



Treaty Principles Bill submission – A member guide

Background

The Justice Committee has called for submissions on the Principles of the Treaty of Waitangi Bill. The purpose of the bill is to propose revised principles of the Treaty of Waitangi in legislation and require, where relevant, those principles to be used when interpreting legislation. The College team are creating an RNZCGP submission based on our position and member feedback.

The College's commitment to Te Tiriti o Waitangi

The College is committed to Te Tiriti o Waitangi and the principles of tino rangatiratanga, equity, active protection, options and partnerships (WAI 2575). Evidence of extensive and persistent Māori health inequities are observed across most health indicators, and it is well understood that the health system performs worse for Māori in [virtually every health domain measured](#).

The College is committed to honouring Te Tiriti o Waitangi and Māori health rights through its rules ([College rules 2024, 4.2 and 5.2](#)) and our work to strengthen responsiveness to Māori. The College's charitable purpose ([College rules 2024, 5.2](#)) outlines that the College will give effect to Te Tiriti o Waitangi by:

- a. Partnering with Māori (including Te Akoranga a Māui and other Māori health organisations);
- b. Improving healthcare outcomes for Māori;
- c. Increasing Māori participation in health education and research; and
- d. Increasing Māori participation in the health workforce.

The College would like to support members to create an individual, whānau or group submission to oppose the Treaty Principles Bill as a sign of our commitment to Te Tiriti o Waitangi and Māori health rights. We have collated some useful resources and information for you to consider when preparing your submission.

Our position on the Treaty Principles Bill

The College's position is that we do not support the Treaty Principles Bill. Fundamentally, the College does not believe the Government has the right to propose changes to the principles of the Treaty of Waitangi. Furthermore, the College asserts the Government does not have the right to then draw on those proposed principles to inform or change existing legislation or interpretation of legislation.

[The Waitangi Tribunal has ruled](#) “that the Crown has breached the Treaty principles of partnership and reciprocity, active protection, good government, equity, redress and the article 2 guarantee of rangatiratanga.”

The College agrees with the Waitangi Tribunal that the Crown failed to engage with Māori in the development of the Bill which:

- lacks a policy imperative justifying its development;
- is based on flawed policy rationales;
- is ‘novel’ in its Treaty interpretations;
- is fashioned on a disingenuous historical narrative; and
- distorts the text of Te Tiriti o Waitangi.

In summary, the College asserts that the process is unjust, unfair, and is divisive and harmful to Māori.

Making a submission

What do you need to know?

- Submissions [are open](#) until 11:59pm 7 January 2025 and can be made either online or by post.
- Written submissions can be made as an individual, whānau or a group, e.g. your practice could put together a submission.
- Written submissions can be made in English and te reo Māori. Submissions made in te reo Māori will be translated into English.
- The select committee is intending to complete the submission hearings by the end of February 2025.
- Submissions **are publicly released** and published to the Parliament website. Only your name or organisation’s name is required on a submission. Keep your contact details separate, as if they are included on the submission, they will become publicly available when the submission is released.
- In addition to making a written submission you can ask to make an oral submission to the select committee. This is a powerful opportunity to amplify your message. If you opt for an oral submission, you will be contacted by the select committee about how this will occur. Often this is now online via Zoom, or you can ask to attend in person.

Creating a submission is your opportunity to share your perspective with decision makers. Below we have outlined the key aspects of a submission you need to include.

Please note: All submissions that are similar in wording will be grouped together. Please use the information below as a guide but ensure you put it into your own words.

State your position about the Treaty Principles Bill

Start by stating your position. The College's position is that **we do not support the Treaty Principles Bill**. We have outlined this at the beginning of the document. Your position should clearly state whether you support or oppose what is being proposed in the Treaty Principles Bill, your reasons why, and they should be linked to specific clauses where relevant. Any clauses should be numbered as they are in the bill to ensure clear and concise understanding.

Then explain why

You do not need to address every aspect of the bill. Short submissions focusing on your main concern(s) are good. Submissions illustrating risks to equitable health care outcomes, your practice and communities are powerful. Collectively, submissions from our members will give depth and breadth to the impact this bill could have in health and on New Zealand's society.

In this section we strongly recommend drawing on your own experiences. There is no right or wrong way to structure your answer. The key point is to make the submission uniquely yours.

Here are some questions to help you write your 'why':

- What is at stake if the Treaty Principles Bill is introduced?
- What would the introduction of the legislation mean to you, your practice, your community and the health sector?
- How would this bill affect health equity in your community?

In this part include a recommendations section with a succinct paragraph that identifies what you are asking the select committee to do and explain your reasons for it. The College is asking for the select committee to reject the Treaty Principles Bill and for the Crown to fulfil its obligations to Māori under Te Tiriti o Waitangi through a genuine commitment to partnership.

Further information you can draw from to help inform your submission

- To make your submission [click here](#).
- For more information about the bill you can visit Parliament's frequently asked questions page – [Principles of the Treaty of Waitangi Bill](#). You can also contact TreatyPrinciples@parliament.govt.nz.

Useful resources

Parliament website

- [How to make a submission](#)
- [Treaty Principles Bill information including the Cabinet papers and briefings](#)

Information about Te Tiriti o Waitangi

- [He Tirohanga o Kawa ki te Tiriti o Waitangi](#) A guide to the Principles of the Treaty of Waitangi as expressed by the Courts and the Waitangi Tribunal
- [Ministry of Justice information](#) about Te Tiriti o Waitangi.

Further information

- [An online submission creation tool](#) (in both te reo Māori and English and with a screen reader option)
- [Waitangi Tribunal's WAI 3300 report](#) Ngā Mātāpono, The Principles
- [Human Rights Commission submission](#) on the Treaty Principles Bill.