



**SHADOW REPORT OF TE HUNGA RŌIA MĀORI O AOTEAROA
THE MĀORI LAW SOCIETY**

To: United Nations International Convention on the Elimination of All Forms of Racial Discrimination

By email: ohchr-cerd@un.org

Re: Aotearoa New Zealand's 23rd and 24th periodic CERD review 2025¹

Date: 14 July 2025

Tēnā koutou,

Greetings,

Shadow Report for United Nations International Convention on the Elimination of All Forms of Racial Discrimination 23rd and 24th periodic review

Introduction

1. This shadow report (“**report**”) is provided by Te Hunga Rōia Māori o Aotearoa / the Māori Law Society (“**Te Hunga Rōia**”). Te Hunga Rōia was formally established in 1988. Since then, Te Hunga Rōia has grown to include a significant membership of Māori legal practitioners, parliamentarians, legal academics, policy analysts, researchers and Māori law students. Our vision is ‘Mā te Ture, Mō te Iwi – By the Law, for the People’. One of our objectives is to promote law reform for Te Ao Māori in a manner that is consistent with Te Tiriti o Waitangi² – our founding constitutional document in Aotearoa / New Zealand.³
2. The 54th Government of New Zealand was sworn in on 27th of November 2023. It comprises a coalition of the National Party, New Zealand First and the ACT Party.

¹ New Zealand Government *Combined Twenty-third and Twenty-Fourth Periodic Reports Submitted by New Zealand Under Article 9 of the Convention on the Elimination of All Forms of Racial Discrimination* CERD/NZL/23-24 (2021).

² In this submission Te Tiriti o Waitangi will be used to refer to Te Tiriti o Waitangi 1840, being the Māori text, and “the Treaty” will be used to refer to the Treaty of Waitangi 1840, being the English text.

³ When providing feedback, Te Hunga Rōia seeks to provide a kaupapa Māori based approach to legal analysis in its feedback on proposed law reform. Te Hunga Rōia does not attempt to represent all of the views of its constituent members.



3. Since its formation, this Coalition Government has advanced an unprecedented, ideologically driven agenda that has systematically targeted and dismantled Māori-specific policies, initiatives and laws across multiple sectors. This scorched earth approach to legal reform has had significant and far-reaching effects, undermining equity, partnership, and Te Tiriti o Waitangi.
4. The processes underpinning this law and policy reform have frequently been grossly unfair to Māori. They have been marked by a lack of transparency, truncated legislative processes and timeframes, minimal or non-existent consultation, and a deliberate misapplication of constitutional and legal principles. In particular, Te Tiriti o Waitangi has been minimised through selective reliance on narrow interpretations of parliamentary sovereignty and majoritarianism.
5. The Government's refusal to honour Te Tiriti o Waitangi, its sustained attack on Māori in the law, and its exclusion of Māori from the development of laws and policies that affect their fundamental rights represent a profound constitutional failure. This approach denies Māori the ability to exercise their status as tangata whenua (indigenous peoples) and as Treaty partners, and further entrenches structural inequality. In the absence of meaningful engagement and protection by the State, Māori are left without effective avenues to uphold their rights and interests within Aotearoa's domestic legal and political systems.
6. This report appeals to the United Nations International Convention on the Elimination of All Forms of Racial Discrimination Committee ("**CERD Committee**") to hear and report on these important issues for Māori. This report expresses our deep concern about discrimination and racism toward Māori by this Government, the actual harm that policy reform is having on Māori, the reduction and minimisation of Māori rights, and the damage occurring to the Māori–Crown relationship under Te Tiriti o Waitangi.
7. This report:
 - (a) Provides a summary description of law and policy impacting Māori. **Appendix A** lists where Te Hunga Rōia has contributed to legislative and policy reforms that racially discriminate against Māori;
 - (b) Provides examples of commentary from the Waitangi Tribunal which speaks to how the law and policy reform of the Government is highly prejudicial to Māori and breaches the principles of Te Tiriti o Waitangi;⁴

⁴ The Waitangi Tribunal was set up to provide for the observance, and confirmation, of the principles of the Treaty of Waitangi under the *Treaty of Waitangi Act* 1975.



- (c) Suggests recommendations the CERD Committee could make during the review in August 2025; and
- (d) Outlines at **Appendix B** the extent of opposition to law reform by providing a table detailing several key legislative processes and numbers of submissions received, including those in opposition.

