

**EMBARGOED UNTIL DELIVERY**

**CHECK AGAINST DELIVERY**

*Address by*

*Hon John Luxton*

*Minister of Maori Affairs*

*to the*

*One New Zealand Foundation, Rotorua*

*Friday, 14 October 1994, 7.30 pm*

*E nga iwi,  
e nga karangatanga,  
te iti me te rahi,  
tena koutou,  
tena tatou.*

*All peoples,  
all relations,  
great and small alike,  
greetings to you,  
greetings to us all.*

*I thank you for the opportunity to talk here today at your public meeting on aspects of Maori policy. I want to discuss the progress that I believe is being made in race relations within this country bringing people together to better understand our differences and to tolerate such differences.*

*Current Maori policy is not about exorcising guilt for wrongs that have been committed in the past, nor for unscrambling yester year's scrambled eggs. It is all about trying to ensure that New Zealanders all have a fair go.*

*We start on the basis of the Treaty signalling the beginning of New Zealand as we know it today. It was a very simple document which guaranteed sovereignty to the Crown, the right of Maori to manage their own assets and stated the principle that all New Zealanders were equal before the law. To this, the previous Labour government added another couple of principles, trying to move forward a principle of reasonable cooperation and a principle of redress.*

*I see the Treaty as a document which brings New Zealanders*

*together, but there are three major areas in which Government policy is currently working.*

*First, in the area of Treaty settlements. Government is trying to acknowledge some of the wrongs of the past, to put them behind us and to move forward, particularly as we near the 21st Century. We are not seeking to make complete amends, for that would be impossible, but rather, to acknowledge, to agree and to move forward.*

*When one examines the history of some of the long-standing grievances held by the Maori community, there is considerable substance in many of those grievances.*

*For example, assets being purchased, signed for at an agreed price by the Government or its agents and never actually being paid for. I don't believe anyone could say that such an approach was fair. Other examples include settlements being made with other than the right owner and the list goes on.*

*The Government is trying to move, over the decade, to resolve these in a way of achieving mutual settlement between the particular claimant group and the Crown, not to the full value necessarily of a particular claim, but in some way that is fair, politically sustainable and acknowledges the honour of both sides.*

*There is a need to put this process behind us as quickly as possible and move forward.*

*There are good reasons as to why this process is going on, and even if a Government tried to prevent it, the court system would likely have a different perspective. I will refer to them later in my speech.*

*The second area is the responsibility of Government to ensure the indigenous language and culture remain viable, given its uniqueness to New Zealand. One of the attractions to the international tourist of New Zealand currently, is the Maori culture due to such uniqueness compared with anywhere else in the world.*

*In the past, the language has been down-graded but with new found enthusiasm and interest, especially among the younger generation, it is experiencing a revival. This is restoring an element of pride and most importantly, an acknowledgement of one's ancestry and heritage for many within our community.*

*I too, take considerable pride in knowing about my heritage. It helps to build self-esteem and confidence in any individual, taking one half-way to success.*

*The third area of Government policy is to involve Maori in the decision-making processes of public organisations. It is encouraging achievement and allowing a greater say in public decisions as and when they are made. This not only gives a Maori perspective on the local organisation, but also brings a closer understanding within the local community.*

*The total budget allocation this year for Maori policy, is a little over thirty million dollars, or a little over one dollar in every thousand that the Government spends, or \$10 per New Zealander per year. Hardly a big commitment to ensuring that a particular group of New Zealanders do not stay in the lower socio-economic strata of society, largely because of historic circumstances.*

*It is interesting to note in Social Welfare across society, we almost spend each day, as much as we spend annually on Maori policy.*

*I want to now go back to the Treaty settlement process, and explain what would happen if Government were to take no action in trying to settle Treaty claims.*

*Courts in most developed countries are becoming increasingly proactive in areas affecting indigenous rights. Even if there was no reference to the Treaty within New Zealand legislation, the courts would still be within their rights to be passing judgements giving rights to Maori on the basis of previous court decisions. Particularly those relating to the precedence of past treaties in other countries such as Canada and the United States.*

*Even in Australia, with no treaties at the time of European settlement, we now see the impact of the Mabo Decision over the last couple of years. It is starting quite a significant trend within the Australian court system, and the Australian political system with regard to Aboriginal rights.*

*It is not an issue that can be legislated out of existence without agreement in today's age, as it has been in the past.*

*In 1990 here in New Zealand, we saw the courts almost bringing our fishing industry to a standstill, both with litigation by Maori groups and the resulting court decisions, prior to the Sealord settlement. That, thankfully, has resolved the majority of the issues and we can get on with the process of fishing. It may not have yet resolved the issue of the distribution of the benefits accruing to Maori, but I am quite confident that these will be resolved in due course.*

*Even on the issue of some of the land grievances currently before the Waitangi Tribunal, many of those particular grievances would hold up in a civil court with existing legislation, again without reference to any Treaty clause.*

*The signing of the Treaty did provide a valid basis for a moral obligation of the New Zealand government to the indigenous people of New Zealand.*

