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2019 Māori Health Hui report



*Ehara taku toa i te toa takitahi, engari he toa takatini –
“My strength is not that of an individual, but that of a collective”.*

KUPU WHAKATAKI | PREAMBLE

Ehara taku toa i te toa takitahi, engari he toa takatini

The Royal Australasian College of Physicians’ (RACP) biennial Māori Health Hui uses whakataukī (proverbs, aphorisms) to frame our kaupapa (purpose). Like the central ridgepole of the wharenuī, the whakataukī the Māori Health Committee selects is intended to be a structural reference point and encapsulates the intention and meaning of our event. In 2019, the Māori Health Committee sought a whakataukī which drew on themes of kotahitanga (unity) and the importance of a shared vision.

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“My strength is not that of an individual, but that of a collective”.*

While the 2019 Māori Health Hui is the fourth biennial Hui of the Māori Health Committee, it marks a turning point for our Hui, ushering in a number of firsts. Hui 2019 was

- The first Hui held at Ngāti Whātua o Ōrākei marae
- The first noho marae (marae stay, where attendees sleep in the wharenuī)
- The first Hui working with the concept of the Māori Caucus of the RACP – the Caucus being the collective of trainees, Fellows and College staff who identify as tangata whenua of Aotearoa.

The whakataukī emphasises the strength of the collective, which at our Hui is both the nascent collective of the Caucus, and of the resolve and resilience of Māori to retain and express their tino rangatiratanga (sovereignty, self-determination) through the trauma of colonisation and the subsequent subjugation of tikanga (cultural protocols) and mātauranga Māori (knowledge) by the non-Māori majority.

Our Hui cast whanaungatanga (relationships), kotahitanga and manaakitanga (kindness) as its foundation, seeking to establish greater connections between attendees, particularly for Caucus members. The Hui was attended by senior College leadership based in Sydney, including newly-appointed Chief Executive Peter McIntyre. For nearly all Australian staff in attendance it was their first Māori Health Hui, first time on a marae, and certainly first noho experience. For many attendees this was a profound and moving event. As one participant commented in their evaluation, the aspect that they enjoyed the most was “the wairua of the whole event. Māori and Māori issues were left, right and centre”.

“Yet it was this group of Māori people [Ngāti Whātua o Ōrākei] who suffered at the hands of the Crown one of the worst cases of cultural genocide this country has known”¹

Takaparawhā | Bastion Point

The location of our 2019 Hui was Ngāti Whātua o Ōrākei Marae at Takaparawhā | Bastion Point, a site which offers resonances with concepts of strategy and alliance, of unity, and of resistance and protection.

The value in the Ōrākei peninsula as a strategic site for Ngāti Whātua o Ōrākei is immediately clear. From Ōrākei, one can take in the breadth of Waitematā moana (harbour): it is the waharoa (gateway) to the Waitematā harbour and offers a vantage point across to the downtown Auckland skyline and container port, to Stanley Point, Devonport and Maungauika | North Head towards the north and west, while Rangitoto, Motuihe and Motukorea (Browns) Islands dominate the harbour landscape to the south and east.

Ōrākei is not solely a strategic site for geographical reasons: it has a history as a site for discussion, political alliance, protection and resistance. In 1860, the first Kohimarama conference was convened to discuss Te Tiriti o Waitangi, attended by around 200 Māori. Here, attendees reaffirmed the articles of Te Tiriti and the resulting Kohimarama Covenant recommended the establishment of a Native Council – a recommendation which never came to pass. Later, in 1879 and in 1881, major meetings on Te Tiriti were held at Ōrākei and Te Tii Marae at Waitangi respectively. As such, Ōrākei is recognised as a site of tremendous political significance, alongside Te Tii Marae, where Te Tiriti o Waitangi was signed in 1840.^{2,3}

On 5 January 1977, the Ōrākei Māori Action Group led by Joe Hawke occupied Takaparawhā. Land that was once declared by the Native Land Court to be ‘totally inalienable’ was gradually being lost to the interests of private developers from mana whenua Ngāti Whātua⁴.

On 25 May 1978, Prime Minister Robert Muldoon ordered the forcible eviction of the protestors by the Police and the New Zealand Army. Buildings were demolished, and 222 protestors were arrested for trespassing.

The occupation of Bastion Point was in part about the legacy of illegal land confiscation by the Crown, as well as its more contemporary analogies – private ownership and development – and disavowal of mana whenua rights to kaitiakitanga (guardianship) and to tino rangatiratanga (sovereignty, self-determination). Although these issues are frequently historicised and relegated to bygone eras, they are lived presently, not historical. As attendees gathered at Ōrākei for the College’s Hui, the protest movement Protect Ihumātao had just days prior marked 100 days since the police had attempted to evict tangata whenua occupying the land at Ihumātao on the Manukau Harbour.

1. Waitangi Tribunal. Report of the Waitangi Tribunal on the Ōrākei Claim. [Internet] Wellington: Waitangi Tribunal; 1987. Available from https://forms.justice.govt.nz/search/WT/reports/reportSummary.html?reportId=wt_DOC_68494556. Accessed 26 November 2019.
2. References in this paper will be to Te Tiriti o Waitangi, which is the version in reo Māori and not the English version, the Treaty of Waitangi. New Zealand History. Treaty events 1850-99. Ministry for Culture and Heritage, 2017. <https://nzhistory.govt.nz/politics/treaty/treaty-timeline/treaty-events-1850-99>. Accessed 19 November 2019.
3. Keane B. Kotahitanga – unity movements. Te Ara – the Encyclopaedia of New Zealand. <https://teara.govt.nz/en/kotahitanga-unity-movements>. Accessed 19 November 2019.
4. Given the outlook over the harbour and towards major shipping channels, the New Zealand Government claimed the land for armaments and gun emplacements, given fears of an invasion by Axis powers during World War 2.

Kupu Arataki | Introduction

The Māori Health Committee wanted our Hui kaupapa (programme) to have a strong connection to the marae and whenua (land) where the event would take place. At Ngāti Whātua o Ōrākei and Takaparawhā Bastion Point, the most immediate touchpoint for many would be the occupation and protection movement during the late 1970s. This action was the culmination of many decades of opposition to the loss of land by Ngāti Whātua and whānau, hapū and iwi across Aotearoa.

The impact of raupatu (confiscation of Māori land by the Crown), unjustified land sales to settlers, and the gradual acquisition of land through bureaucratic means remains a contemporary issue. In 2019, there has been a growing movement at Ihumātao, on the Manukau Harbour, to protect the sacred whenua from a large-scale housing development. Ihumātao contains some of the region's most archeologically-significant sites and examples of Māori garden and agriculture systems. Takaparawhā and Ihumātao can be connected through many strands of meaning and intent, but with the two events separated by barely forty years they can also be connected by people.

The first session of the Hui sought to orient attendees to the events of 1977-1978 and to the current events at Ihumātao through Kereama Pene (Ngāti Whātua), Ratana Āpotoro Takiwā (District Apostle of the Ratana Church) and advocate who was among those arrested at the occupation of Bastion Point and has been present at Ihumātao.

