

# **Ngā Wātene Māori**

## **A Way Forward**



**Discussion Paper**

**January 2019**





## Introduction

He hōnore, he korōria, maungarongo ki te whenua, he whakaaro pai ki ngā tangata katoa. Pai Mārire.

I have been grateful to meet with many of you as I have travelled around the country.

Your experiences, thoughts, ideas and questions have been really helpful in understanding the types of changes that will assist your organisation to move forward. Our meetings have highlighted the extent of the responsibilities you undertake in our communities across the motu.

What I have learnt is that Māori Wardens operate in a very different context than when you were first established through the Māori Social and Economic Advancement Act 1945. Communities now have different needs for support from Māori Wardens, and in recent years, there has been an increasing desire by many Māori Wardens groups to have greater independence over your day-to-day functions and governance.

As I have advised my Cabinet colleagues, I intend to report back in mid-2019 on the outcomes of my discussions with Māori Wardens, the New Zealand Māori Council, and other key stakeholders, with a plan to move forward.

I have taken on board the range of issues considered by the Joint Advisory Group (JAG), and feedback from discussions with the New Zealand Māori Council and Māori Wardens groups to progress the next phase of engagement.

I now want us to have more detailed discussions to identify specific changes that may be required to modernise the governance and operations of Māori Wardens, and to assist your consideration of potential options.

I want to encourage your participation and engagement in this process throughout 2019. You will see greater use of Te Puni Kōkiri's website [[tpk.nz/maoriwardens](http://tpk.nz/maoriwardens)] and a dedicated Māori Wardens Facebook page [[www.facebook.com/maoriwardensnz/](https://www.facebook.com/maoriwardensnz/)] for sharing and updating information.

This will support regional workshops aligned with Rātana, Waitangi and Te Matatini events in early 2019, and further engagement hui around the motu during March, April and May 2019.

I look forward to working with you to determine a future where Māori Wardens are able to sustainably undertake your responsibilities now and in the years ahead.

**Hon Nanaia Mahuta**  
**Minister for Māori Development**



## Background/Context

The Māori Warden role has existed in some form since the late 19<sup>th</sup> century. The current mandate for Māori Wardens was provided through the Māori Community Development Act 1962.

The Act gives District Māori Councils the exclusive power and authority to nominate Māori Wardens for appointment by the Minister for Māori Development. It also gives District Māori Councils authority, which they can delegate to a Māori Committee or Māori Executive Committee, to control and supervise the activities of Māori Wardens carrying out duties within their districts.

The Act sets out the functions and powers of Māori Wardens, many of which are now considered outdated. We know that the role of Māori Wardens has broadened considerably over the last 50 years, having adapted to meet the changing needs of their communities in a modern context.

## The Need for Change

Since 2010 there have been a number of inquiries, reports and proposals related to the Māori Wardens. These have included the Māori Affairs Select Committee Inquiry (2010), consultation on proposed changes to the Māori Community Development Act 1962 (2013), the Waitangi Tribunal *Whaia te Mana Motuhake* Report (2014), and JAG deliberations (2017). These inquiries, reports and proposals have identified a need to:

- modernise the functions and powers of the Māori Wardens;
- consider the mandate, organisation structure, accountability for the Māori Wardens;
- identify ways in which the capability and training of Māori Wardens can be better supported; and
- reassess the relationships between the Māori Wardens, marae, communities, the New Zealand Māori Council, Te Puni Kōkiri, the New Zealand Police, and other key stakeholders.

As such, we are seeking your feedback on what needs to change for the:

- A. **Role and Powers** of Māori Wardens.
- B. **Governance and Relationships** of Māori Wardens.
- C. **Recruitment and Training** of Māori Wardens.
- D. **Resources and Reporting** of Māori Wardens.

You can complete the [Māori Warden survey here](#)





## Role and Powers

The Māori Community Development Act 1962 sets out the functions and powers of Māori Wardens. No significant changes have been made to these since 1962.

In summary, under Sections 31-35 of the Act, Māori Wardens have powers to prevent alcohol-related offences by Māori.

In response to changes in the needs of the communities they serve, Māori Wardens have moved away from exercising the powers set out in the Act, to a role centred on community development and support for whānau.

The 2010 Māori Affairs Select Committee Inquiry heard that the roles of Māori Wardens include: crowd and traffic management (primarily for marae); first aid services; security services; supporting rangatahi and whānau dealing with schools, welfare, courts and/or prison services and other Government agencies; tangihanga/hui duty; and support of te reo and tikanga Māori.

In our recent discussions, it has been identified that Māori Wardens are doing much more than is described as their functions and powers in the Act. There are also significant variations across Districts, in response to different whānau and community needs, and different Māori Wardens' capabilities.

