



28 February 2014

Māori Language Strategy Consultation
delivered *via* e-mail to mlssub@tpk.govt.nz

Tena koe

**Submission on Te Puni Kōkiri's
*Developing a New Māori Language Strategy***

Te Pūtahi Paoho met on 21 February 2014 and discussed its response to Te Puni Kōkiri's *Developing a New Māori Language Strategy*. Enclosed in this letter is Te Pūtahi Paoho's submission on the strategy.

As part of its "no surprises" policy with the Minister of Māori Affairs and the Minister of Finance, Te Pūtahi Paoho has forwarded this submission to their respective offices.

Background

1. Te Pūtahi Paoho was established by the Māori Television Service (Te Aratuku Whakaata Irirangi Māori) Act 2003 (**the Act**). Te Pūtahi Paoho is the Māori Television Electoral College that represents Māori stakeholder interests in the governance of the Māori Television Service. The Crown's stakeholder interests are represented by the Minister of Māori Affairs and the Minister of Finance (**responsible Ministers**).
2. Te Pūtahi Paoho has specific responsibilities that are outlined in the Act. The governance of the Māori Television Service is shared with the Crown through its responsible Ministers. Acting jointly, Te Pūtahi Paoho and the responsible Ministers make decisions around the appointment of directors, approving the Māori Television Service's statements of intent, and safeguarding television frequencies to promote and protect te reo Māori me nga tikanga Māori.

3. Te Pūtahī Paoho has kept itself apprised of the wider issues impacting the promotion, protection and revitalisation of te reo Māori through television broadcasting including: new and emerging technologies; the shifts in content delivery and audience expectations; and the cultural, social and political shifts in te Ao Māori.
4. Te Pūtahī Paoho was established by the Act. Te Pūtahī Paoho's membership comprises of representatives from national Māori organisations who are key players in the Māori language sector and the Māori broadcasting sector:
 - 4.1. Te Kohanga Reo National Trust;
 - 4.2. Te Runanganui o Nga Kura Kaupapa Māori o Aotearoa;
 - 4.3. Te Tau Ihu o Nga Wananga;
 - 4.4. Te Runanga o Te Ataarangi;
 - 4.5. Nga Kaiwhakapumau i te Reo Māori;
 - 4.6. Māori Women's Welfare League;
 - 4.7. New Zealand Māori Council;
 - 4.8. National Māori Congress;
 - 4.9. Te Whakaruruhau o Nga Reo Irirangi o Aotearoa;
 - 4.10. Nga Aho Whakaari Māori in Screen Production; and
 - 4.11. Kawea Te Rongo.
5. Please note in 2013, Kawea Te Rongo and the National Māori Congress wished to withdraw from Te Pūtahī Paoho. There is an Order in Council in progress to give effect to their wishes.

Executive Summary

6. Te Puni Kōkiri's *Te Rautaki Reo Māori* states the Māori language is a taonga guaranteed to Māori by the Treaty of Waitangi. The Waitangi Tribunal's *Ko Aotearoa Tēnei: Taumata Tuarua* states responsibility for the revival of the Māori language is shared between Māori and the Crown, and that Māori have an equal if not more significant role in its survival and growth. Te Paepae Motuhake's *Te Reo Mauriora* states the future implementation of a te reo Māori revitalisation strategy should be led by iwi. Te Puni Kōkiri's *Developing a New Māori Language Strategy (MLS)* is presented as an overhaul and update to *Te Rautaki Reo Māori*.
7. Te Pūtahī Paoho submits that the MLS is less an overhaul and update than a reshuffle of existing arrangements within Māori language government agencies.
 - 7.1. The MLS continues the preference of the Crown to develop Māori language strategies without meaningful and respectful input from its Treaty partner, which denies Māori opportunities to present strategies based on self-determined aspirations.