From this foundational relationship to our location, our kaupapa would broaden, including sessions from the following speakers:

- Dr Heather Came-Friar, who would expand on the status quo of the health system in Aotearoa and its inequity-by-design tendencies
- Dr Hirini Kaa (Ngāti Porou, Ngāti Kahungungu, Rongowhakaata), who identified the Whanganui River's designation as a legal entity as a way to depoliticise relationships and move beyond the binary of Māori and the Crown – also evidenced through Ko Aotearoa Tēnei
- Kiri Tahana (Te Arawa) and Lana Underhill-Sem from Kāhui Legal, who presented options for constitutional reform which embed strategic and leadership partnerships with iwi Māori
- Dr Diana Kopua (Ngāti Porou) and Mark Kopua (Ngāti Ira) of Te Kurahuna, who presented what a kaupapa Māori, whānau-centred intervention can look like within a mainstream mental health service.

Following our kaupapa for the day, attendees embarked on a hikoi(walk) to take in the surroundings of Okahu Bay, the Ngāti Whātua urupā and around the Bastion Point and up to Takaparawhā Park to the Michael Joseph Savage Memorial⁵. Attendees then congregated in the wharenuui(meeting house) for the evening whakawhanaungatanga (relationship building).

5. Michael Joseph Savage was New Zealand's first Labour Prime Minister, serving from 1935-1940, when he died in office. Savage's government introduced significant social reform, including state housing, a social welfare system and in 1938, the establishment of the public health system.

Tuatahi: Takaparawhā ki te Ihumātao

Kereama Pene | Ratana Apōtoro Takiwā

Kereama Pene was sixteen when his koro (grandfather) determined he would join the burgeoning occupation at Takaparawhā. On 25 May 1978, on the orders of Prime Minister Robert Muldoon, 800 Police and the New Zealand Army evicted and arrested 222 protesters for trespassing, ending an occupation which had held for 506 days. Meeting houses, sheds, gardens were destroyed by the police and army, and basic amenities were withheld for those that remained on the land.

Kereama spoke of the bleak, austere conditions the protesters endured for more than 18 months, describing draughty and cold sleeping quarters, and the muddy ground during winter, soaked by Auckland's frequent rains. The occupation was also marred by tragedy: the death of five-year-old Joannee Hawke in a fire. Joannee was the niece of occupation organiser Joe Hawke, and her death forced the protesters to reconsider. Joannee's parents, however, were resolute: "don't let our daughter's death be in vain, we have to carry on." Joannee is buried in the urupā at Okahu Bay, and a garden and plaque mark the site of the tent where she died on Takaparawhā.



16 year-old Kereama Pene at Takaparawhā. Photograph by Ans Westra, 1977

All 222 protesters were arrested for trespassing and fined. Kereama still has his fine – despite his mother worrying that not paying it would impact his future career potential (note: it did not).

The occupation at Takaparawhā is one point in time, albeit a highly visible one. It has origins in the initial gifting (as there are no records of transaction) of the land that became the central business district of Auckland. As Ngarimu Blair, deputy chair of Ngāti Whātua o Ōrākei wrote in 2017:

“In 1840 it was our ancestor Te Kawau who invited Governor Hobson to establish his new capital on the shores of the Waitematā. My great grandfather’s great grandfather, Te Reweti, led the deputation to Kororāreka [Russell, in the Bay of Islands] to put the offer. This was only months after both he and Te Kawau signed the Treaty at Manukau and just before a land deed was signed too at Te Rerenga Oraitī (Point Britomart) transferring 3,500 acres of central Auckland land to the Crown. The coastline from Opou (Cox’s Bay) to Mataharehare (West Hobson Bay) was the seaward boundary while both points went inland to the summit of Maungawhau.”⁶

Kereama stepped Hui attendees through a timeline, culminating in the 1977-8 occupation and its impact on the subsequent Waitangi Tribunal claims made by Ngāti Whātua: Wai 1, Wai 6 and Wai 338. The timeline shows the profound effect of land loss for Māori, which underpins many of the inequities experienced by tangata whenua today.



Kereama Pene addresses the 2019 Māori Health Hui

6. Blair N. Ngāti Whātua were once guardians of the Port of Auckland shoreline. Give us the chance to buy it back. [Internet] The Spinoff 12 June 2017. Available from <https://thespinoff.co.nz/auckland/12-06-2017/ngati-whatua-were-once-guardians-of-the-port-of-auckland-shoreline-were-the-right-choice-to-buy-it-back/>. Accessed 28 November 2019.

Timeline of events, Aotearoa New Zealand and Ngāti Whātua o Ōrākei

	Aotearoa New Zealand	Ngāti Whātua o Ōrākei
1840	Te Tiriti o Waitangi / the Treaty of Waitangi is signed 6 February 1840 by Northern Rangatira.	An area of Tāmaki-Makaurau and the shore of Waitematā is gifted to Governor William Hobson by Te Kawau of Ngāti Whātua to establish a capital. Auckland is the capital of New Zealand until 1865, when it is moved to Wellington
1860	Kohimarama meeting between Rangatira and Governor Thomas Browne to prevent spread of fighting between Māori and the Crown.	
1865	Native Lands Act passed by Parliament creating the Native Land Court.	
1879	The first Māori Parliament is held at Ōrākei and named Kohimarama after the first meeting of Rangatira in 1860. It was organised to discuss the Covenant of Kohimarama and Te Tiriti o Waitangi.	
1908		A sewer pipe is constructed along the foreshore of Okahu Bay, in front of the Ngāti Whātua papakāinga. In heavy rains, sewerage pollutes ancestral kaimoana (seafood) gathering sites and turns the papakāinga into a swamp
1930-1940	Great tracts of Ngāti Whātua's land reserves are requisitioned by the Crown due to unfounded fear of German and Japanese invasion. Gun emplacements still remain on the cliff-faces of Ōrākei and Maunguika (North Head)	
1943		A palisade is constructed around the papakāinga to halt the continued confiscation of remaining Ngāti Whātua land by the Crown
1952		The palisade and papakāinga are razed by fire and whānau are shifted to houses on Kitemoana St – removing the village from sight of Queen Elizabeth II on her Coronation Tour of 1953

Aotearoa New Zealand

Ngāti Whātua o Ōrākei

1975

Whina Cooper organises a hikoī from Te Hāpua in the Far North to Parliament in Wellington to prevent further alienation of Māori land. A petition supporting the march is signed by 60,000 people.

The Treaty of Waitangi Act is passed, creating the Waitangi Tribunal. The Tribunal has the authority to investigate contemporary breaches of the Treaty by the Crown.

Joe Hawke lodges the first claim to be heard by the Waitangi Tribunal relating to customary fishing rights in the Waitematā Harbour.

1976

The Muldoon government reveals plans for an exclusive housing development at Takaparawhā.

Joe Hawke lodges a claim with the Tribunal over the alienation of Ngāti Whātua land at Takaparawhā.