Unprecedented discrimination towards Māori

- 8. Over the 2023-2025 reporting years, Te Hunga Rōia contributed to a significant number of legislative and policy reforms that have racially discriminated against or targeted Māori, through written submissions, media statements, and or/active advocacy.⁵ Please see **Appendix A** which outlines the list of issues to which we have contributed. We can provide copies on request.
- 9. We ask the CERD Committee to consider the breadth and depth of recent law and policy changes that specifically target and disproportionately impact Māori, and which are racially discriminatory in effect. The nature of these reforms, many of which are on-going, reach into all aspects of te ao Māori (the Māori world) and undermine the rights and guarantees afforded to Māori under Te Tiriti o Waitangi. Those policies include among others:
 - (a) **Constitutional reform:** The Coalition Government has advanced policies aimed at significantly weakening the constitutional status of Te Tiriti o Waitangi. The Government progressed a Treaty Principles Bill that sought to redefine how the Treaty of Waitangi is interpreted in law in a manner that undermined the guarantees made to Māori. Although the Bill ultimately did not pass, it was deeply polarising and caused significant damage to the Māori–Crown relationship.⁶

The Government has continued this onslaught by initiating a review of all legislative enactments referring to the principles of the Treaty of Waitangi with the apparent objective of reforming and reducing such references across the statute book. In a similar vein, there has been an active minimising of references to the Treaty of Waitangi in new legislation or in amendments to existing legislation.⁷

⁵ This includes both formal submissions to Parliamentary Select Committees and targeted engagement with Government agencies and officials during consultation phases.

⁶ Waitangi Tribunal, *Ngā Mātāpono/The Principles* (Wai 3300, 2024); Waitangi Tribunal, *Ngā Mātāpono/The Principles: Part II of the Interim Report* (Wai 3300, November 2024).

⁷ For example, the Fast-Track Approvals Bill omits any reference to the principles of Te Tiriti o Waitangi, in contrast to earlier frameworks such as the COVID-19 Recovery (Fast-Track Consenting) Act 2020 and the Natural and Built Environment Act 2023. Instead, it includes only limited references to acting consistently with Treaty



The Government has further committed to enacting the Regulatory Standards Bill (currently before the Select Committee) that seeks to entrench a narrow set of neoliberal values (individual liberty, private property rights, and economic efficiency) as the primary framework for evaluating legislation. The Bill omits any reference to Te Tiriti o Waitangi, Māori rights, or the Crown's obligations. It represents a regressive departure from the growing constitutional recognition of Te Tiriti o Waitangi as a foundational document in Aotearoa.⁸

The Government has advanced these reforms without meaningful engagement with Māori or regard for the Crown's constitutional and Te Tiriti o Waitangi obligations, thereby breaching the Treaty of Waitangi principles of partnership, active protection, and good faith.

- (b) **Health:** The Coalition Government disestablished Te Aka Whai Ora (the Māori Health Authority), a transformative structural mechanism established as an intervention to address the persistent health inequities experienced by Māori – inequities generated and perpetuated by Te Whatu Ora (the Ministry of Health) and the wider health system. The decision was not due to any failure of performance but was a political response that stemmed from opposition to the Authority's mandate to prioritise Māori health on Māori terms. Its disestablishment represents a significant rollback of commitments to health equity, tino rangatiratanga (sovereignty, autonomy, authority, self-determination), and the Crown's Te Tiriti o Waitangi obligations in the health sector.

The Government's broader approach to equity is also deeply concerning. It takes a "colour-blind" understanding of equality which disregards the entrenched and measurable disparities faced by Māori. A clear example is the decision to scrap targeted early Māori and Pacific bowel screening programmes. This change ignores the fact that nearly 60% of bowel cancers in Māori women and 50% in Māori men are diagnosed before the age of 60, compared to just 30% in non-Māori.⁹ The universal approach where everyone is screened at the same age will disproportionately fail Māori and will continue to perpetuate inequity and result in pre-mature Māori deaths.

settlements, thereby narrowing the scope of Tiriti obligations and weakening protections for Māori rights and interests.

⁸ Waitangi Tribunal *The Interim Regulatory Standards Bill Urgent Report – Pre-publication Version* (Wai 3470, May 2025).

⁹ Te ORA – Te Ohu Rata o Aotearoa | Māori Medical Practitioners Association "A Te ORA Equity Series position statement – The National Bowel Screening Programme is exacerbating Māori health inequities" (2020) at 1.



This policy shift exemplifies the consequences of abandoning targeted equity interventions in favour of a false neutrality that further entrenches health disparities.