*However, in 1987, a landmark case changed the approach from a moral obligation to one of a legal duty. This was when the court was asked to review the intention of the then government, in the "context of launching a new state enterprise, to transfer large areas of government-owned land to that enterprise."*

*The New Zealand Maori Council claimed that such a transfer,*

*particularly before it was considered by the Waitangi Tribunal as part of various Treaty claims, would be "inconsistent with the principles of the Treaty of Waitangi". This was based on section 9 of the State-Owned Enterprises Act 1986.*

*Since that case, the Court of Appeal has also indicated that there is a requirement for consultation in order to comply with the Treaty on major issues. Such consultation is actually a reasonable process of good government.*

*With the process of settling those outstanding claims, Government has suggested for the purposes of ensuring relative fairness between claimants and today's taxpayers, and for the need for proper budgeting purposes, a settlement package of approximately \$100 million per year over each of the next ten years. This represents just point three of a per cent of Government spending per year, over that period of time.*

*I want now to focus on another process of change occurring in Government quite separate to Maori policy. That is the devolution to the community, of activities previously undertaken by very bureaucratic government institutions.*

*As Government has tried to get greater efficiency in its spending, part of this approach has involved devolving responsibility and increasing amounts of its expenditure to groups within the community, be they schools, regional health authorities, welfare agencies, from churches through to Maori community groups.*

*In most cases, we have seen a marked improvement in the delivery of the service and a marked reduction in the cost of the service being delivered. Many of the groups now delivering those services are community groups. Some of those community groups are Maori groups, servicing a particular area or need, whilst others are servicing a particular target group and with, in many cases, remarkably improved outcomes.*

*There is inevitably, more value for money to the taxpayer when communities are actively involved in delivering services. It also opens up new opportunities because communities can find innovative approaches to dealing with particular issues, as opposed to a central bureaucratic decision imposed on a community, often not reflecting local needs or requirements.*

*An example of one such area of devolution is the pre-school education sector, which has been in the news over the last week. In the last four years, we have doubled the number of early childhood places paid for by the Government at a rate of approximately seventy dollars per child place per week.*

*That standard rate is available whether you provide a kindergarten for twenty four hours, a private childcare facility for thirty hours or a Maori language Kohanga Reo for thirty hours, providing the organisation meets the standard required by the Government through regulation. Therefore, there is no discrimination within the law today, as perhaps there may have been in the past.*

*Providing groups achieve the quality benchmark required by regulation, they are entitled to receive Government funding.*

*In the health sector, here in Rotorua, the Tipu Ora Trust received a contract from the Regional Health Authority to improve the immunisation level of young Maori children, from the appalling level of some thirty five per cent being vaccinated over recent years.*

*It is pleasing to see the Maori community, at no greater cost, has been able to achieve immunisation levels well into the ninety per cent of a community which traditionally has always been very difficult to achieve high immunisation levels.*

*This type of approach of devolution to Maori and other community groups, must be seen as a positive approach to improving the opportunity and well-being for all within our community. There is no additional entitlement to Maori, just a better servicing of the Maori community using the resources previously captured by Area Health Boards.*

*If one looks at the justice system, where we currently spend over thirty thousand dollars per inmate in our prisons, and which are bound up by the bureaucracy of state ownership and operation, there are some very healthy and successful alternative schemes currently being run in the area of preventative rehabilitation. These are largely run on very small grants from Government agencies - small in comparison to the cost of servicing one prison*

*inmate.*

*The Mahi Tahi programme run by a Maori community group at Opotiki, has a very high success rate in preventing recidivism of people coming out of the court system , better than any in the mainstream justice system in New Zealand that I am aware of today. It gets quietly on with its business, under-funded, and makes, to me, a very good case for looking at alternative approaches to the standard 'lock them in the prison and throw the key away' approach, which ensures that a majority, without proper counselling and proper support, will be punished, serve their time and come out and re-offend again.*

*It seems to me that the process of devolution will continue and will empower both Maori and other community groups to provide services in their own communities in a better manner than has been done in the past.*

*I believe that New Zealand is enjoying a considerable improvement in race relations, as we move in the direction of involving our Maori community in the mainstream of our society.*

*We have stopped consigning it to the old approach of handing everything to the old Department of Maori Affairs and the central bureaucratic control of the "give me the budget of two hundred million dollars a year to get our way and be quiet". Then for bureaucrats within that Ministry to make what they believed were wise business decisions, to invest loan money in kiwifruit orchards*

*which subsequently went broke. The Maori owners had little or no say in the development process that was devised and undertaken by Government agents and bureaucrats.*

*No longer is the Government involved in specifically targeting that type of inefficient assistance to Maori. Rather, Maori are treated no different to any other business in our society that can tap into the Business Development Board and the Community Employment Grants Scheme available to all.*

*The same opportunities and expert assistance are offered to all New Zealanders.*

*I am one New Zealander who is very proud of our Maori people and our Maori heritage. It is, as I said earlier, a heritage that makes us quite unique in the world and has created a more culturally-aware and a more culturally-tolerant people than in most other western nations.*

*Again, I thank you for the opportunity to talk with you today and hope that you too, might not be quite so concerned about the very positive changes that are occurring in Maori policy within New Zealand today.*