The Waitangi Tribunal rejects Joe Hawke's claim; the Tribunal's report is later published in March 1978.

1977

Joe Hawke and the Ōrākei Māori Action Committee lead the occupation of Takaparawhā, which would last 506 days.

1978

The occupation of Takaparawhā ends with the eviction and arrest of 222 protesters by 800 police and members of the New Zealand Army on the orders of Prime Minister Robert Muldoon.

1985

The Crown determines that the Waitangi Tribunal can hear historical claims dating back to the signing of the Treaty in 1840.

1993

Ngāti Whātua lodges the Ngāti Whātua Claims Settlements Bill in 1993. Direct negotiations begin in 2002.

2012

Ngāti Whātua settles its claim with the Crown, which comprises of an apology, an Agreed Historical Account, cultural redress and commercial redress.



(L-R) Dr George Laking, Dr Jeff Brown and Prof Niki Ellis at the 2019 Māori Health Hui

Kereama outlined Wai 1, the first claim brought to the Tribunal by Joe Hawke, Henry Matthews, Te Whiti McMath and Rua Paul regarding fishing rights in the Waitematā Harbour. The claimants had been apprehended by Fisheries Inspectors with a quantity of shellfish and had been prosecuted in the Auckland Magistrate's Court under the Fisheries (General) Regulations 1950, eventually being discharged without conviction⁷.

The claimants stated that their rights as tangata whenua had been breached under Article 2 of Te Tiriti – “full exclusive and undisturbed possession of their lands and estates forests fisheries” and that the subsequent Crown legislation was discriminatory to Māori. The Tribunal found that there was no evidence of discrimination, because there was no evidence the regulations has been applied in a prejudicial manner against Māori. Reflecting on this decision in 2015, Sir Eddie Durie wrote “the Tribunal sat under the chandeliers of Auckland's Intercontinental Hotel as if it were dealing with the Treaty of Versailles. Māori walked out and that was all the Tribunal did for five years”⁸.

7. Waitangi Tribunal. Report of the Waitangi Tribunal on a claim by PJ Hawke and others of Ngāti Whātua concerning the Fisheries Regulations. [Internet] Wellington: Waitangi Tribunal; 1978. Available from https://forms.justice.govt.nz/search/WT/reports/reportSummary.html?reportId=wt_DOC_68499025. Accessed 25 November 2019.
8. Durie ET. A former chairperson's perspective. Te Manatukutuku [Internet] 2016; 69: 10. Available from <https://www.waitangitribunal.govt.nz/assets/Documents/Publications/WT-69-Te-Manutukutuku.pdf>. Accessed 25 November 2019.

Once the Tribunal's remit was extended in 1985 to include breaches dating back to 1840, Joe Hawke brought a further claim on behalf of Ngāti Whātua regarding the hapū's dispossession of its land and the initial gifting of central Auckland. The Tribunal's *Report on the Ōrākei Claim* (1987) traces the gradual requisition of land from Ngāti Whātua by the Crown under the guises of 'economic and population growth', 'defence', and 'infrastructure development'. Consecutive governments and Auckland Harbour Boards may have couched the grab for land as 'progress', but for the hapū (as for other hapū and iwi across Aotearoa) it is as Kereama said, highlighting the Māori Land Court: "it wasn't created by us, it was created *for* us". Māori were (and continue to be) excluded from decision-making processes, with minimal consultation often occurring in haste once plans are in place.



Police and NZ Army circle the site at Takaparawhā. Photo: 26 May 1978 NZ Herald Archive

Ngāti Whātua lodged a claim in 1993 – the Ngāti Whātua o Ōrākei Claims Settlement Bill, which began direct negotiations in 2002 before being settled in 2012. In their settlement, the majority of Takaparawhā was returned to Ngāti Whātua, along with other lands and compensation, including the site of the original village destroyed by the Crown⁹.

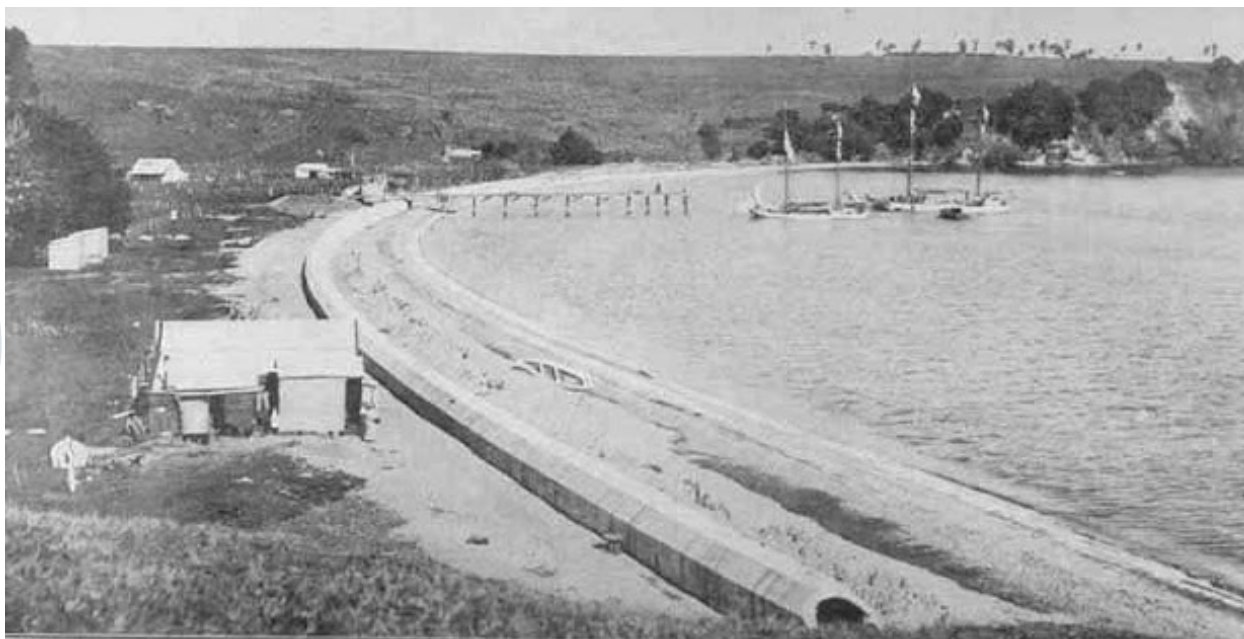
Ngāti Whātua gifted the land back to the council and people of Tāmaki Makaurau as a park.

Although the settlement in 2012 included an apology from the Crown, the cost to hapū and iwi contesting the Crown through the settlements process cannot be understated: funding is often non-existent, and there are no processes or systems to cover court costs. Kereama stated "the healing is the apology ... if you give your word, we expect you to keep your word". This sentiment is echoed in the Waitangi Tribunal's report on the Manukau Harbour claim. "The policies that led

9. Hayden L. The occupation of Takaparawhā Bastion Point, 40 years on. The Spinoff [Internet]. 26 May 2018. Available from <https://thespinoff.co.nz/atea/26-05-2018/40-years-on-from-the-occupation-of-takaparawha-bastion-point/>. Accessed 25 November 2019.

to the land wars and confiscations are the primary source of grievance, although they occurred last century. It is the continuation of similar policies into recent times that has prevented past wounds from healing”¹⁰.