- (c) **Education:** The removal of dedicated funding for te reo Māori (the Māori Language) teacher training undermines the Crown's duty under Te Tiriti o Waitangi to actively protect taonga (social, cultural or natural treasures), including te reo Māori and tikanga Māori (correct procedure, custom, protocol). This decision weakens efforts to grow the Māori education workforce and support language revitalisation. In addition, proposed reforms to the national history curriculum risk distorting or erasing Māori perspectives, narratives and historical truths from mainstream education.¹⁰ These measures collectively weaken the visibility, status and legitimacy of Māori knowledge and experiences in mainstream education and threaten the intergenerational transmissions of language, identity and culture.
- (d) **Justice and State care:** Promised reforms to enable Māori and iwi-led responses in the criminal justice and child protection systems have either been reversed, abandoned, or stalled. This includes the repeal of section 7AA of the Oranga Tamariki Act 1989, which placed obligations on the Chief Executive in relation to the Treaty of Waitangi and required the State to commit to improved outcomes for tamariki Māori (Māori children) in partnership with iwi and Māori organisations.¹¹ This repeal occurred despite the fact that over 60% of children in state care are Māori and was undertaken without evidence-based justification.¹² It was driven solely by political opposition to Māori-centered policies.

In the justice sector, the defunding of section 27 cultural reports from legal aid significantly undermines efforts to understand the root causes of Māori offending.¹³ These reports gave voice to the intergenerational trauma and systemic disadvantage that often underpins offending by Māori. Removing funding for these reports not only limits judicial understanding of context but also undermines restorative and rehabilitative approaches.

¹⁰ Cabinet Paper material – Proactive release “Aotearoa New Zealand’s histories and relationships and sexuality education” (9 December 2024) CAB-24-MIN-0493.

¹¹ Waitangi Tribunal *The Oranga Tamariki (Section 7AA) Urgent Inquiry 9 May 2024 Report – Pre-publication Version* (Wai 3350, May 2024).

¹² Section 7AA report 2023, at 1.

¹³ Section 27 Reports allows offenders to present a cultural report to the Court, providing context to their background and its potential relation to the offense, which can be considered during sentencing; and New Zealand Law Society | Te Kāhui Ture o Aotearoa “Access to justice impacted by proposed repeal of sentencing report funding” (8 February 2024) < <https://www.lawsociety.org.nz/> >.



Numerous sentencing and parole reforms are expected to have a cumulative impact on Māori within the criminal justice system, and intergenerationally on their tamariki (children), hapū, and iwi (tribe). In addition, the introduction of new offences under the Gangs Legislation Amendment Bill, which breach civic rights and freedoms, will increase the criminalisation of Māori – both in targeting Māori who otherwise may not have entered the criminal justice system, and in the frequency of exposure to Police attention, which was demonstrated by Australian experience.

These actions perpetuate the institutional racism long criticised by the Waitangi Tribunal and other expert bodies and collectively represent a significant retreat from the Crown's prior commitments to address Māori overrepresentation and uphold Te Tiriti o Waitangi obligations in both the justice and care systems.

- (e) **Environment:** The recognition of Māori as kaitiaki (guardians, trustees, stewards of the natural world) is being steadily and systematically rolled back. The fast-tracked repeal of the Three Waters reform¹⁴ and changes to the Resource Management Act 1991¹⁵ remove mechanisms that provided iwi Māori with a meaningful voice and enabled expressions of tino rangatiratanga in the governance and stewardship of natural resources.

Further, the proposed unilateral amendments to section 58 of the Marine and Coastal Area (Takutai Moana) Act 2011 seeks to restrict the ability of Māori to have their customary rights to the takutai moana (marine and coastal area) recognised.¹⁶ The recognition of Māori rights in the foreshore and seabed has long been contested – these rights initially were confiscated under the Foreshore and Seabed Act 2004. As progress was beginning to be made in the Courts after a new legislative scheme was implemented in 2011, the Government has sought to shift the goal posts, further entrenching barriers to recognition and minimising the likelihood of rights being upheld. These amendments were introduced without consultation and undermine the integrity of an already under-resourced and delayed recognition process, further breaching Te Tiriti o Waitangi and the Crown's obligation to act in good faith.

¹⁴ Water Services Acts Repeal Act 2024.

¹⁵ Ministry for the Environment | Manatū Mō Te Tāiao "Reforming the resource management system – replacing the RMA" (24 March 2025) <<https://environment.govt.nz/>>.

¹⁶ Waitangi Tribunal *The Takutai Moana Act 2011 Urgent Inquiry Stage 1 Report* (Wai 3400, 2024).



The effort to centre the mana of wai (water) – a conceptual gift Māori have offered the nation, rooted in the understanding of water as a taonga (treasure) rather than a commodity – has been discarded. This rejection was not due to any failure of the model itself but because it was grounded in Māori values. These actions collectively represent a retreat from Treaty-based environmental governance and a denial of Māori environmental relationships, rights and responsibilities.

