



Submission on the Principles of the Treaty of Waitangi Bill

Thank you for the opportunity to submit on the Principles of the Treaty of Waitangi Bill. The Australasian Injury Prevention Network (AIPN) is a peak independent national, non-government organisation representing all-age, all-cause injury prevention and safety promotion across Australia and New Zealand. Governed by a constitution and led by an elected Executive Committee, the AIPN advocates for injury prevention and safety promotion to reduce harm and address inequities. We are deeply concerned about the ramifications of this Bill as it would erode Māori rights guaranteed under Te Tiriti o Waitangi, directly undermining it and is in conflict with Pae Ora (Health Futures Act 2022).

We wish to make the following comments:

Indigenous treaties are fundamental human rights instruments. The Principles of the Treaty of Waitangi Bill breaches the indigenous (Māori) Te Tiriti o Waitangi and is an act that denies the humanity of not only Māori people but all indigenous peoples as a colonial tool and act that stretches back centuries.

Indigenous rights are interconnected globally, and the New Zealand Government has a moral responsibility to uphold Article 37 of the United Nations Declaration for the Rights of Indigenous Peoples (UNDRIP), which states: “Indigenous peoples have the right to the recognition, observance and enforcement of treaties concluded with States or their successors and to have States honour and respect such treaties.”



This journey begins with Tiriti justice. It is a collective effort, as we stand in solidarity against treaty injustices faced by Māori and all indigenous peoples.

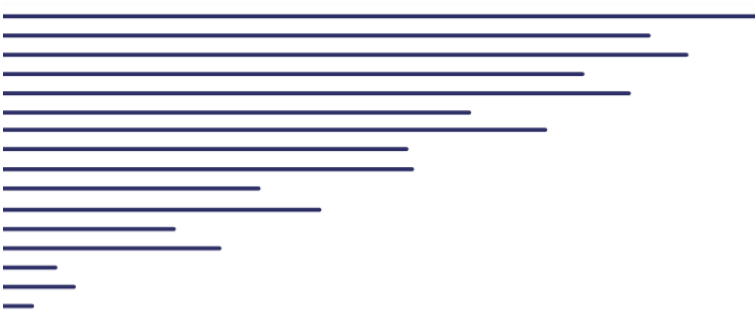
The Public Health Communication Collective (PHCC) highlights significant concerns about the impact of this Bill, stating: “The Bill threatens to erase the Tiriti guarantee of tino rangatiratanga, prioritise formal equality over equity, and remove a key legal framework that has supported Māori rights and informed pro-equity social policies, including in health...it threatens public health and equity in Aotearoa New Zealand in multiple direct and indirect ways”¹.

Furthermore, the Government’s own Ministry of Justice has warned that this Bill threatens social cohesion and risks fostering division². It perpetuates a false narrative that Māori enjoy an unfair advantage in New Zealand—a claim contradicted by overwhelming evidence of structural disadvantage faced by Māori across numerous health and social indicators³. Racism, both nationally and internationally is widely recognised as a significant driver of ethnic health inequities^{4,5}.

The Bill threatens to remove the principles of rangatiratanga and partnership, which acknowledge the Māori right to govern, design, deliver, and monitor services that achieve the best health outcomes for Māori¹.

The Bill diminishes efforts to address the structural disadvantages experienced by Māori, which contribute to poorer outcomes in areas such as injury prevention. Māori face stark inequities across major social determinants of health, including education, income, employment, and housing—factors known to directly influence the incidence of unintentional injuries⁶.

By prioritising formal equality over equity, this bill threatens the ability to improve health services for Māori. Evidence clearly shows that ethnicity is a strong marker of need in Aotearoa New Zealand⁷. Consequently, health services should actively focus on Māori (and Pacific Peoples) to improve the effectiveness and efficiency of



the health system to delivery equitable health care and improve public health. Affirmative action to raise the participation of Māori and other underrepresented groups in the health workforce⁸, particularly the injury prevention workforce, is a key component of this effort⁹.

We wish to make the following recommendations:

That the Treaty Principles Bill be rejected, and the New Zealand Government honour the Tiriti and be a globally leading State championing UNDRIP.

Associate Professor Jules Coombes

Australasian Injury Prevention Network
Co-chair of the AIPN Indigenous
Subcommittee

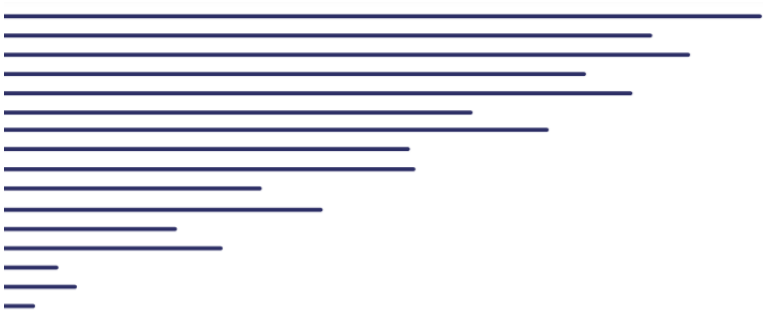
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References

1. Carwyn. J, Bargh. M, Baker. M, et al. *Treaty Principles Bill threatens public health and equity: it needs your submission*. Public Health Communication Centre.
<https://www.phcc.org.nz/briefing/treaty-principles-bill-threatens-public-health-and-equity-it-needs-your-submission>
2. Ministry of Justice. Regulatory Impact Statement: Providing Certainty on the Treaty Principles, 2024. <https://www.beehive.govt.nz/sites/default/files/2024-09/Regulatory%20Impact%20Assessment%20Treaty%20Principles%20Bill.pdf>
3. Ministry of Health. Tatau Kahukura: Māori health chart book 2015. Wellington: Ministry of Health 2015
4. Devakumar D, Selvarajah S, Abubakar I, et al. Racism, xenophobia, discrimination, and the determination of health. *The Lancet* 2022;400(10368):2097-108.
[https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(22\)01972-9/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(22)01972-9/fulltext)
5. Talamaivao. N, Harris R, Cormack D, et al. Racism and health in Aotearoa New Zealand: a systematic review of quantitative studies. *NZ Med J* 2020;133(1521):55-68. <https://tinyurl.com/yw2wnhzz>
6. Bargh M. A Tika Transition. In Hall, D. ed. *A Careful Revolution: Towards a Low-Emissions Future*. Bridget Williams Books 2019.
7. Loring B, Reid P, Curtis E, et al. Ethnicity is an evidence-based marker of need (and targeting services is good medical practice). *New Zealand Medical Journal* 2024;137(1603):9-13.
<https://doi.org/10.26635/6965.e1603>
8. Barham S, Baxter J, Crampton P. What is affirmative action in tertiary education? An overview of affirmative action policies in health professional programmes, drawing on experience from Aotearoa and overseas. *New Zealand Medical Journal* 2023;136(1577):76-83. doi: 10.26635/6965.6119
9. Kool B, Umali E, Hunt M, Wilson M. The shape of the New Zealand child injury prevention workforce. *Australian and New Zealand Journal of Public Health* [Internet]. 2022 Jun 23;46(6):771–5. Available from: <https://doi.org/10.1111/1753-6405.13269>



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