The loss of land has powerful and intergenerational resonances: over 40 years of participating in land protection movements, Kereama has witnessed the loss of reo(language), and the loss of many kaumatua (elders); to culminate in a settlement assessed to be at less than four percent of the original value of the land. This is in stark contrast to the bailouts of AMI Insurance and South Canterbury Finance (both well over \$1 billion)¹¹.



The sewer pipe under construction, cutting across Okahu Bay around 1907. Sir George Grey Special Collections, Auckland Libraries

He noted that at Ihumātao, site of current occupation by SOUL (Save Our Unique Landscape) is far more organised than the movements of the 1970s and 1980s, largely through the use of the internet and social media. Kereama believed that the sacrifices made by Pania Newton, a lawyer leading the resistance and protection movement against the private development of the historic and sacred land at Ihumātao, would be significant; but ultimately her “sacrifice will be for the whenua”

10. Waitangi Tribunal. Report of the Waitangi Tribunal on the Manukau Claim. [Internet] Wellington: Waitangi Tribunal; 1985. Available from https://forms.justice.govt.nz/search/WT/reports/reportSummary.html?reportId=wt_DOC_68495207. Accessed 26 November 2019.

11. Hartley S. \$1.6 billion bailout of SCF defended. [Internet] Otago Daily Times 9 September 2010. Available from <https://www.odt.co.nz/business/16-billion-bailout-scf-defended>. Accessed 21 February 2020.



Fiona Jack, Palisade, 2008. Auckland-based artist Fiona Jack recreated 100m of the palisade which ran along the Okahu Bay papakāinga in collaboration with Ngarimu Blair, Ngāti Whātua o Ōrākei, New Artland and community volunteers, using traditional techniques and materials.



Kereama Pene (l) with SOUL leader Pania Newton at Ihumātao, 2019



Tuarua: A Collective 'D' for the Health System

Dr Heather Came-Friar and Dr Hirini Kaa

“Loss of land and loss of language leads to illness”. Dr Heather Came-Friar succinctly surmised the pathway to Māori health inequities as she opened the second session of the Hui, which focuses on the current landscape and political contexts of health policy, and responses to Māori health inequities in Aotearoa. The unsaid, though implied, word that permits and shapes loss of land and language is colonisation. Colonisation “has resulted in severe damage to iwi and tino rangatiratanga, with major losses of people language, whenua and culture. This has resulted in many Māori living in conditions that have put their health at risk and entrenched preventable health disparities.”

Māori health is a taonga (treasure) and is guaranteed under Article 2 of Te Tiriti o Waitangi. Although the inequities that persist for Māori today are symptomatic of the failure of the settler government to protect the health and wellbeing of Māori, the way the system itself is designed and administered is creating the inequities. This is notably the case for primary care, the subject of the Waitangi Tribunal’s *Hauora*, the first report under Wai 2575, the kaupapa inquiry into health services and outcomes for Māori¹². Hui participants are told the health system can award itself a collective 'D' – barely scraping in above a failed result.

The report and recommendations in *Hauora*, and to a lesser extent the reports from the *Health and Disability System Review* and the *Inquiry into Mental Health and Addiction Services* show that Te Tiriti and tino rangatiratanga remain barely articulated and poorly embedded in our health system^{13, 14}.

Even Reviews that are ostensibly about the health system of the future, such as *The Interim Health and Disability System Review report*, maintains the deficit language found in much social policy, with its roots in the colonial rhetoric of Māori as a “dying race”. There is recognition that the system does not enable equitable outcomes for Māori, while simultaneously stating that the causes of the inequity are ‘outside the scope’ of the review, rather than acknowledging that the design and workings of the health system directly and indirectly produces inequities.

12. Waitangi Tribunal. *Hauora: Report on Stage One of the Health Services and Outcomes Kaupapa Inquiry*. Wellington: Waitangi Tribunal; 2019. Available from https://forms.justice.govt.nz/search/Documents/WT/wt_DOC_152801817/Hauora%20W.pdf. Accessed 25 November 2019.

13. Health and Disability System Review. *Interim Report*. Wellington: Health and Disability System Review; 2019. Available from <https://systemreview.health.govt.nz/assets/HDSR-interim-report/5b33db77f5/H-and-D-full-interim-report-August-2019.pdf>. Accessed 25 November 2019.

14. Government Inquiry into Mental Health and Addiction. *He Ara Oranga: Report of the Government Inquiry into Mental Health and Addiction*. Wellington: Government Inquiry into Mental Health and Addiction; 2018. Available from <https://mentalhealth.inquiry.govt.nz/inquiry-report/>. Accessed 25 November 2019.

15. Mason Durie notes that tino rangatiratanga is sometimes seen as an endpoint, and sometimes a means to an end: “the point is that tino rangatiratanga rests on the formulation and ownership of a clear direction and then the negotiation of a way forward.” Durie M. *Tino rangatiratanga*. In Belgrave M, Kawharu M and Williams D (Eds.) *Waitangi revisited: Perspectives of the Treaty of Waitangi*. Melbourne: Oxford University Press; 2005.

Expressions of Tino rangatiratanga in the health system?

Tino rangatiratanga – interpreted variously as sovereignty, chiefly authority, self-determination and control is present in Te Tiriti (the te reo Māori text) and absent from the reo Pākehā (English) version^{1,15}. This is a key distinction between the two versions which would go on to underscore the fact that Māori were signing a fundamentally different agreement to what would be signed by the Crown¹⁶. Explicit references to tino rangatiratanga are few and far between in health policy in Aotearoa. Came-Friar’s analysis found that no public health policy since 2000 could be considered to be compliant with Te Tiriti: an important finding in the context of the Tribunal’s Wai 1040 report, which stated Ngā Puhi rangatira (chiefs), and by extension all Māori who signed Te Tiriti, did not cede sovereignty to the Crown in 1840. Instead, Māori agreed to a relationship where power was shared. Māori would retain their authority over their hapū and territories, and Hobson was given the authority to control Pākehā^{17, 18}.

The Public Health and Disability Act 2000, which established the District Health Board (DHB) model in existence today, included explicit reference to Te Tiriti. The Act states that Boards in themselves “provide for mechanisms to enable Māori to contribute to decision-making on, and to participate in the delivery of, health and disability services”¹⁹. Despite being set out in legislation, at no time have the DHBs complied with the Act’s Māori representation clause: the majority of Māori representatives remain appointed by the Minister of Health rather than being elected through local body elections; and reflect neither population parity or health service use.