- (f) **Language, culture and governance:** The current political climate has become increasingly hostile to even symbolic Māori identity and expression in government. This is evident in attempts to remove te reo Māori (Māori language) from public agency names and signage, and in proposals to eliminate cultural competency requirements in the public sector, despite the centrality of cultural understanding to effective and equitable public service delivery in a Treaty-based context.

Further, the reinstatement of poll provisions for Māori wards, alongside requiring councils to dissolve Māori wards established since 2021 or hold a binding poll on them, will result in the reduction of Māori representation in local government.¹⁷

In addition, a proposed Member's Bill by New Zealand first to narrowly define 'male' and 'female' in purely biological terms¹⁸ disregards the existences of takatāpui and other Māori understandings of gender identity.¹⁹ This proposal is not only inconsistent with Māori cultural frameworks but also undermines the human rights of gender-diverse Māori.

10. Te Hunga Rōia acknowledges CERD Committee recommendations from the 2017 periodic review. The CERD Committee recommended that the government set a timetable to discuss, in partnership with Māori, the role of Te Tiriti o Waitangi in New Zealand's constitutional arrangements, drawing on the reports of the Constitutional Advisory Panel and Matike Mai Aotearoa.²⁰

¹⁷ Waitangi Tribunal *The Māori Wards and Constituencies Urgent Inquiry Report: Pre-publication Version* (Wai 3365, May 2024).

¹⁸ New Zealand First "Legislation (Definitions of Woman and Man) Amendment Bill" (23 April 2025).

¹⁹ Takatāpui is a traditional Māori term that has been reclaimed to encompass Māori individuals who identify with diverse genders and sexualities.

²⁰ Matike Mai Aotearoa – Independent Working Group on Constitutional Transformation *He Whakaaro Here Whakumu Mō Aotearoa: The Report of Matike Mai Aotearoa – The Independent Working Group on Constitutional Transformation* (2016).



11. It also called for the government to ensure policy and legislation complied with the participation principle of Article 2 of Te Tiriti o Waitangi, to affirm the fundamental right of Māori to self-determination, to recognise the obligation to establish shared governance with hapū (tribal groups), and to provide adequate resourcing for the Waitangi Tribunal.²¹
12. The Government has ignored these recommendations and is currently reviewing the role of the Waitangi Tribunal, with the view to amending the statutory settings of the Waitangi Tribunal under the Treaty of Waitangi Act 1975.²² The Waitangi Tribunal plays a critical constitutional role in Aotearoa by providing an accountability mechanism through its power to make findings and recommendations in respect of Crown breaches of Te Tiriti o Waitangi.
13. On 10 July 2025, Te Hunga Rōia filed a submission to the Waitangi Tribunal Legislation Review Independent Technical Advisory Group (“ITAG”). We note that ITAG was formed because of a coalition agreement to “amend the Waitangi Tribunal legislation to refocus the scope, purpose, and nature of its inquiries back to the original intent of that legislation.”²³
14. The context in which the ITAG review has arisen is cause for concern because it is based on a political objective calling for legislative change before any problem or issue has been identified. The Cabinet Paper says that the need for a review is based on the “perception that the Tribunal is no longer comprehensively meeting the objectives in the legislation nor meeting the needs of the claimants.”²⁴
15. We are concerned about the potential impact of the ITAG review on the Waitangi Tribunal, the rights of Māori to have their claims heard, and the constitutional partnership between Māori and the Crown. Our feedback set out why the Waitangi Tribunal remains a necessary, credible, and effective institution, and why any legislative changes must be approached with due care, diligence and respect.

²¹ *Te Tiriti o Waitangi* (1840), art 2 Tino Rangatiratanga (chieftainship, sovereignty).

²² The Independent Technical Advisory Group is tasked to assess the Tribunal’s effectiveness in addressing priority and contemporary claims, supporting timely historical settlements, fostering positive Crown – Māori relationships, improving policy outcomes for iwi, hapū and Māori, and advising on potential legislative amendments within and beyond the current Parliamentary term.

²³ Cabinet Paper “Coalition Commitment – Review of the Waitangi Tribunal Legislation” at [1].

²⁴ Cabinet Paper “Coalition Commitment – Review of the Waitangi Tribunal Legislation” at [14].