Many of you feel that it is important to understand all the different activities that you are involved in, to ensure that appropriate support (including resources and training) is available. A number of you also feel that it is important to acknowledge people making contributions at different levels, including those that are unwarranted, pre-warranted, warranted, and life-time members.

### **Questions we want your feedback on:**

1. **How would you explain the work that you do as a Māori Warden?** What are the key activities that you do, how often, and for whom?
2. **Do you currently undertake any duties assigned by your District Māori Council?** If so, what are these, and how often?
3. **Have you ever declined a request for support (e.g. if it was too dangerous, or you didn't feel appropriately qualified)?** If so, what support was requested, from whom, and why did you decline to do it?
4. **What other roles/functions or activities do you think Māori Wardens could do in your community?** Are there any barriers to this happening? What are these?

### **Potential ROLE AND POWERS change options for you to think about:**

#### **A1. Change the functions and powers of Māori Wardens:**

- i. Replace/change the content of Sections 31-35 of the Māori Community Development Act 1962 with new functions and powers that reflect contemporary roles/functions for Māori Wardens; or
- ii. Remove Sections 31-35 of the Māori Community Development Act 1962, identify new roles/functions of Māori Wardens, and decide whether Māori Wardens need legal authority to perform these new roles/functions; or
- iii. Remove Sections 31-35 of the Māori Community Development Act 1962, and leave it to the Māori Wardens and the communities they serve to determine what their roles/functions are (without legal authority).

#### **A2. Do not change the functions and powers of Māori Wardens ("status quo").**





## Governance and Relationships

### Governance

Many Māori Wardens groups have been calling for greater control of their operations.

The feedback I have received indicates a desire for the Māori Wardens to “move away” from both Te Puni Kōkiri (capability and coordination support) and from the New Zealand Māori Council (oversight), towards a greater level of autonomy.

Although there have been numerous discussions about establishing a Māori Wardens entity, this aspiration has not yet been realised.

The *2010 Māori Affairs Select Committee Inquiry* found that “an adequately resourced Māori Wardens governance structure, to deliver timely, cost-efficient, consistent support for wardens throughout New Zealand” was essential.

### Questions we want your feedback on:

1. **Where do you think the authority for Māori Wardens comes from in 2019?** The Māori Community Development Act 1962? District Māori Councils? The relationships you have built in communities? Others?
2. **Who to, and how, are Māori Wardens accountable for their activities?** District Māori Councils? Marae Committees? Māori communities? Others?
3. **Who do you think should approve the selection and appointment (warranting) of Māori Wardens?** Why?
4. **Do you think Māori Wardens should be self-managing (e.g. have their own organisation/entity with governance and management responsibilities)?** If so why? If not, why not?

### Potential Governance change options for you to think about:

While there seems to be consistent support for the autonomy of Māori Wardens, we need to consider a range of opportunities to achieve this. Along a spectrum of change, there are three evident options, with numerous other possibilities between them.

#### B1. **KAHIKA – Amended Statutory Authority**

This option would see the Māori Wardens remain under the Māori Community Development Act 1962. Changes may need to be made to this Act to:

- change (update) the functions and powers of Māori Wardens; and
- remove the control and supervision of Māori Wardens from District Māori Councils (to enable Māori Wardens to have operational autonomy)

As discussed by the Joint Advisory Group in 2017, this would require new governance arrangements for the Māori Wardens, to be shared by the New Zealand Māori Council and Māori Wardens. These new arrangements may also need to be included in potential changes to the Act. Depending on the outcomes of discussions about capability and training supports, and Māori Wardens' relationships with others, there will be a need to identify where responsibilities of these will sit in the future.

#### B2. **POHUTUKAWA – New Statutory Authority**

This option would see the Māori Wardens modernised through their own legislation (e.g. a Māori Wardens Act). This would give

the Māori Wardens new statutory authority, and enable full governance, management and operational autonomy.

Key activities would include:

- developing a Māori Wardens Policy, and legislation to effect it, if desired;
- designing and establishing a Māori Wardens entity;
- agreeing on the transfer and/or provision of Government supports (through the Māori Wardens Project) to the new entity;
- identifying new functions/powers for Māori Wardens, including consideration of whether these need statutory authority; and
- developing new provisions/processes for the appointment of Māori Wardens, and management of their activities (for the entity to conduct).

### B3. **TIKOUKA** – No Statutory Authority

This option would see the Māori Wardens achieve full independence, and be removed completely from the Māori Community Development Act 1962.

Key activities would include:

- designing and establishing an independent Māori Wardens organisation within an existing statutory framework (such as the Incorporated Societies Act 1908 - similar to the Māori Women's Welfare League), including:
  - its purpose/role, functions, structure and resourcing requirements;
  - its relationships (if any) with the New Zealand Māori Council, the Minister for Māori Development, Te Puni Kōkiri, New Zealand Police, and any others;
- agreeing on the transfer and/or provision of Government supports (through the Māori Wardens Project) to the new organisation.