Dr Heather Came-Friar addresses attendees at the Hui

16. Treaty of Waitangi. Read the Treaty: Differences between Pākehā and Māori texts. [Internet] NZ History. Available from <https://nzhistory.govt.nz/politics/treaty/read-the-Treaty/differences-between-the-texts>. Accessed 25 November 2019.
17. Came H, Cornes R, McCreanor T. Treaty of Waitangi in New Zealand public health strategies and plans 2006-2016. *N Z Med J* [Internet] 2018; 131(1469):32-7. Available from <http://www.nzma.org.nz/journal/read-the-journal/all-issues/2010-2019/2018/vol-131-no-1469-2-february-2018/7478>. Accessed 27 November 2019.
18. Waitangi Tribunal. He Whakaputanga me te Tiriti / The Declaration and the Treaty. Volume 1. Wellington: Waitangi Tribunal; 2014. Available from https://forms.justice.govt.nz/search/WT/reports/reportSummary.html?reportId=wt_DOC_85648980. Accessed 27 November 2019.
19. New Zealand Public Health and Disability Act 2000, s4.

Expressions of tino rangatiratanga, which include Māori health promotion and involvement in decision-making at all levels of the system remains to be realised or funded. Māori health providers are frequently subject to greater auditing and monitoring requirements and may receive funding for shorter time periods. Dr Came stated that Māori health providers receive about 1.86 per cent of Vote Health – totalling around \$3 million out of a collective \$19.876 billion in the 2019/20 year.

Dr Came-Friar notes that the health system’s failure to deliver for Māori is in part a result of failed accountability: the system is given permission to fail for tangata whenua, and there is little consequence for this. Subsequently, a permissive system enables racism, compounded by an entrenched absence of Māori in leadership and decision-making.

Dr Hirini Kaa, Kaiārahi (mentor) at the University of Auckland, Historian and Anglican Minister declared that settler-colonial systems would continue to be recycled and re-presented as models for “progress” – the application of structures largely (if not entirely) based on Western paradigms. Unless systems are reimagined and redesigned with Te Tiriti and the Articles at the centre, the displacement, division and inherent violence that sought to privilege the institutions of the settler state will prevail. There are indications of this already, for example in the refrain from some political parties and police associations on the need to arm police officers in Aotearoa.



Dr Hirini Kaa addresses attendees at the Hui



Ko au te awa, ko te awa ko au | I am the river, the river is me

Dr Kaa cited the 2017 *Te Awa Tupua Act* – legislation setting an international precedent by granting the Whanganui Awa (Whanganui River) “legal personhood”. The Act reads “Te Awa Tupua is an indivisible and living whole, comprising the Whanganui River from the mountains to the sea, incorporating all its physical and metaphysical elements”²⁰. Further, the kawa, or intrinsic values which embody the essence of Te Awa Tupua, are detailed in the Act. Within the kawa, the symbiotic relationship between the river, the environment and whānau, hapū and iwi is essential to, and indivisible from, health and wellbeing²⁰.

Ko Te Kawa Tuatahi

Ko te Awa te mātāpuna o te ora: the River is the source of spiritual and physical sustenance:

Te Awa Tupua is a spiritual and physical entity that supports and sustains both the life and natural resources within the Whanganui River and the health and well-being of the iwi, hapū, and other communities of the River.

Ko Te Kawa Tuarua

E rere kau mai i te Awa nui mai i te Kāhui Maunga ki Tangaroa: the great River flows from the mountains to the sea:

Te Awa Tupua is an indivisible and living whole from the mountains to the sea, incorporating the Whanganui River and all of its physical and metaphysical elements.

Ko Te Kawa Tuatoru

Ko au te Awa, ko te Awa ko au: I am the River and the River is me:

The iwi and hapū of the Whanganui River have an inalienable connection with, and responsibility to, Te Awa Tupua and its health and well-being.

Ko Te Kawa Tuawhā

Ngā manga iti, ngā manga nui e honohono kau ana, ka tupu hei Awa Tupua: the small and large streams that flow into one another form one River:

Te Awa Tupua is a singular entity comprised of many elements and communities, working collaboratively for the common purpose of the health and well-being of Te Awa Tupua.

Te Awa Tupua has acquired the rights, duties, powers and liabilities of an entity with legal standing, including the ability to sue those who harm it²¹. The novel legislation was heralded in Aotearoa, as it recognises the inextricable links between Māori and the natural environment; but moreover, through centring the River as a legal entity, discourse is moved beyond the binary of Māori and the Crown. Rather than politicising this relationship, the Act emphasises aspects of values and connection to Papatūānuku (Mother Earth) outside of a political relationship. Mātauranga Māori and Tikanga Māori are brought to the fore; and the Act cuts through to the heart of what is left when there is no emphasis on solutions stemming from Western (and thus colonial)-derived policy or technical frameworks.

20. In the Act, this includes environmental, social, cultural and economic health and wellbeing. <http://legislation.govt.nz/act/public/2017/0007/latest/DLM6831458.html>

21. Collins T, Esterling S. Fluid personality: Indigenous rights and the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 in Aotearoa New Zealand. <https://heinonline.org/HOL/LandingPage?handle=hein.journals/meljl20&div=12&id=&page>.



For Dr Kaa, this is the proposal at the heart of Wai 262, often cited as “the flora and fauna claim” but is concerned with the rights and ownership of Māori intellectual property including taonga (treasures), tikanga (values and practices) and Mātauranga (knowledge). The Waitangi Tribunal’s report on the 262 claim, *Ko Aotearoa Tēnei* (This is Aotearoa New Zealand) posited that “New Zealanders are unconsciously building a new and unique national identity. It will, we suggest, be based on two things: the extraordinary natural beauty and wealth of these islands, and the partnership between our two founding cultures”²².



Whanganui River: a legal entity through the passing of Te Awa Tupua (Whanganui River Claims Settlement Act 2017).



Māori Health Committee members Dr Myra Ruka and Dr Sandra Hotu with Chair of the Australasian Faculty of Public Health Medicine Aotearoa NZ Committee Dr John Holmes and Aotearoa NZ CPD Chair Dr Rosemary Marks

22. Waitangi Tribunal. *Ko Aotearoa Tēnei* (This is Aotearoa New Zealand). Wellington: Waitangi Tribunal; 2011. Available from <https://waitangitribunal.govt.nz/news/ko-aotearoa-tenei-report-on-the-wai-262-claim-released/>. Accessed 27 January 2020.