Waitangi Tribunal inquiries into law and policy reform

16. Māori are experiencing a systemic attack on our people, our culture and our Te Tiriti o Waitangi rights. Multiple urgent Waitangi Tribunal reports have now been issued on these law and policy changes, and the Waitangi Tribunal has consistently upheld claims by Māori, finding serious breaches of Te Tiriti o Waitangi.
17. The Tribunal has cautioned the Crown that continuing in this direction will significantly endanger the Māori–Crown relationship.²⁵ Across the constitutional, health, education, justice, State care, environmental, language, culture and governance sectors, the Waitangi Tribunal has found deep, compounding breaches of the principles of the Treaty of Waitangi, as follows:
 - (a) **Tino rangatiratanga** being actively constrained by the Crown’s reassertion of kāwanatanga in domains where co-governance and Māori self-determination had begun to take root;²⁶
 - (b) **Partnership** being eroded by the abandonment of consultation/engagement. The Crown has failed to engage in good faith or uphold the shared decision-making obligations embedded in the te Tiriti o Waitangi relationship;²⁷
 - (c) **Active protection** being ignored in every decision-making process. In sectors like health, justice and environmental stewardship, Māori remain disproportionately disadvantaged. Instead of acting to protect Māori interests, the Crown has chosen to reduce, remove or repeal the few measures that sought to rectify structural inequities;²⁸

²⁵ For instance, see: Waitangi Tribunal *The Takutai Moana Act 2011 Urgent Inquiry Stage 1 Report* (Wai 3400, 2024) at xii, 71; Waitangi Tribunal *Ngā Mātāpono/The Principles* (Wai 3300, 2024) at 186; Waitangi Tribunal *Hautupua: Te Aka Whai Ora (Māori Health Authority) Priority Report, Part 1 — Pre-publication Version* (Wai 2575, 2024) at xvii; Waitangi Tribunal *The Māori Wards and Constituencies Urgent Inquiry Report: Pre-publication Version* (Wai 3365, May 2024) at 3.

²⁶ For instance, see: Waitangi Tribunal *Hautupua: Te Aka Whai Ora (Māori Health Authority) Priority Report, Part 1 — Pre-publication Version* (Wai 2575, 2024); Waitangi Tribunal, *Ngā Mātāpono/The Principles* (Wai 3300, 2024); Waitangi Tribunal *The Oranga Tamariki (Section 7AA) Urgent Inquiry 9 May 2024 Report — Pre-publication Version* (Wai 3350, May 2024); Waitangi Tribunal *The Takutai Moana Act 2011 Urgent Inquiry Stage 1 Report* (Wai 3400, 2024).

²⁷ For instance, see: Waitangi Tribunal *Hautupua: Te Aka Whai Ora (Māori Health Authority) Priority Report, Part 1 — Pre-publication Version* (Wai 2575, 2024); Waitangi Tribunal *Ngā Mātāpono/The Principles* (Wai 3300, 2024); Waitangi Tribunal *The Māori Wards and Constituencies Urgent Inquiry Report: Pre-publication Version* (Wai 3365, May 2024); Waitangi Tribunal *The Takutai Moana Act 2011 Urgent Inquiry Stage 1 Report* (Wai 3400, 2024); Waitangi Tribunal *The Interim Regulatory Standards Bill Urgent Report — Pre-publication Version* (Wai 3470, May 2025).

²⁸ For instance, see: Waitangi Tribunal *Ngā Mātāpono/The Principles* (Wai 3300, 2024); Waitangi Tribunal *The Oranga Tamariki (Section 7AA) Urgent Inquiry 9 May 2024 Report — Pre-publication Version* (Wai 3350, May



- (d) **Equity** being disregarded. The Crown now champions a formal equality model “one law for all” that ignores the historical and structural disadvantages created by colonisation. This is contrary to Treaty jurisprudence which recognises that equity demands different treatment where disadvantage exists;²⁹ and
- (e) **Good government** being replaced by rushed, ideological policymaking.³⁰

A growing concern for Māori and Aotearoa

- 18. Te Hunga Rōia has a growing concern for Māori and Aotearoa. We are concerned that the raft of law and policy changes by this Government has and will continue to change our legislative landscape and the way that Te Tiriti o Waitangi and Māori are currently provided for in legislation.
- 19. Te Hunga Rōia believe the Government’s actions have undermined and eroded the trust and faith that Māori have built up in the honour of the Crown. Their actions have also undermined Te Tiriti o Waitangi publicly and has already fostered division within the community, entrenching that sentiment and hostility more broadly within society. There is now a heightening acceptance of racial discrimination across Aotearoa.

Recommendations

- 20. Te Hunga Rōia seeks the following recommendations from this periodic review:
 - (a) Record that the law and policy reform of the 54th Government is unprecedented, harmful, and racially discriminatory towards Māori;
 - (b) Record the constitutional status of Te Tiriti o Waitangi and the Waitangi Tribunal;
 - (c) Recommend that a comprehensive review and report be undertaken to record and report on the harm caused to Māori by the 54th Government law and policy reform;

2024); Waitangi Tribunal *The Māori Wards and Constituencies Urgent Inquiry Report: Pre-publication Version* (Wai 3365, May 2024); Waitangi Tribunal *The Takutai Moana Act 2011 Urgent Inquiry Stage 1 Report* (Wai 3400, 2024); Waitangi Tribunal *The Interim Regulatory Standards Bill Urgent Report – Pre-publication Version* (Wai 3470, May 2025).

