

19 October 2018

Alanah T

OIA request via FYI website: fyi-request-8765-0ccbc5a7@requests.fyi.org.nz

Dear Alanah,

Thank you for your official information request received on 26 September 2018 regarding your research related to Te Wiki o te Reo Māori (Māori Language Week), and te reo Māori capacity across organisations.

The following are direct responses to the questions you posed:

a. Does your organisation have legal responsibilities under the Treaty of Waitangi?

The Treaty of Waitangi is a valid and binding treaty under international law, however it is not a common law contract between two parties. It is a binding agreement of good faith rather than a legal arrangement, and it would only be directly enforceable by the courts if incorporated into New Zealand law by statute.

The State Services Act in 1988 instructed public servants to incorporate Treaty principles into their policies and operations. In July 1989, the government released the *Principles for Crown Action* on the Treaty of Waitangi with the aim of providing transparency over its operational principles for Crown–Māori relations. The document presented five principles: kawanatanga or government; rangatiratanga or self management; equality; cooperation; and redress.

The *Principles for Crown Action* furnished a context for the Crown to address seriously the case for redress and reparations for proven historical grievances. The Treaty of Waitangi tribunal investigates claims of breaches to the principles of the Treaty of Waitangi back to 1840, and makes recommendations to the Crown to resolve these claims and provide some redress to claimant groups. This has resulted in a number of Treaty Settlements that have been enacted.

Our organisation therefore has legal responsibilities to comply with its obligations under the Treaty Settlement Acts, and has responsibility as a Crown agency to adhere to the *Principles for Crown Action*, and has responsibility to act in good faith to the Principles within the Treaty of Waitangi. This is notwithstanding any other legislation that our agency may have legal responsibilities to comply with that are directly or indirectly related to obligations under the Treaty of Waitangi.

b. Does your organisation have legal responsibilities to engage with te reo Māori in some way or another? Does your organisation have a duty (such as in its charter, or its empowering legislation) to reflect New Zealand's cultural identity?

At present LINZ is not aware of any 'legal' responsibility to engage with iwi using te reo Māori. Notwithstanding this we are developing a te reo Māori policy and guidelines, and have an active Māori cultural practice policy and guidelines in place. Our te reo Māori policy and guidelines will be guided by the Maihi Karauna (Crown's

Māori Language Strategy) that is being developed by Te Puni Kokiri as required under the Māori Language Act 2016.

Māori language is used in the promotion of our services and in the provision of information to the public in some areas. We use the licenced Māori Translators and Interpreters registered with Te Taura Whiri i Te Reo Māori. We continue to consider further opportunities.

Any duty we have to reflect New Zealand's cultural identity is based on acting in good faith under the Treaty of Waitangi, and our responsibility as a Crown agency to adhere to the government's *Principles for Crown Action*.

c. Does your organisation have a formal policy, strategy, or commitment, relating to te reo Māori ability and proficiency for staff? (If so, can you please provide a copy of it)?

This is in the process of being developed.

d. Does your organisation have a policy on diversity and inclusion? (If so, can you please provide a copy of it)?

LINZ is in the process of developing a diversity and inclusion policy and is currently running a number of different initiatives that are either directly or indirectly linked to diversity and inclusion.

e. How many staff in your organisation are recorded as being fluent in te reo Māori?

We do not hold any records on this information.

f. Has your organisation provided any te reo Māori lessons or education to staff in the past 12 months? (If so, how many staff has it provided those to, and what was the format of the lessons?)

We have not provided any formal te reo programmes in the last 12 months, although we are in the process of developing a te reo programme for all staff. Also, we have a number of informal arrangements where te reo capability is developed either directly or indirectly, including;

- A whānau group in each office who meet regularly and practice their pepeha and plan events for LINZ staff, eg Matariki, Waitangi Day, Māori Language Week etc
- We have weekly waiata sessions in each office and have a large repertoire of waiata
- A mihi whakatau for all new staff at their national induction day and provide a half day Mana Whenua/Te Ao Māori session as part of their induction
- Providing one on one te reo training to a number of staff this year who are on the learning journey
- A 90 minute presentation to one of the business groups (70+ staff) which covered the Treaty of Waitangi, developing your pepeha, pronunciation of te reo Māori, the pōwhiri/mihi whakatau process, the importance of land to Māori and the importance of engaging with Māori.

g. Does your organisation have any te reo Māori lessons or education scheduled to be provided to staff in upcoming 12 months? (If so, how many staff does it intend to provide those to?)

As part of our 'Business with Māori strategy we intend to put in a structured te reo and tikanga training programme for all staff that will be implemented over the next few years. Some money has been budgeted for this financial year. The development of this programme and sourcing a provider is still in the planning process.

h. How many personnel does your organisation currently engage? (Please include full-time staff, part-time, employees, and volunteers)

As at 30 September LINZ had (based on hours worked) 602.51 full-time employees, 35.31 part-time employees and no volunteers.

i. Does your organisation have any personnel who manage the relationships between your organisation and Māori communities? (If so, how many personnel are engaged for that purpose?)

LINZ has a dedicated 'Business with Māori' team made up of two full time employees. Their role is to support staff to:

1. Develop and manage relationships with Māori.
2. Provide advice on Māori language, culture and meeting obligations to Māori.
3. Build LINZ's Māori language and cultural capability.

LINZ also has a dedicated Tikanga Advisor in each of our three offices who provide te reo and cultural advice and services to staff, but are not responsible for managing relationships between our organisation and Māori communities.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

If you wish to discuss this response, please feel free to contact Apanui Williams, Manager Business with Maori at awilliams@linz.govt.nz.

Yours sincerely



Robbie Muir
Deputy Chief Executive Strategy and Stewardship