



Australasian College for Emergency Medicine

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Submission on the Principles of the Treaty of Waitangi Bill

1. Introduction

The Australasian College for Emergency Medicine (ACEM; the College) offers the following submission to the Justice Committee regarding the Principles of the Treaty of Waitangi Bill.

2. About ACEM

ACEM is responsible for the training of emergency physicians and the advancement of professional standards in emergency medicine in Aotearoa New Zealand and Australia. As the peak professional organisation for emergency medicine, ACEM has a vital interest in ensuring the highest professional standards of medical care are provided for all patients presenting to emergency departments.

This submission has been prepared by the chairs of ACEM's Manaaki Mana Advisory Group and the Aotearoa New Zealand Faculty Board. The *Manaaki Mana Advisory Group* comprises Māori emergency care experts that advise and support the implementation of Te Rautaki Manaaki Mana, a strategy for reducing disparities and improving emergency care for Māori in Aotearoa New Zealand. The *Aotearoa New Zealand Faculty Board* is composed of specialist emergency physician leaders that are responsible for providing strategic guidance and pursuing advocacy goals to ensure the provision of high-quality emergency care is accessible to all.

3. Submission

ACEM is opposed to the Principles of the Treaty of Waitangi Bill.

ACEM recognises – through its [Constitution](#) and [Statement on Health Equity for Māori](#) – a commitment to the principles of Te Tiriti o Waitangi and to strive for equity in emergency care in partnership with Māori:

“The objects for which the College is established is: 1.1.19 to strive for excellence and equity in emergency care for Aboriginal, Torres Strait Islander and Māori communities in Australia and Aotearoa New Zealand, through a commitment to the principles of Te Tiriti o Waitangi in Aotearoa New Zealand, the process of Reconciliation in Australia and the intent of the United Nations Declaration on the Rights of Indigenous Peoples” (ACEM Constitution).

The College recognises the importance of Te Tiriti o Waitangi in Aotearoa New Zealand as an agreement between the British Crown and Māori, and the foundation for giving the Crown the right to Kāwanatanga (stewardship/government) and Māori the right to exercise Tino Rangatiratanga (self-determination/authority). As the [Ministry of Justice noted](#), the proposal in the Bill will negate the rights articulated in Article II of the Treaty, which affirms the continuing exercise of Tino Rangatiratanga.

It is the view of ACEM's Manaaki Mana Advisory Group that the Bill and subsequent legislation will substantially increase health disparities between Māori and non-Māori. It will essentially remove the specific responsibilities that the government has to address continuing health inequities for Māori and the guarantee of Māori self-determination in the design, delivery, and monitoring of health services.

Inequities in health are evident in emergency department health outcomes¹, that are unjust and preventable. Māori health leaders and the emergency care workforce are working hard towards achieving Pae Ora and Māori health equity through the implementation of ACEMs [Te Rautaki Manaaki Mana: Excellence in Emergency Care for Māori](#) ('Manaaki Mana Strategy'), [Te Tiriti o Waitangi me te Rautaki Manaaki Mana](#) ('the guidelines'), and [He Ara Tiatia ki te Taumata o Pae Ora](#) ('Pae Ora Standards'), which apply the principles of Te Tiriti to our work. The Treaty Principles Bill undermines these efforts and has created unnecessary distraction from achieving equity goals in Aotearoa's emergency departments and across the health sector.

ACEM urges the Government to implement the four [recommendations of the Waitangi Tribunal](#) – the Government's own standing Commission of Inquiry into breaches of Te Tiriti - that include rejecting the Bill and constituting a process in partnership with Māori to undo the damage to the Māori-Crown relationship.



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¹ Curtis E, Paine SJ, Jiang Y, Jones P, Tomash I, Healey O, Reid P. (2022) Examining emergency department inequities in Aotearoa New Zealand: Findings from a national retrospective observational study examining Indigenous emergency care outcomes. *Emergency Medicine Australasia*, 34(1):16-23