²⁹ For instance, see: Waitangi Tribunal *Ngā Mātāpono/The Principles* (Wai 3300, 2024); Waitangi Tribunal *The Māori Wards and Constituencies Urgent Inquiry Report: Pre-publication Version* (Wai 3365, May 2024).

³⁰ For instance, see: Waitangi Tribunal *Hautupua: Te Aka Whai Ora (Māori Health Authority) Priority Report, Part 1 — Pre-publication Version* (Wai 2575, 2024); Waitangi Tribunal *Ngā Mātāpono/The Principles* (Wai 3300, 2024); Waitangi Tribunal *The Takutai Moana Act 2011 Urgent Inquiry Stage 1 Report* (Wai 3400, 2024).



- (d) Record the Government's failure to implement 2017 periodic review recommendations; and
- (e) New recommendations to address the harm caused to Māori from law and policy reform of the 54th Government.

21. We thank the United Nations CERD Committee for the opportunity to provide this Shadow Report.

Nāku noa, nā

With regards,

Natalie Coates I Tai Ahu
Tumuaki / Co-Presidents
14 July 2025



APPENDIX A

CONTRIBUTIONS OF TE HUNGA ROIA MAORI TO 54TH GOVERNMENT LAW AND POLICY REFORM

1. Over the 2023-2024 and 2024-2025 reporting years, Te Hunga Rōia has contributed to a number of legislative and policy reforms processes that have raised serious concerns about racial discrimination against Māori. Our contributions have included written submissions, media statements, and direct advocacy.
2. Below, we have provide tables outlining the relevant legislative or policy reforms, along with a brief summary of Te Hunga Rōia's position. Where available, hyperlinks have been included to our published submissions. Please note that this list is not exhaustive of all engagement during the stated periods.

2023-2024 Legislation and Policy Reforms

Legislation or Policy Reform	Summary of Te Hunga Rōia Position
Fast-Track Approvals Bill	We strongly opposed the Bill for sidelining Māori and weakening environmental and Treaty protections. It centralises power in Ministers, overrides expert panels, excludes most hapū from participating, and removes any requirement to consider Te Tiriti o Waitangi. Existing Treaty settlements are undermined, and Māori communities face impossible timeframes for input. The Bill risks breaching constitutional norms and accelerating development at the expense of indigenous rights, tino rangatiratanga, and environmental wellbeing.
Gangs Legislation Amendment Bill	We opposed the Bill as it will criminalise Māori identity, deepen over-policing, and breach both Te Tiriti o Waitangi and international human rights. The Bill introduces vague definitions of gang affiliation, expands police powers, and targets symbolic expression, disproportionately affecting Māori – especially rangatahi (youth) and those in public or State care. The reforms mirror failed Australian policies, undermine civil rights, and ignore the whakapapa (genealogy, lineage) of gangs as a legacy of colonisation and State



	violence. The Bill risks further marginalising Māori without evidence it will reduce harm.
Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill	We opposed this Bill for breaching Te Tiriti o Waitangi and rolling back progress on Māori representation. The Bill reinstates binding polls that have historically blocked Māori wards, forces councils to reconsider or disestablish Māori representation, and removes obligations to regularly review their establishment. It reverses equity-focused reforms despite clear Waitangi Tribunal findings that the Crown failed to consult Māori and acted in bad faith. The Bill invites racial division, undermines tino rangatiratanga, and weakens Māori participation in local democracy.
Oranga Tamariki (Repeal of Section 7AA) Amendment Bill	We opposed the repeal of section 7AA, which was the only statutory provision requiring Oranga Tamariki (Ministry of Children) to uphold Te Tiriti o Waitangi. Repealing it removes the obligations to partner with Māori, prioritise whakapapa connections, and improve Māori outcomes in care and protection. The repeal dismantled a vital accountability mechanism and worsened the overrepresentation of tamariki Māori in State care. It signals a retreat from indigenous partnership and entrenches systemic discrimination against Māori children and whānau (families).
Parole (Mandatory Completion of Rehabilitative Programmes) Amendment Bill	We opposed the Bill, which would make parole conditional on the completion of in-prison rehabilitation – despite widespread programme shortages. The reforms ignore structural barriers like under-resourcing and ‘postcode justice’, which disproportionately deny Māori access to treatment.³¹ The Bill risked keeping Māori in prison longer without support, worsening intergenerational trauma and breaching Te Tiriti o Waitangi. It undermines rehabilitation, fails to address systemic inequities, and removes the Parole Board’s discretion to release safely into the community.