## Relationships

As community-based volunteers, Māori Wardens have a myriad of relationships ranging from the statutory (New Zealand Māori Council), the formal (e.g. Te Puni Kōkiri, New Zealand Police), the ongoing (e.g. marae), and event-based (e.g. local government and other community groups).

We are seeking feedback on the expectations your organisation has of partner organisations at both governance and operational levels.

### Questions we want your feedback on:

1. **Who are the main organisations/groups you currently have relationships with?** What is the purpose and nature of each of these relationships?
2. **Do you want to retain, change or further develop any of these relationships?** If so, with whom and why?

### Potential Relationships change options for you to think about:

- B4. **Reset the relationships** with Te Puni Kōkiri, NZ Police, and/or the New Zealand Māori Council.
- B5. **Formalise the relationships that each District has** with different groups in their rohe.
- B6. **Maintain the current relationships** with Te Puni Kōkiri, NZ Police, and the New Zealand Māori Council (“status quo”).





## Recruitment and Training

The Government provides funding and support for building the capacity and capability of Māori Wardens through the Māori Warden's Project. This Project was established in 2007, and initially trialled in six regions. It was subsequently rolled out nationally in 2008/2009.

I have received feedback that this investment builds the long-term capability of your organisation.

The Māori Wardens Project currently includes:

- A contestable fund of \$1m per annum, supporting Māori Wardens' activities in four categories:
  - *Operational Assistance – covering patrolling, event safety and security, community support, district coordination and operating costs for vehicles;*
  - *Capacity and Capability – covering specialised and localised training, such as Traffic Control and Site Traffic Management Supervision, organisational development including establishing a legal entity or developing plans and policies, professional services and governance mentoring;*
  - *National Event Allocation – covering Rātana, Waitangi, Koroneihana and Te Matatini; and*
  - *Youth at Risk – covering localised initiatives or projects (up to a total of \$89,000).*

- Operational funding of \$1.5m per annum for:
  - *nine staff and associated overheads;*
  - *the Māori Wardens Training Programme and all associated costs (including trialling new courses/elements);*
  - *Māori Wardens Uniforms, including design, fitting, production and distribution costs; and*
  - *incidentals, including Māori Wardens safety equipment and hui/national conference costs.*

Recruitment of new Wardens is largely left up to each of the Districts, and it was identified that a national recruitment campaign would be beneficial, to boost numbers and support succession (enabling experienced Wardens to pass on their expertise).

In recent discussions, attracting younger Wardens was seen as important, although it was acknowledged that this is made difficult by Jobseeker requirements or competing employment opportunities. The provision of relevant training and qualifications was seen as an opportunity to attract more new Wardens, and enable a number of Wardens to balance employment and volunteering commitments.

As communities' needs have changed, Māori Wardens have found themselves undertaking new roles and functions. Regardless of whether these are statutorily sanctioned, they do raise questions about the capability of Māori Wardens and additional training/qualification needs to meet role requirements. Examples of roles<sup>1</sup> and related qualifications include:

<b>Function</b>	<b>Capability/Training Implication</b>
Crowd Management	Crowd and conflict management (non-formal).
Traffic Management	Traffic management (NZQF Level 1-2 qualifications).
Emergency Management/Civil Defence Support	Emergency management (NZQF Level 1-3 credits/ qualifications).
First Aid Services	First Aid (non-formal and NZQF Level 1-2 qualifications).
Security Services	Security (NZQF Level 2 credits).
Supporting at risk tamariki and whānau dealing with agencies	Agency-specific training courses on Family, Youth Court and District Court law and processes, understanding of welfare entitlements and access processes, and understanding of Corrections policies and processes (non-formal).
Truancy Prevention, education support	School-specific policies and processes, and agency supports/ access processes (non-formal).

<sup>1</sup> Note that Māori Wardens groups access funding from Te Puni Kōkiri to access some of this training locally.



In our recent discussions, further training and qualifications have been identified as high need areas, to ensure that Māori Wardens are able to meet new requirements (e.g. certification), access community and agency supports for whānau, and support social service providers/specialists in dealing with mental health issues or suicide prevention.

### Questions we want your feedback on:

1. **How can more Māori Wardens be recruited?** How can younger people be attracted to become Māori Wardens?
2. **Are there any other roles/functions that you are performing that need new training/qualifications?** If so, what (roles/functions and training/qualifications)?
3. **What specific training do you think Māori Wardens need that you are not currently able to access?**
4. **If you have declined a request for support in the past, was it because of a lack of training or appropriate qualification(s)?** If so, what and why?