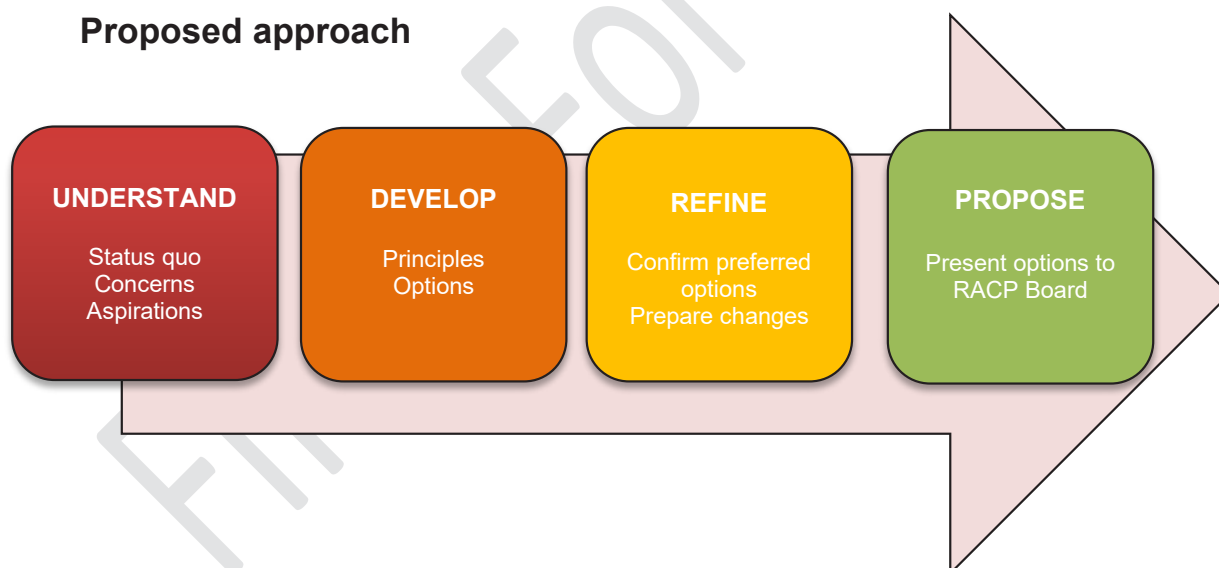
Tuatoru: Constitutional Review: the opportunities for the Royal Australasian College of Physicians

Kiri Tahana and Lana Underhill-Sem | Kāhui Legal

In 2019, the Board of the (RACP) agreed to undertake a review of the College's Constitution, forming a Governance Working Party to lead this activity. For the Māori Health Committee and the Aboriginal and Torres Strait Islander Health Committee, the Constitutional review presents an opportunity: to reframe the Constitution in terms of justice and equity; which in turn would embed these same principles into the structure of the College itself.

In order to understand the opportunity presented by constitutional reform, the Māori Health Committee sought the expertise of Kāhui Legal, a kaupapa Māori law firm with experience in governance and Māori-Crown relations. Managing Partner Kiri Tahana and Solicitor Lana Underhill-Sem presented to Hui attendees on the principles, process and partnership that would inform a constitution reflecting Te Tiriti o Waitangi²³.

The efficacy of the review and any resulting reforms will hinge on the kōrero (discussions, conversations) and whakaaro (thought, planning) that has contributed to it: the process of the review will be shaped by the conversations that inform it, as well as whose thoughts are sought. Underscoring the process is the need to articulate and understand the 'why'; this will enable the concerns to be outlined and aspirations to be identified. Kāhui Legal proposed the following approach to inform the College's constitutional review:



If the College determines that principles of equity and justice are foundational to its purpose, for example, then how can the RACP be structured to create equity and justice? The 'why', then, should reflect foundational objectives and aspirations.

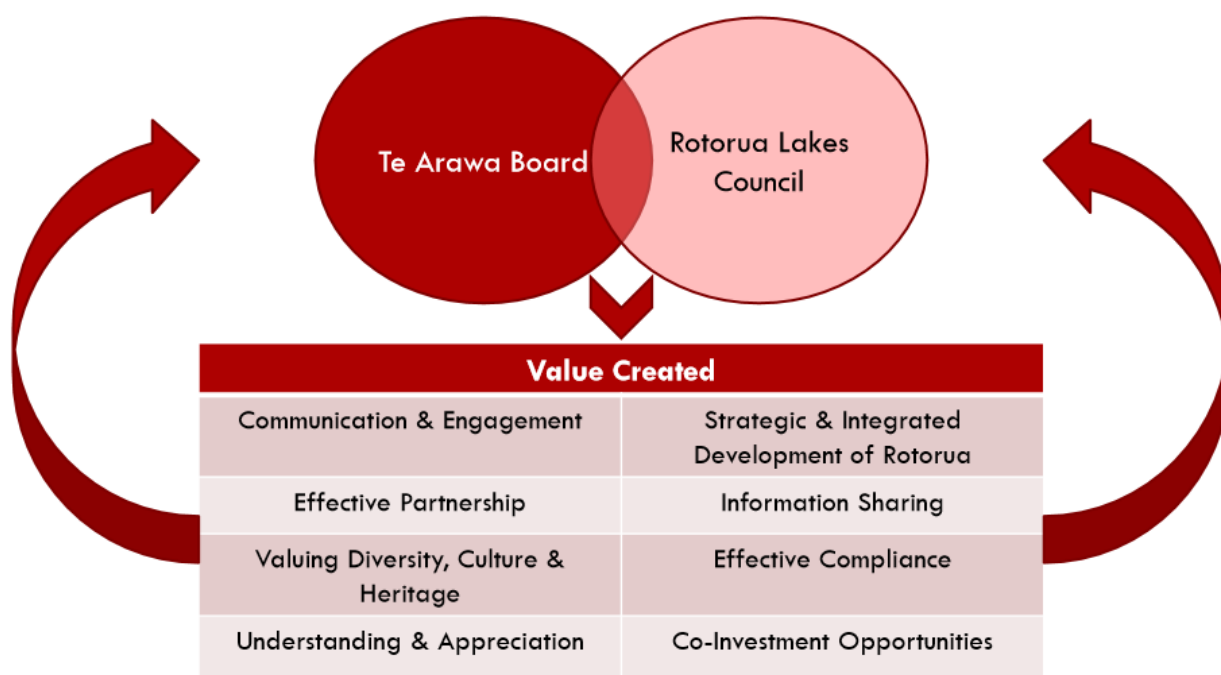
23. Kāhui Legal's presentation did not cover constitutional reform from an Aboriginal and Torres Strait Islander perspective as their expertise pertains to Aotearoa, Te Tiriti, and its relationship to law and governance.

References to Te Tiriti o Waitangi and the 'Three Ps' (the principles derived from the Articles, namely Partnership, Participation and Protection) are included in the Indigenous Strategic Framework 2018-2028 (ISF), the governance document that details the College's strategic priorities in terms of Indigenous health, education, workforce, and cultural competence^{24, 25}. Despite these references, the priorities articulated in the ISF remain priorities of the ISF only – they are poorly integrated across RACP governance documents, including the Constitution. The Three Ps are taken to mean the following:

- Partnership: working together
- Participation: involvement at all levels
- Protection: safeguarding culture, values and practices

There are an increasing number of successful models integrating Treaty Principles and the recommendations of the Waitangi Tribunal. Despite the Tribunal's recommendations having no legal binding on the Crown, Ms Tahana and Ms Underhill-Sem report growing jurisprudence in this area.

Three examples of Te Tiriti informed-governance frameworks, and structures embedding Indigenous perspectives and voices were presented to the Hui attendees, with commonalities observed. Of the three examples, the partnership between the Rotorua Lakes Council and the Te Arawa Board (the mana whenua of the Rotorua and Lakes region), and the Mana Ōrite model for relationships gained interest from attendees.



