause

In order to recognise and respect the principles of the Treaty of Waitangi, and with a view to improving health outcomes for Māori, Part 3 [*on District Health Boards*] provides for mechanisms to enable Māori to contribute to decision-making on, and to participate in the delivery of, health and disability services

# Treaty Principles

- 2002 release of He Korowai Oranga
- Treaty principles articulated:  
**Partnership**  
**Participation**  
**Protection**





# Treaty Principles in Health

## **Partnership**

Working together with iwi, hapū, whānau and Māori communities to develop strategies for Māori health gain and appropriate health and disability services



# Treaty Principles in Health

## **Participation**

Involving Māori at all levels of the sector, in decision-making, planning, development and delivery of health and disability services



# Treaty Principles in Health

## **Protection**

Working to ensure Māori have at least the same level of health as non-Māori, and safeguarding Māori cultural concepts, values and practices



# Inherent tensions

- individual versus group
- rights and expectations of indigenous peoples vis a vis notions of ‘evenhandedness’
- favoured over other populations?
- perceived to be contrary to concepts of equality



# Inherent tensions

- debate domain wider than state and indigenous peoples
- debate to extend to wider general public
- challenge – benefit to nation?



# Treaty and Better Māori Health

- Treaty an ‘enabling document’
- Provides a framework for action:
  - joint process (principles, aims, objectives)
  - links to wider Māori development (economic, land, culture)



# Treaty and Better Māori Health

- Provides a framework for action:
  - aligns with health determinants (housing, education, justice)
  - supports community development model WHO; Ottawa Charter



# Treaty and Better Māori Health

- Provides a framework for action:
  - Māori health research: socio-economic status itself does not account for Māori health disparities
  - better services, workforce and sector
  - contribute to indigeneity and overall well-being



**“Ko te pae tawhiti,  
whätia kia tata.**

**Ko te pae tata,  
whakamaua kia tina!”**