³¹ “Postcode justice” refers to the concept that a person’s geographic location, as indicated by their postcode, can significantly impact their access to justice and the fairness of legal outcomes they experience.



Review of Adult Decision-Making Capacity Law by New Zealand Law Commission	We supported reform in this space but called for stronger, explicit inclusion of Te Tiriti o Waitangi and tikanga Māori. Current laws fail to uphold tino rangatiratanga and often marginalise Māori voices in decision-making for kaumātua (aged people) and whānau. We urged that tikanga Māori be recognised as part of Aotearoa's first law, and that Māori must be able to exercise collective authority over decisions impacting their own. Reform must be Māori-led, culturally grounded, and responsive to structural health inequities and demographic change.
Sentencing (Reform) Amendment Bill	This punitive Bill disproportionately harms Māori through longer prison sentences and reduced judicial discretion. The Bill caps sentencing discounts, restricts consideration of youth, remorse, and rehabilitation, and ignores systemic factors driving Māori offending – like colonisation and deprivation. It breaches Te Tiriti o Waitangi, lacks consultation with Māori, and defies international obligations under the ICCPR and UNDRIP. The Government's own evidence confirms the reforms will worsen outcomes for Māori, despite no proof they enhance public safety.
Sentencing (Reinstating Three Strikes) Amendment Bill	We opposed the reinstatement of the 'three strikes' sentencing regime, citing its discriminatory and ineffective nature. The policy disproportionately harms Māori, limits judicial discretion, and undermines rehabilitation. The original regime failed to reduce offending, caused systemic injustices, and excluded Māori voices from reform. This Bill repeats those failures, breaching Te Tiriti o Waitangi and exacerbating intergenerational harm to Māori. We urged the Bill's complete withdrawal in favour of evidence-based, tikanga Māori-aligned justice reforms.



2024-2025 Legislation and Policy Reforms

Legislation or Policy Reform	Summary of Te Hunga Rōia Position
Department of Conservation – Exploring Charges for Access to Public Conservation Land	We opposed access fees that disregard Māori rights under Te Tiriti o Waitangi. Māori must be exempt from charges when engaging in cultural or customary practices. Any system must be co-designed with Māori, respect Treaty settlements, and reinvest in Māori-led conservation. The current proposal risks sidelining indigenous authority and worsening existing inequities.
Department of Conservation – Modernising Conservation Land Management	We support modernisation in principle but warned that proposals risk commercialising conservation land and diminishing Māori rights. Key concerns include the erosion of kaitiakitanga (guardianship, stewardship, trusteeship), inadequate recognition of tikanga Māori and mātauranga Māori (traditional and cultural knowledge), and failure to prioritise Māori enterprises. Without embedding Te Tiriti o Waitangi principles and co-governance, reforms may further alienate Māori from their ancestral whenua (land).
Exposure Draft of the Patents Amendment Bill	The Bill ignores the landmark Waitangi Tribunal <i>Wai 262 Ko Aotearoa Tēnei</i> report, which called for Māori control over mātauranga Māori and native species. We criticised the lack of protections for indigenous intellectual property, including the failure to require disclosure of origin or establish Māori advisory mechanisms. The Bill reflects a systemic disregard for Te Tiriti o Waitangi and Māori rights.
Gene Technology Bill	The Bill weakens existing Te Tiriti o Waitangi protections and excludes Māori from decision-making over genetically modified organisms. It removes local council powers that once protected Māori interests, ignores the <i>Wai 262 Ko Aotearoa Tēnei</i> recommendations, and fails to safeguard native species, rongoā Māori (medicinal/spiritual practices), and Māori economic interests. We warned the Government that the Bill perpetuates structural discrimination and breaches Te Tiriti o Waitangi.
Oranga Tamariki (Responding to Serious Youth Offending) Amendment Bill	We warned the Government that this Bill will harm Māori youth and entrench racial bias. The proposed “Young Serious Offender” regime unfairly targets rangatahi Māori (Māori youth),