- 7.2. The MLS continues the tradition of Crown-led strategies that lack ambition and specific targets. The control over the strategic deployment of human and financial resources remains with the Crown and remains limited to Māori language government agencies rather than a whole-of-government approach to Māori language revitalisation. The ability of the proposed iwi Māori governance entity to impact the delivery of programmes and services in areas such as economic development, education, and new and emerging technologies is non-existent.
- 7.3. While purporting to strengthen iwi Māori governance, the MLS implies a funder-service provider model, which subordinates the role of iwi Māori because the Crown retains control over the purchase of Māori language programmes and services delivered by Māori language government agencies. The MLS does not fully contemplate the perpetual obligations on both Māori and the Crown to te reo Māori, nor the contextual and dynamic realisation of those obligations.
- 7.4. Te Puni Kōkiri retains control over the implementation of the MLS along with formulating and evaluating Māori language policy, and monitoring the health of the Māori language.
8. Te Pūhahi Paoho recommends more time is needed to ensure meaningful input from iwi Māori, to disseminate all relevant censal data, and to provide more information on future governance arrangements.
9. Te Pūhahi Paoho further recommends a clearer understanding of the Crown's obligations to te reo Māori, a phased approach to consolidating the Crown's spend on te reo Māori, greater sharing of responsibilities between the Treaty partners, and research on language revitalisation through new and emerging technologies and through the economic value of te reo Māori.

Input by the Treaty Partner in Strategy Development

10. Te Pūhahi Paoho agrees *Te Rautaki Reo Māori* does not:
 - 10.1. respond adequately to the fragile state of te reo Māori;
 - 10.2. provide intensive and ongoing support;
 - 10.3. provide an adequate mechanism for a strong, Treaty-based, relationship between Māori and the Crown;
 - 10.4. allow for leadership opportunities by Māori or iwi; and
 - 10.5. support the importance of language development for whānau, hapu and iwi.
11. Further, Te Pūhahi Paoho agrees *Te Rautaki Reo Māori* is overly-bureaucratic, lacks ambition, and has failed to provide sufficient priority for Māori language programmes and services.

12. Te Pūtahi Paoho submits that at the core of the issues identified in points 10 and 11 of this submission is a lack of meaningful and respectful input from its Treaty partner. This issue is not new. *Te Rautaki Reo Māori* did not reflect wide input from Māori during its development in 2001, and the Waitangi Tribunal identified that as a significant issue in 2011, stating

On the Crown's part there must be a willingness to share a substantial measure of responsibility and control with its Treaty partner. The current Māori Language Strategy, by contrast, was developed by the Crown; Māori were consulted but were not involved in decision-making.
13. Of particular concern to Te Pūtahi Paoho is the haste in which consultations were undertaken, and the tight timeframe to respond *via* a submission. In this process, there is little opportunity for Māori to present self-determined aspirations and there is little in the MLS that indicates its development had wide input from iwi Māori organisations.
14. The MLS's proposed reshuffle of Māori language government agencies by and large ignores issues that impact the revitalisation of te reo Maori such as education, new and emerging technologies, and economic development particularly in trade.

Lack of Ambition and Specific Targets

15. The MLS's proposed results appear to continue the model of the Crown controlling the allocation of resources. The proposed results appear to re-word the five goals of *Te Rautaki Reo Māori* through the inclusion of whānau, hapu and iwi. The MLS states targets will be developed once the results of the post-censal Māori Social Survey are available in May 2014. This raises questions as to the use of undertaking consultations on a set of proposed results before the full data is available for analysis by those who are being consulted.
16. Te Putahi Paoho submits consultations should take place when the full suite of data is available and time is allowed for the absorption of that data.
17. The proposed strengthened focus on whānau, hapu and iwi language development details four initiatives with combined annual funding of eight point three million dollars. Of this:
 - 17.1. sixty per cent is a reallocation within Vote: Māori Affairs;
 - 17.2. twenty seven per cent is transferred from Vote: Education to Vote: Māori Affairs; and
 - 17.3. twelve per cent is new money.
18. This occurred in the 2013 to 2014 financial year with no indication the reallocations, transfer and new money will remain in future years. The allocation of the funding will be undertaken by Te Puni Kōkiri, and it is assumed allocations will be based on criteria determined by the Crown.