Governance model of Te Arawa Board and Rotorua Lakes Council

The partnership between Te Arawa and the Rotorua Council emphasises its practical implementation, establishing shared and agreed principles and objectives which will strengthen the relationship between the two partners. This model highlights the shared decision-making

24. The 'Three Ps' derive from the principles of Te Tiriti and were identified as a result of the Royal Commission of Inquiry into Social Policy in 1988.

The Royal Australasian College of Physicians. Indigenous Strategic Framework 2018-2028. Sydney: The Royal Australasian College of Physicians; 2018. Available from <https://www.racp.edu.au/about/board-and-governance/governance-documents/indigenous-strategic-framework-2018-2028>

and shared responsibility as beneficial to both partners and the relationship overall. Further, Te Arawa representatives have been appointed to key Council committees (with voting rights), a Te Arawa Board supported by an Iwi Stakeholder Forum has been established and the decision-making delegations between the Council and its subcommittees have changed.

Mana Ōrite describes a shared power model, where a Māori entity (not necessarily representative along iwi lines) and a non-Māori entity agree to hold equal explanatory power. For Māori, this is a recognition of tino rangatiratanga and sovereignty in a specific relationship and is in addition to the wider Māori/Crown relationship under Te Tiriti. In the Mana Ōrite model, both parties wish to establish a Te Tiriti derived model, and acknowledge and accept each other's unique perspectives, knowledge systems and worldviews as being integral to the agreement. Both parties recognise each has unique strengths which, when brought together can realise mutual goals while embedding stronger engagement and relationships. Mana Ōrite agreements afford respective views equal weight, consideration and explanatory power. Both parties work together by co-designing, pulling resources from both parties and leveraging respective strengths – drawing on specific skills, knowledge and expertise, and defining mutually-agreed goals and objectives.



Kiri Tahana, Managing Partner, Kāhui Legal presents to Hui attendees on the possible models for constitutional reform

In identifying commonalities across the three exemplars, Ms Tahana noted six factors which contribute to effective partnership between Indigenous and non-Indigenous groups:

1. Representation of Indigenous peoples is embedded in the organisation's structure
2. Indigenous peoples have decision-making authority
3. Principles are embedded in purpose, powers and reporting lines
4. Strategies are co-designed
5. Responsibilities are shared
6. Indigenous voices are fully resourced and supported

Kāhui Legal then facilitated a wānanga, breaking Hui attendees into smaller groups to consider the practicalities which would contribute to constitutional reform, including confirming the purpose, identifying issues and aspirations, and agreeing priorities. This wānanga (discussion) proved an integral first step for many attendees, as it opened discussions about what the RACP's constitutional reform project could achieve, particularly from a Māori perspective. Key questions for attendees to reflect on included questions of representation and whether it was necessary, and whether the NZ agenda within the RACP was the Māori agenda. This section of the Hui provided an important forum for these ideas to be introduced, particularly in relation to the December 2019 meeting together with the Aboriginal and Torres Strait Islander Health Committee and the RACP Board on Gadigal Land at Redfern in Sydney.



Hui attendees during the wānanga on RACP constitutional reform

Tuawhā: Te Kurahuna: Mahi a Atua and Te Kūwatawata

Dr Diana Kopua and Mark Kopua

In this session, the Māori Health Committee sought to present an example of what is possible to achieve through a kaupapa Māori-centred health service – in this instance, Te Kūwatawata, based in Tūranga-nui-a-kiwa (Gisborne) Tairāwhiti.

Mahi a Atua (Footsteps of the Ancestor-Gods) is narrative therapy grounded in Mātauranga Māori for people and whānau experiencing mental distress. Te Kurahuna is a Mātauranga Māori wānanga (storehouse) led by psychiatrist Dr Diana Kopua and tohunga tā whakaahua (artist) and tā moko (traditional Māori tattoo) practitioner Mark Kopua, who had been training mental health workers in cultural safety. Te Kurahuna partnered with DHB mental health services based in Tūranga-nui-a-kiwa to deliver Te Kūwatawata.

“What is Mahi a Atua?” This question is posed to a group of Hui attendees picked at random from the audience by Diana. Glimmers of panic cross faces as the group is asked to define the practice of Mahi a Atua without repeating any of the previous answers. The group manages the task successfully and return to their seats, seemingly unaware that they had spent time minutes before this task witnessing the work of Mahi a Atua in action. Mahi a Atua is weaving; it is pūrākau (ancestor and creation stories); it is a therapeutic practice grounded in te ao Māori and Mātauranga Māori; it is a kaupapa Māori approach to care within a mainstream health service.



Dr Diana Kopua takes Hui attendees through Mahi a Atua, a kaupapa Māori and whanau-based therapeutic approach for mental health and wellbeing

Whānau work with up to three Mataora²⁶ (workers) through the Mahi a Atua pathway. Mataora is te reo Māori for 'life', and refers also to a rangatira Mataora, who married a spirit, Niwareka. Mataora was a jealous man, and struck Niwareka, who fled to the underworld to escape Mataora's violence. Mataora, filled with guilt and remorse, followed Niwareka to the underworld where he underwent the application of tā moko, learning the practice from his father-in-law Uetonga, and eventually found redemption. Mataora promised never to harm Niwareka, as long as his moko remained. He then returned to the natural world, bringing knowledge of the new artform²⁷.

As Diana and Mark demonstrated through their storytelling, Mahi a Atua is grounded in generations of whānau, hapū and lwi whakapapa (lineage/descent) and links to papatūānuku (Earth mother), which forms a dynamic, performative oratory exchanged between speakers. It engaged with Hui attendees on an emotional and human level. Layers of context and assumptions were shed by the audience, and attendees were involved in an exchange of dialogue that was at once stark and very intimate: the space almost seemed to draw in, holding the audience captive.



Tohunga Mark Kopua addresses attendees at the 2019 Hui

Dr Kopua and Mark Kopua drew attendees through their whakapapa, background and context, narrating one another's experiences and journeys through the professional and the personal. Through these narratives, pūrākau were incorporated; most notably that of Hine-Titama.

Hine-Titama (Maiden of the Dawn) was the daughter of the atua Tane, God of all living things and (in one retelling) Hine-Ahuone, the first woman. Hine-Ahuone was formed by Tāne from the earth at Kurawaka; he then took her as his wife and has

26. Within the Kūwatawata programme, Mataora are trained from clinical and non-clinical backgrounds: psychiatric nurses, artists, Matauranga Māori experts, social workers administrators and psychologists.

27. Te Ara – origin of tā moko <https://teara.govt.nz/en/ta-moko-maori-tattooing/page-1>.

four daughters, the eldest being Hine-Titama. Tāne later took Hine-Titama as his wife. When Hine-Titama questions Tāne as to who her father is, he tells her he is her father. In shame, Hine-Titama hid from the eyes of the people in the shadow-world between light and dark. When Tāne tried to pursue her, Hine cried for him to remain in the world of light, saying “No Tāne, I will go to the realm of the unknown. I go to the place of shadows to take the path of death. And the path of death will be trodden endlessly by our children”.¹ Hine-Titama became Hine-Nui-Te-Po (the great woman of the night). Where Tāne would guide his children (humankind) through daylight, Hine-Nui-Te-Po would guide them through the darkness.