	ignores declining youth crime trends, and stigmatises already vulnerable tamariki Māori. The Bill removes meaningful community and whānau involvement through cuts to Family Group Conferences, and reintroduces failed punitive measures like military style boot camps. It breaches Te Tiriti o Waitangi, violates international child rights standards, and accelerates the State care to prison pipeline for Māori.
Public Works (Critical Infrastructure) Amendment Bill	We opposed this Bill for enabling fast-track land acquisition that undermines Māori rights. It narrows the definition of “protected Māori land”, removes access to independent judicial review, and continues to treat whenua Māori (Māori land) as a commodity rather than a taonga. The Bill ignores tikanga Māori, bypasses negotiation with Māori, and centralises power in the Crown. It entrenches colonial practices of land alienation, in breach of Te Tiriti o Waitangi and tino rangatiratanga.
Regulatory Standards Bill	We opposed this Bill as it embeds a narrow, neoliberal framework of “good law making” that excludes Te Tiriti o Waitangi, tikanga Māori, and collective Māori rights. It creates a binding set of standards that marginalise indigenous values and lacks any requirement for Māori consultation or representation. This Bill would entrench systemic bias in law-making and expose Māori entities to legal and financial risks. It represents a constitutional overreach that silences Māori voices and undermines indigenous regulatory approaches.
Resource Management (Consenting and Other System Changes) Amendment Bill	This Bill weakens Māori rights in environmental governance. It limits Māori participation in consent processes, removes public hearings, and creates uncertainty around Treaty settlement protections. The Bill privileges speed and economic efficiency over Te Tiriti o Waitangi obligations, fails to provide for hapū and whānau engagement, and risks sidelining Māori in critical decisions about land, water and native species. It reflects a broader trend of excluding Māori from reforms that directly impact their whenua and environmental kaitiakitanga.
Term of Parliament (Enabling 4-year Term) Legislation	We do not support the Bill’s development process, which excluded Māori from meaningful



	participation in a major constitutional change. Extending the parliamentary term without Te Tiriti o Waitangi-based engagement undermines democratic accountability and risks entrenching policy harms that disproportionately affect Māori. The Bill reflects a wider pattern of Crown unilateralism and breaches Te Tiriti o Waitangi by failing to co-design governance changes with Māori.
The Principles of the Treaty of Waitangi Bill	We strongly opposed this and any reiteration of this Bill. This Bill attempted to redefine Te Tiriti o Waitangi. It stripped away the established Treaty of Waitangi principles of partnership, protection, and redress, and replaced them with neoliberal Crown-centric values that deny tino rangatiratanga and freeze Māori rights in 1840. The Waitangi Tribunal has condemned the Bill, warning it would erase Māori rights and undermine the constitutional foundation of Aotearoa.



APPENDIX B

54TH GOVERNMENT LAW REFORM

1. Hyperlinks in the “Bill” column link to the Bill’s page on the Parliament website, where other information can also be found.
2. Hyperlinks in the “Submissions to Select Committee” column link to the relevant Departmental Report. Note: the Departmental Report differs from the Select Committee Report, but the statistics on submissions are not usually put into the Select Committee Report.
3. At [this link](#) is a document outlining all of the Bills that have either been initiated in the 54th Parliament, or reinstated from the 53rd Parliament.

Bill	Submissions to Select Committee	Submissions in support/opposition
Pae Ora (Disestablishment of Māori Health Authority) Amendment Bill	No select committee (urgency)	
Fast track Approvals Bill	26,855 submissions	85.1% opposed the Bill, 3% supported the Bill outright and in principle, 11.8% did not clearly state opposition or support.
Oranga Tamariki (Repeal of Section 7AA) Amendment Bill	3,748 submissions	1,377 supported the Bill, 2,282 opposed the Bill, 89 did not clearly state opposition or support.
Principles of the Treaty of Waitangi Bill	295,670 unique submissions	90% opposed the Bill, 8% supported the Bill, 2% did not clearly state opposition or support.
Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill	10,929 submissions	4038 supported one or more proposals in the Bill, 6805 were opposed to one or more proposals in the Bill, 86 did not clearly state opposition or support.



Marine and Coastal Area (Takutai Moana) (Customary Marine Title) Amendment Bill	6,694 submissions	Of 1,527 submissions reviewed in detail, 174 supported the Bill, 1091 expressed opposition, the remainder did not clearly state opposition or support.
Regulatory Standards Bill	In Select Committee	
Smokefree Environments and Regulated Products Amendment Bill	No select committee (urgency)	
Sentencing (Reinstating Three Strikes) Amendment Bill	749 submissions	550 submissions were either in support or opposed the Bill for being too lenient, 188 submissions opposed the Bill for being overly punitive.
Legal Services Amendment Bill [bill removed legal aid funding for s 27 reports]	No select committee (urgency)	
Oranga Tamariki (Responding to Serious Youth Offending) Amendment Bill [bootcamps bill]	5,405 submissions	5,346 opposed the Bill, 24 supported the Bill, 35 did not clearly state opposition or support.