19. The MLS continues the eleven roles of the Crown as identified in *Te Rautaki Reo Māori*. Te Pūtahi Paoho notes other Crown agencies retain their funding for te reo Māori with Te Puni Kōkiri taking a monitoring, guiding, and/or coordinating role. There appears to be little space for Māori to at least share in the decision-making processes from identifying targets to allocating resources to monitoring results.
20. Te Pūtahi Paoho notes the recommendation of Te Paepae Motuhake to establish Vote: Reo Māori to govern and allocate Crown funding on te reo Māori, using a phased approach, was not addressed in the MLS.
21. Te Pūtahi Paoho submits the MLS's proposed results of increasing the number of whānau who can speak Māori in a range of domains and the intergenerational transmission of te reo Māori in the home can only be achieved if there is a whole-of-government response, combined with an independent iwi Māori governance entity that determines priorities for the revitalisation of te reo Māori.
22. The narrow focus on Maori language government agencies has the potential to overlook creative and bold solutions to revitalise te reo Māori. The importance of realising the value of te reo Māori me nga tikanga Māori to economic development, particularly in trade with emerging economies, continues to be overlooked. The Crown's investment in ultra fast broadband strengthens New Zealand's global economic position yet there is little investment to realise the cultural and social capacity of new and emerging technologies. There is a lack of reo and tikanga content available even though young Māori are over-represented as the owners and users of these technologies and are hungry for reo and tikanga content. Supporting the MLS's proposed results requires the Crown's focus to be significantly wider and a greater level of control shared with its Treaty partner.
23. Māori-medium education and Māori language broadcasting are important tools in language revitalisation. Te Pūtahi Paoho notes the issues raised by the Waitangi Tribunal with regard to Māori-medium education.

In 2003, the first comprehensive government-wide Māori Language Strategy was adopted, setting goals that by 2028 te reo would be widely spoken by Māori and its value would be appreciated by all New Zealanders.

In spite of these initiatives, the proportion of Māori who speak te reo declined from the 1996 census to the 2006 census. This included a significant decline in the proportion of children aged under 10 speaking te reo...

Had the peak participation of the 1990s been maintained, there would now be 9600 more Māori children attending kōhanga reo and 5700 more in Māori-medium schooling.

24. Statistics New Zealand's release of data for the 2013 census shows there were 598,605 people of Māori ethnicity living in New Zealand on census night, which is 33,276 (five point nine per cent) more than at the 2006 Census. Around one third of the Māori population is aged under 15 years. The decline of participation in Māori-medium education and the increase in the percentage of young Maori indicates current revitalisation strategies and supporting infrastructures are not working to their full potential.

Iwi Maori Governance

25. Te Pūhaki Paoho submits the proposed annual purchase agreement has the potential to reduce an iwi Māori governance entity to a service provider rather than as a Treaty partner in the revitalisation of te reo Māori. It is assumed the Crown would determine the level of available funding along with the programmes and services to be provided. The MLS provides little information on the negotiating power of the iwi Māori governance entity.
26. Te Pūhaki Paoho has concerns regarding the proposed electoral college model to appoint members to Te Mātāwai. It is stressed these concerns are not about "patch protection" rather, these concerns come from a statutory authority that can reflect on ten years of a Treaty-based relationship with the Crown.
27. Te Pūhaki Paoho maintains both Māori and the Crown have perpetual obligations to the promotion, protection and revitalisation of te reo Māori, and that the realisation of these obligations are contextual and dynamic. The rise of iwi-based governance entities is one such contextual and dynamic change that impacts cultural, social, economic and political realities. There are four concerns with the proposed Te Mātāwai model:-
 - 27.1. The decision made by the Crown that the Māori Women's Welfare League and the New Zealand Māori Council no longer have a role in the promotion, protection and revitalisation of te reo Māori. First and foremost it is Māori who decide who has a role and what that role is in relation to language revitalisation. That right to decide as Māori lies within the Treaty principle of tino rangatiratanga. That right to decide as Te Pūhaki Paoho lies within legislation. The Māori Women's Welfare League and the New Zealand Māori Council are peak national Māori organisations who have a proud history of representing and defending Maori rights and interests over many decades. The New Zealand Māori Council has and continues to play a significant role in representing Māori Treaty rights in the Waitangi Tribunal and in the courts of this land. Much of what has been achieved in this regard, including the recognition of te reo Māori as a tāonga, is attributable to that representation, sacrifice and struggle.

