



Te Tiriti o Waitangi

Introduction

A Tiriti o Waitangi lens, provides the Northland District Health Board (Northland DHB) with opportunities through which our relationships between Iwi, hapū and whānau, ngā hāpori Māori and Hauora Māori can be measured to see whether we are Tiriti compliant. It is important at the outset to note that as Northland DHB we embrace a Tiriti o Waitangi lens and dispel misunderstandings about Te Tiriti o Waitangi. To do this, we adopt the view that Te Tiriti devolved the right for the British Crown to govern it's own people (Article 1) while preserving te tino rangatiratanga (the exercise of absolute and paramount power and authority derived from the atua) to the rangatira.¹

Northland DHB acknowledges that misinterpretation of the agreement recorded in Te Tiriti o Waitangi has been a longstanding grievance for Māori of Te Tai Tokerau. Since 2014, the Waitangi Tribunal has upheld their claim that the treaty their ancestors signed, confirmed and guaranteed their tino rangatiratanga and that no cession of sovereignty had taken place. The Tribunal confirmed that Te Tiriti guaranteed Māori exercise their mana and tino rangatiratanga within their sphere of influence, in respect of Māori people and their resources, while the Crown exercises it's kāwanatanga within it's sphere of influence in respect of it's people (not Māori). Hence the importance of our relationships, to share in equal and true partnership, our aspirations, operations, resources, and decision-making between hapū, whānau, and Iwi/Māori, and Northland DHB as Crown health agency.

Purpose

This policy sets out Northland DHB's commitment to giving effect to the articles of Te Tiriti o Waitangi. This requires focused compliance with the Board's obligations under Te Tiriti and its responsibilities under the New Zealand Public Health and Disability Act 2000. The Act requires DHBs to address Māori health outcomes and reduce health disparities.

This policy will underpin the vision, policies, structures, and overall operations of Northland DHB. This will be necessary as Northland DHB:

- Raises its responsibility to engage in genuine partnership with its Iwi/Māori stakeholders, demonstrating good faith, cooperation and sharing in decision-making
- Actively protects te tino rangatiratanga and taonga of Iwi/Māori, in self-determination over their development, environment and lands, territories and resources
- Removes Māori health inequities, so that whānau can participate in community life as equals to enjoy non-discrimination, redress, and special measures

Scope

Applicable to all Northland DHB members, staff, contractors, partners, consumers of services and whānau.

¹ Professor Margaret Mutu's review on Te Tiriti: In 2019 National Iwi Chairs Forum reached agreement with the New Zealand Government on a Tiriti o Waitangi framework and partnership agreement.

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Principles

The Articles of Te Tiriti

Northland DHB notes the need to refer to the four articles of Te Tiriti o Waitangi and acknowledges that they stand in contrast to the 'principles of The Treaty of Waitangi'. This is to further recognise that Māori, while not consulted about the principles, have always been clear it was the articles of Te Tiriti o Waitangi that were signed and agreed to, not the principles of The Treaty of Waitangi.

Articles	Health & Disability Sector Response
Kāwanatanga	Stewardship
Tino Rangatiratanga	Iwi/Maori health development
Oritetanga	Equity focus
Ritenga Māori	Mātauranga Māori

Closely related to the articles of Te Tiriti are the Māori cultural concepts and values that we, as a Crown agent of the NZ Government, acknowledge and take into account:²

- *Mana whakahaere*: effective and appropriate **stewardship** or kaitiakitanga over the health and disability system, which goes beyond the management of assets or resources
- *Mana motuhake*: enabling the right for Māori to be Māori (**Māori self-determination**), to exercise their authority over their lives, and to live on Māori terms and according to Māori philosophies, values, and practices, including tikanga Māori
- *Mana tangata*: achieving **equity** in health and disability outcomes for Māori across the life course and contributing to Māori wellness
- *Mana Māori*: enabling ritenga Māori (Māori customary rituals), which are framed by te ao Māori (the Māori world), enacted through tikanga Māori (Māori philosophy and customary practices), and encapsulated within **mātauranga** Māori (Māori knowledge)

Northland DHB Definition

Northland DHB uses Te Tiriti and/or Te Tiriti o Waitangi to replace and dispel any further use of The Treaty of Waitangi. Use of Te Tiriti and/or Te Tiriti o Waitangi acknowledges the four articles in the Tiriti document itself. (The fourth article guarantees religious freedom).

Method

Northland DHB will:

- Undertake ongoing review and amendment of its policies and practices, to demonstrate commitment to working with Māori
- Grow the capacity and capability of our Māori Workforce
- Integrate aspects of cultural competence and wellbeing into existing staff training and new programmes, in line with the mandatory participation in Te Kaupapa Whakaruruhau³ education and training

² Health and Disability System Review 2020

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- Grow our leadership and champion the provision of high-quality health care which delivers equity of health outcomes for Māori (training courses, e.g. Ngā Manukura o Āpōpō – Leadership for nurses)
- Provide health services and models of patient and whānau centred care that meets the health care needs and aspirations of Māori
- Support improved and accelerated Māori health gain that is consistent with the rest of the Northland population health status
- Make provision for the safeguarding of Māori cultural concepts, values, and practices
- Develop specific strategies and targets and monitor improvements to Māori health outcomes that will mitigate:
 - a. Differential access to services
 - b. Differential care within the health system
 - c. Differential exposure to the social determinants of health

References

- A Critique through a Tiriti o Waitangi Lens (Professor Margaret Mutu July 2020)
- [Treaty of Waitangi Act 1975](#)
- [Wai 2575 Waitangi Tribunal Findings](#)
- [Health and Disability Act 2000](#)
- [Health and Disability Act 2001](#)
- [Health & Disability System Review](#)
- Organisational Values, Northland DHB
- Affirmative Action Plan, Northland DHB 2019
- Workforce Strategy, Northland DHB 2019-2029
- Māori Workforce Action Plan, Northland DHB
- [Recruitment Policy](#) Northland DHB 2019
- [Eliminating Inequities Policy](#) Northland DHB 2019
- [Equity of Healthcare for Māori Framework](#)
- Northland DHB Approved Position Paper on Institutional Racism (2019)
[Te Kaupapa Whakaruruhau i te Oranga Mo te Iwi Maori \(Maori Health Cultural Quality Programme\)](#)

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