



PSA 

State Sector

Rāngai Tūmatanui

Submission of the PSA State Sector sector committee to the Justice Select Committee on the Principles of the Treaty of Waitangi Bill

About us

The New Zealand Public Service Association Te Pūkenga Here Tikanga Mahi (the PSA) is the largest trade union in New Zealand with over 96,000 members across Aotearoa's public and community services.

The PSA's Public State Sector Committee is the democratically elected governance body representing over 12,000 members working in the public sector including in Crown entities, State-Owned Enterprises, and Public Finance Act Schedule 4 organisations, and Crown companies.

Our feedback on the Bill

We strongly oppose the Principles of the Treaty of Waitangi Bill (the Treaty Principles Bill) and recommend that it is rejected.

We believe that the Treaty Principles Bill is a divisive distraction that is taking away time and energy that should be put into addressing the most pressing issues facing Aotearoa New Zealand. The suggestion of a referendum on Māori rights and Te Tiriti principles is harmful and divisive. It simplifies complex issues into binary choices, undermines the partnership Te Tiriti represents, and amplifies misinformation. Instead of wasting our resources and reducing a complex debate to a Yes/No referendum we could focus on improving our cultural competency and reo so that we validate the principles our legal system now recognises. We say no to a referendum and no to this Bill.

"Once again there is a sensed discrimination and fear pervading the workplace. This has made dialogue with our leaders much more difficult, especially for wahine. It highlights division rather than unity. Our strong PSA union helps as we have good representation, strong delegate leads and Māori membership. However, solidarity is challenged and our focus on our day jobs is taken off centre simply to defend who we are. It feels as if we are experiencing a massive waste of all the progress our nation has made from its founding document." (Committee member)

Our members provide the services New Zealanders need in areas like social support, housing, infrastructure, and education. We know that Te Tiriti o Waitangi drives positive change in our workplaces and the services we deliver. It challenges outdated systems, promotes equity, and ensures Māori voices are heard at decision-making tables. These principles make workplaces more inclusive for kaimahi Māori, who bring invaluable insights and cultural wisdom to their roles and to the teams we both belong together in.

“We’ve always held open dialogue with Managers, prided ourselves on learning Te Reo Maori and performing (in all ways) in an office lead by Māori, where Ngā Matapono are drawn from the principles of Te Tiriti o Waitangi. These principles have supported us in our workplace to weave/raranga strength into our education system.” (Committee member)

Te Tiriti is the foundation for policies and practices aimed at enabling equitable treatment and reconciliation. Te Tiriti guides tangible actions in public services to address disparities faced by Māori communities.

Modifying or reinterpreting the principles of Te Tiriti perpetuates systemic inequalities and deepens mistrust between Māori and the Crown.

This Bill undermines the Crown's relationship with tāngata whenua. It also undermines the good faith relationship between Māori and the Crown through the Crown's public institutions.

Many Māori do not trust the Crown due to years of oppression caused by the introduction of legislation that penalised Māori for even speaking their own language, because of land confiscation, imprisonment and financial penalties imposed for practicing Te Ao Māori. This Bill adds to that oppression by seeking to unilaterally redefine the principles of Te Tiriti in a way that is in conflict with what is contained in Te Tiriti itself.

Te Tiriti O Waitangi is our founding document and is a legally binding agreement. There is precedent set by the Waitangi Tribunal regarding this. With any agreement, to change it there must be agreement between BOTH parties involved.

“It is 2024 and we would think that we would have evolved, instead of having some non-Māori privileged people deciding that it inconveniences them and again trying to change the Treaty without consultation from Māori. When does this stop? When does the government decide that they are to honour our founding document? When do we stop going backwards in our growth as a country?” (Committee member)

Unilaterally reinterpreting the treaty principles will come at a cost to the Government – not only through the legal challenges that will inevitably result from this, but also at a cost to the relationships between Māori and the Crown.

“Honour Te Tiriti O Waitangi, Honour our country. honour our unity, and stop trying to divide us!” (Committee member)

For more information about this submission please contact:

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