### Potential Recruitment and Training change options for you to think about:

- C1. **All Māori Wardens are assessed** to determine what skills they already have, and what additional training they may require.
- C2. **Māori Wardens retain their Foundation Training**, and access other training/qualifications as and when needed (“status quo”).
- C3. **Other** – what?

*Note that some Wardens may already have Level 2, 3 and/or 4 qualifications based on the New Zealand Qualifications Framework (NZQF) credits awarded for traffic management, emergency management, civil defence support, first aid services and security services. Some Wardens may also be assessed to recognise their current competencies [through Recognition of Prior Learning (RPL) or Recognition of Current Competency (RCC), based on the skills and experiences that have gained throughout the course of their lives.*



## Resources and Reporting

In our recent discussions, numerous requests were made to simplify processes to access funding, and for additional resources including more vans, technology to support mobility (e.g. phones and/or tablets), and more information on community and agency supports, particularly for rangatahi and whānau.

Several requests were also made for reporting to be made less onerous/time-consuming, whilst acknowledging the need to ensure transparency and accountability.

As I have acknowledged, simplifying reporting is important. However, I have also explained the value of reports, particularly in seeing the breadth of Māori Wardens' activities in supporting whānau and communities in the Districts and across the country. These also help demonstrate the depth of knowledge that you all have of the issues our rangatahi and whānau are dealing with – as was commented on by the Prime Minister following your hui with her at Waitangi in 2018.

**Questions we want your feedback on:**

1. What types of resources are Maori Wardens most in need of?
2. How can funding processes be improved and/or made easier?
3. How can reporting processes and requirements be improved and/or made easier?
4. How can accountability arrangements be improved and/or made easier?



## Role and Powers

1. **How would you explain the work that you do as a Māori Warden?** What are the key activities that you do, how often, and for whom?

2. **Do you currently undertake any duties assigned by your District Māori Council?**

☐ Yes

☐ No

If Yes, what are these, and how often?

3. **Have you ever declined a request for support (e.g. if it was too dangerous, or you didn't feel appropriately qualified)?**

☐ Yes

☐ No

If Yes, what support was requested, from whom, and why did you decline to do it?

4. **What other roles/functions or activities do you think Māori Wardens could do in your community?** Are there any barriers to this happening? What are these?

## **Governance**

5. **Where do you think the authority for Māori Wardens comes from in 2019?** The Māori Community Development Act 1962? District Māori Councils? The relationships you have built in communities? Others?

6. **Who to, and how, are Māori Wardens accountable for their activities?** District Māori Councils? Marae Committees? Māori communities? Others?



7. **Who do you think should approve the selection and appointment (warranting) of Māori Wardens? Why?**

8. **Do you think Māori Wardens should be self-managing (e.g. have their own organisation/entity with governance and management responsibilities)?**

☐ Yes

☐ No

If so why? If not, why not?

## **Relationships**

9. **Who are the main organisations/groups you currently have relationships with? What is the purpose and nature of each of these relationships?**

10. Do you want to retain, change or further develop any of these relationships? If so, with whom and why?

### Recruitment and Training

11. How can more Māori Wardens be recruited? How can younger people be attracted to become Māori Wardens?

12. Are there any other roles/functions that you are performing that need new training/qualifications?

☐ Yes

☐ No

If so, what (roles/functions and training/qualifications)?

13. What specific training do you think Māori Wardens need that you are not currently able to access?

14. If you have declined a request for support in the past, was it because of a lack of training or appropriate qualification(s)? If so, what and why?

## Resources and Reporting

15. What types of resources are Maori Wardens most in need of?

16. How can *funding* processes be improved and/or made easier?

17. How can *reporting* processes and requirements be improved and/or made easier?

18. How can *accountability* arrangements be improved and/or made easier?

## Conclusion

19. Do you have any other feedback/comments?

***These final questions will help us with our analysis of the responses***

**20. Are you a Māori Warden?**

- ☐ Yes  
☐ No

If No, what is your relationship to the Māori Wardens?

**21. Which Māori Warden District are you from?**

- ☐ Aotea  
☐ Hauraki  
☐ Maniapoto  
☐ Mātaatua  
☐ Pōneke/Wellington  
☐ Raukawa  
☐ Tairāwhiti  
☐ Taitokerau  
☐ Tākitimu  
☐ Tāmaki  
☐ Tāmaki ki te Tonga  
☐ Te Tai Ihu  
☐ Te Waipounamu  
☐ Waiairiki/Te Arawa  
☐ Waikato

**22. How long have you been a Māori Warden?**

- ☐ < 5 years  
☐ 5-10 years  
☐ > 10 years

**Kia ora mō ō whakaaro.**  
Thank you for your thoughts.

Please send your completed feedback form to:

**Māori Wardens Project Team  
‘Discussion Paper Feedback’  
P O Box 3943  
WELLINGTON 6140**