

Te Ture mō Te Reo Māori 2016 Review Terms of Reference

Purpose

1. This paper outlines the terms of reference for the review of Te Ture mō Te Reo Māori 2016. This terms of reference has been agreed to by the Minister for Māori Development and the Co-chairpersons of Te Mātāwai.

Background

2. Te Ture mō Te Reo Māori 2016 (the Act) created a new way of approaching language revitalisation. The Act established a partnership between the Crown and iwi and Māori (Te Whare o Te Reo Mauri Ora), as represented by Te Mātāwai:
 - The Crown is responsible for, and committed to, creating a society where te reo Māori is valued, learned and used by developing policies and services that support language revitalisation (Maihi Karauna strategy).
 - Te Mātāwai is responsible for, and committed to, restoring te reo Māori as a nurturing first language in the home, and enhancing the use of te reo Māori in hapū, iwi and communities (Maihi Māori strategy).

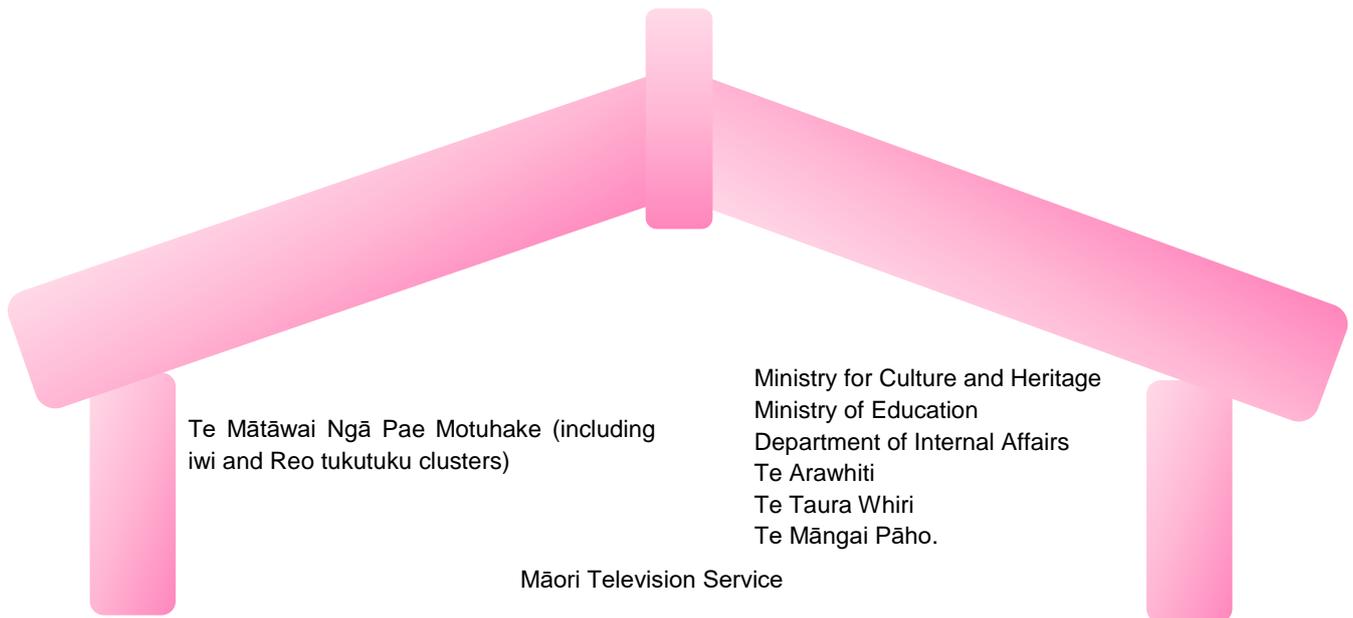
Why are we undertaking the Review?

3. Section 44 of Te Ture mō Te Reo Māori 2016 states “the Minister [for Māori Development Development] must, as soon as practicable after the expiry of 3 years from the commencement of this Act [30 April 2016]:
 - commence a review of the operation and effectiveness of the Act in accordance with the terms of reference set by the Minister and Te Mātāwai
 - prepare a report on that review.”

Who will undertake the Review?

4. The review will be led by a team comprising staff from Te Puni Kōkiri and Te Mātāwai to reflect the Crown/Māori partnership established under the Act and given effect through Te Whare o Te Reo Mauri Ora. This team will report to a Steering Group including senior representatives from Te Mātāwai, Te Puni Kōkiri and Te Arawhiti.