The pūrākau offer people and whānau a moment of external focus for discussions of trauma and distress, as well as potential pathways to navigate towards improved health, wellbeing and connection. For example, in the pūrākau of Mataora and Niwareka, there are references to domestic violence, self-reflection and pain, and reconnection. As a framework, Mahi a Atua enables practitioners and whānau to connect with each other in a strengths-based, mātauranga Māori-informed way, rather than being disempowered through the deficit models of disease and distress fostered by Western psychiatry.

To remove the complexity of mainstream mental health services, Te Kūwatawata is designed as a single point of entry service – a sole portal or gate into the range of services available to people and whānau experiencing mental distress. Mahi a Atua and Te Kūwatawata are kaupapa Māori and Mātauranga Māori-informed practice and do not privilege Western-derived psychiatric methodology, diagnoses or pharmacotherapies above Indigenous knowledge. To satisfy the requirements of a mainstream health service, Te Kūwatawata has undergone formal service evaluation, and is published in peer-reviewed psychiatric literature^{29, 30, 31}.

Dr Kopua identifies three learning principles central to Mahi a Atua³². These principles can equally be applied in many other contexts and could contribute to greater self-reflexive practice and cultural safety for whānau. She closed the session by reflecting on these tohu (guides) for attendees to integrate into their own professional and personal contexts.

- **Tēnei te pō, nau mai te ao (coming in from the dark, welcoming the light)**
This principle is derived from a karakia (incantation, prayer) of Te Kurahuna, and encourages the transfer and integration of mātauranga Māori into everyday life, both professional and personal; to “indigenise your space” through Māori knowledge and perspectives, thereby mitigating the pervasive darkness (un-enlightenment) of institutional racism.
- **Ka ma te ariki, ka ma te tauria (as the teacher is enlightened, so is the student)**
The “active learning” principle is taken from another Te Kurahuna karakia. Being responsive to the needs of whānau and the community is a central tenet of Mahi a Atua. Through the structuring framework of pūrākau and emulating the ways the Ancestor-gods responded to adversity, distress and disease, practitioners and whānau can form an immediate, meaningful relation to self, whānau, the world and one’s place in the world.

29. Kahurangi Yearbury P. The Children of Rangi and Papa: Māori creation stories. Christchurch: Whitcoulls Publishers; 1976.

30. Tipene-Leach D, Abel S, Hiha AA, Matthews KM. Rangahaua Te Kūwatawata! The Te Kūwatawata evaluation. Hawke’s Bay: Māori and Indigenous Research and Innovation Centre, Eastern Institute of Technology; 2019. Available from <https://www.hauoratairawhiti.org.nz/assets/Uploads/Te-Kuwatawata-Evaluation-FINAL-Report.pdf>. Accessed 28 January 2020

31. Lee J. Decolonising Māori narratives: pūrākau as a method. [Internet] MAI Review, 2009; 2. Available from <http://www.review.mai.ac.nz/mrindex/MR/issue/view/13.html>

32. Kopua DM, Kopua MA, Bracken PJ. Mahi a Atua: A Māori approach to mental health. [Internet] Transcult Psychiatry 2019; epub ahead of print. Available from <https://journals.sagepub.com/doi/10.1177/1363461519851606>. Accessed 4 February 2020.



- **Hongihongi te wheiwheiā (inhale the unusual)**

This principle calls for a process of continuous improvement: embracing a culture of feedback. Practitioners are encouraged to seek feedback from whānau and colleagues on their performance – and in particular be open and responsive to negative feedback.

Diana and Mark's introduction to the work of Mahi a Atua gave participants an insight into what can be achieved through a kaupapa Māori-informed therapeutic approach which resonates strongly with whānau. This session closed the Hui with a sense of hope for the future, not only of a culturally safe health system, but of an Aotearoa New Zealand that weaves mātauranga Māori into all facets of society.



Kowhaiwhai rafters in the whareniui

Kupu Whakatepe | Conclusion

The fourth Māori Health Hui included the College's first noho marae (marae stay). For many attendees, particularly from Te Whenua Moemoea (The Dreaming Land – Australia) this was a wholly new experience. The noho incorporated whakawhanaungatunga, and many attendees shared very personal and at times, emotional responses to the Hui and its kaupapa, and the College's own journey through the Indigenous Strategic Framework and the leadership of the Māori Health Committee. For some attendees, it was an opportunity to reconnect with Te Ao Māori through tikanga, whanaungatanga and manaakitanga, having experienced (often unwittingly) a disconnection.

The noho and whakawhanaungatanga underscored the importance of growing the Māori Caucus for the College in Aotearoa New Zealand. While the Caucus is conceived as a collective of trainees, Fellows and staff who whakapapa Māori, it could be considered as a whānau – a whānau comprised of and united by a common kaupapa, and connections to Te Ao Māori (the Māori world) and the Royal Australasian College of Physicians.

One of the most unique aspects of the College is its breadth and diversity of its membership across two Divisions, three Faculties and four Chapters; this is again evident as the College spans two countries and four time zones. Our College also encompasses three spheres of indigeneity: Māori in Aotearoa, and Aboriginal and Torres Strait Islander peoples in Australia. Events such as the Hui, which bring our College together, present as weaving of whakapapa, kaupapa, discussions and experience. Many times, attendees noted that they found themselves 'weaving' metaphorically – applying the strands of kōrero (discussion) and ideas presented at the Hui to then embed these threads in their professional and personal lives.

Tukutuku panels line the walls of many whareniui, depicting geometric designs woven together on a lattice using cross-stitched thread

The responses recorded through the evaluation process will provide guidance to the Māori Health Committee and the Caucus in developing the kaupapa of future Māori Health Hui.

There were also calls for greater inclusivity, particularly to extend the invitation to medical students and RACP trainees, and whānau members. Other respondents highlighted the need for greater connection to the delivery of the College's curriculum, and how cultural safety is embedded by the College and on the local level, by supervisors.

When asked what they enjoyed about the Hui:

- The whanaungatanga session in the evening was a simply intriguing experience of healing and wellbeing. The new friendships formed.
- More talking time to ask questions, but at the same time, you have to go away and think for a while before you know what questions to ask.
- To touch those wonderfully smooth carvings. Being part of discussions and whakaaro (considerations) that would lead to later Board decisions. To be by the sea.



The hui was a highlight of my year, I absolutely loved every moment of it. The hui has strengthened relationships with those that will champion the ISF and this solidarity is vital as we face the challenges ahead. I am most thankful to the RACP for allowing me to participate in this monumental event.

These responses reflect the depth of feeling from many attendees at what was a remarkable event for the RACP.



This report was prepared by the RACP Maori Health Committee.
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