- 27.2. The decision made by the Crown to implement a tight consultation period on an issue as important as the establishment of an iwi electoral college. This is a fundamental shift in Crown policy that deserves the time to be fully considered, debated and decided on by those directly affected.
- 27.3. The inference that national Māori organisations should have a reduced role in the revitalisation of te reo Māori now that a significant number of iwi have established governance entities. While it is widely understood one pou of Māori identity is whakapapa – whānau, hapu, iwi – it must also be acknowledged that Māori live in complex and diverse realities and, as with non-Māori, join organisations to meet particular interests and to achieve specific goals. National Māori organisations provide a focal point for individuals, whānau, hapu and iwi to assert a collective point of view. A shift in Crown policy to place greater responsibilities and expectations on iwi governance entities should never be to the disadvantage of those organisations with expertise and passion. The wider the involvement, the better the solutions. There is room for all.
- 27.4. The lack of detail in the proposal. The responsibility that Te Mātāwai is expected to undertake is not adequately addressed. Resourcing of the new entity and its status are not dealt with either.

Role of Te Puni Kōkiri

28. As noted in point 27.4 of this submission, there is a lack of detail around the establishment, functions and resourcing of Te Mātāwai. Te Putahi Paoho notes the MLS proposes to use arrangements for the Independent Maori Statutory Board. The lack of detail in how those arrangements translate to Te Mātāwai raises concerns including but not limited to:-
 - 28.1. The powers of Te Mātāwai going beyond assisting and advising, as is the case of the Independent Maori Statutory Board.
 - 28.2. The Crown needing only to take into account recommendations from Te Mātāwai, as is the case of the Auckland Council in relation to the Independent Maori Statutory Board.
 - 28.3. Iwi governance entities meeting their own costs with regard to participating in the iwi electoral college processes.
 - 28.4. The secretariat of Te Mātāwai being employees of the Crown.
 - 28.5. Agreement needed by both Te Mātāwai and the Crown on the appointment of Te Mātāwai's Executive Officer.
29. The MLS suggests Te Puni Kōkiri's role is to allocate funding, negotiate purchase agreements, monitor, evaluate, and advise. This implies Te Puni Kōkiri is the sole arbitrator of the MLS and the health of te reo Māori. Given the extensive powers of Te Puni Kōkiri, and the lack of information on Te Mātāwai, it could be reasonably assumed similar arrangements for the Independent Maori Statutory Board would be used in the establishment of Te Mātāwai.

30. Te Pūtahi Paoho submits the need for independent processes to be incorporated that allow a greater degree of Māori self-determination in the promotion, protection and revitalisation of te reo Māori, and also provide checks and balances. The revitalisation of te reo Māori must be a Māori/Crown endeavour for it to succeed. This means Māori determining success or otherwise of outputs, targets, goals and appropriate resource allocation.

Recommendations

31. The main recommendation to Te Puni Kōkiri is to take a step back. More time is needed to:
 - 31.1. ensure meaningful and respectful input from iwi Maori;
 - 31.2. gather and disseminate the full suite of censal data, allow time for the absorption of that data, and the preparation of informed responses;
 - 31.3. provide more information on the proposed iwi Māori governance entity, including infrastructure, responsibilities, accountabilities and resourcing; and
 - 31.4. socialise a range of strategies that effectively include iwi governance entities and national Maori organisations.
32. It is further recommended Te Puni Kōkiri:-
 - 32.1. identify the Crown's perpetual obligations to te reo Māori and specific targets the Crown wants to achieve including timeframes;
 - 32.2. identify a phased approach to consolidating the Crown's spend on te reo Māori and the implementation of an independent infrastructure to oversee that spend;
 - 32.3. incorporate independent processes to ensure a greater sharing of responsibility to language revitalisation between the Treaty partners; and
 - 32.4. commission independent research on the opportunities for Māori-medium education maximising new and emerging technologies, the economic potential of te reo Māori particularly in trade, and the impact mobile devices could have on the intergenerational transmission of te reo Māori in the home.