5. The following entities/organisations have a direct interest in this review. The joint (Te Puni Kōkiri/Te Mātāwai) team expects to engage with each of these agencies throughout the course of the review.



6. The review team may also consult with any other organisation as appropriate, as well as inviting submissions from the general public.

What is the purpose of the Review and what will it consider?

7. The overarching intent of the review is to ensure that:
- the legislation is achieving what it was set out to do
 - mechanisms established under the Act are operating as expected/intended
 - any unintended consequences of the legislation are resolved
 - any further opportunities for strengthening the impact of the legislation, which may have arisen since enactment, are explored.
8. The approach to the review will be driven by a desire to maintain the integral role that te reo Māori has in promoting cultural, social and economic wellbeing for Māori and all New Zealanders. Accordingly, we have identified the following areas to focus on in the course of the review.

Partnership (Te Whare o Te Reo Mauri Ora)

9. Enabling an effective and strong Māori/Crown partnership at a strategic and operational level. This will include consideration of:
- the process for development of the Maihi Karauna and the Maihi Māori
 - operation and effectiveness of Te Rūnanga Reo and Te Papa Kōrero

- the interface between the Maihi Māori and the Maihi Karauna and opportunities to strengthen this to support the revitalisation to te reo Māori
- provisions to protect and revitalise te reo Māori at both a government and community level.

Status of te reo Māori

10. Elevating the status of te reo Māori within Aotearoa New Zealand society. This will include consideration of:

- increasing accountability for te reo Māori outcomes across government
- links to, and provisions within, other legislation to support the revitalisation of te reo Māori
- opportunities to further recognise or entrench te reo Māori as an official language of Aotearoa New Zealand (including in instruments and symbols of national identity).

Te Mātāwai

11. Ensuring the Act remains effective in supporting Te Mātāwai in the execution of its statutory functions and responsibilities. This will include consideration of:

- its independence and autonomy
- representation and leadership on behalf of whānau, hapū, iwi and Māori communities
- its leadership within Te Whare o te Reo Mauri Ora
- its nomination and appointment functions
- the expectations and accountability requirements the government has of Te Mātāwai
- Schedule 3 of the Act – Regional clusters of iwi.

Te reo Māori Entities

12. Ensuring the Act supports the three te reo Māori entities (Te Taura Whiri i te Reo Māori, Te Māngai Pāho, and the Māori Television Service) to effectively deliver on their roles and functions within te reo Māori revitalisation. This includes consideration of:

- joint strategic development and accountability processes between te reo Māori entities
- shared services models between te reo Māori entities
- the structural organisation of the te reo Māori sector
- leadership across the te reo Māori sector and government
- mechanisms for the provision of advice to the Minister on issues relating to te reo Māori
- consolidating the entities (governing legislation) under Te Ture mō Te Reo Māori 2016

- the practical operation of the Act, and the impacts of this on relevant entities.

Government

13. Ensuring provision for ongoing commitment from all of government to the success of the Maihi Karauna. This will include consideration of:

- findings arising from other reviews across government: Māori Media Sector Shift, National Archives and Library Institutions, State Sector reform, Education
- strengthening the role of the Maihi Karauna across government.

Out-of-Scope

14. Although a thorough review of the Act is intended, there are some areas that lie outside the scope of this review, which are:

- the principles set out in section 8 of Te Ture mō Te Reo Māori 2016, which among other things:
 - i. entrench te reo Māori as an indigenous and official language of New Zealand
 - ii. recognise that te reo Māori is protected as a taonga by article 2 of the Treaty of Waitangi
 - iii. recognise the value of the language for the people of New Zealand
 - iv. outline an active partnership between the Crown and iwi and Māori in the revitalisation of te reo Māori.
- the ongoing implementation of the Maihi Karauna and Maihi Māori because these are operational matters for relevant agencies. These strategies also have their own monitoring and evaluation frameworks (and timelines) in place.

15. The Minister for Māori Development and the Co-chairpersons of Te Mātāwai will be provided with a report on the findings from the review, which will include recommendations for proposed legislative changes. The Minister for Māori Development will provide the report to Cabinet.



Hon Nanaia Mahuta
Minister for Māori Development

Dated: 04. / 9 / 2020



Mereana Selby and Waihoroi Shortland
Co-chairpersons Te Mātāwai

Dated: 11 / 11 / 2020