

7 January 2025

James Meager  
Chair, Justice Committee  
Parliament Buildings  
Wellington  
By email to: [TreatyPrinciples@parliament.govt.nz](mailto:TreatyPrinciples@parliament.govt.nz)

## **Submission to the Select Committee on the Treaty Principles Bill**

Tēnā koe e James

Te Whare Piki Ora o Māhutonga – the Royal Australasian College of Surgeons (RACS) is the leading advocate for surgical standards, professionalism and surgical education in Aotearoa New Zealand and Australia. Our mission is *‘To improve access, equity, quality and delivery of surgical care that meets the needs of our diverse communities’*.

A strong focus on health advocacy is a central competency of a surgeon, and a core value of this College. We are committed to achieving a fair, safe and sustainable health system that delivers equitable access, equitable healthcare services, and equitable healthcare outcomes for Māori and for Pacific peoples consistent with the Pae Ora (Healthy Futures) Act 2022.

I strongly oppose the Treaty Principles Bill as it seeks to redefine *“the legal meaning and effect of The Treaty of Waitangi/Te Tiriti o Waitangi”*<sup>1</sup>. This poses a threat to established legal and policy frameworks within which we currently operate. The Bill also poses a major risk to public health and equity<sup>2</sup>. Government’s proposal fundamentally changes the meaning of Te Tiriti without any engagement with Māori as its Treaty partner. The Bill also removes the right of Māori to exercise Tino Rangatiratanga or self-determination over their own health and wellbeing. The Bill is assimilationist and harmful to Māori.

*“Māori face barriers to equality that others do not, and many of those barriers were of the Crown’s making, which means that Māori do not always have a level playing field with other New Zealanders, and equitable treatment is required to ensure outcomes that are more equal. Equality without equitable treatment does not capture the promises made in article 3 or the meaning of the Treaty/te Tiriti as a whole”*<sup>3</sup>.

I support the submissions of the RACS Māori Health Advisory Group and RACS Indigenous Health Committee. I would like to speak to my submission.

**Nāku noa, nā**

**Ros Pochin**

**Chair, Aotearoa New Zealand National Committee**

---

<sup>1</sup> [CJones\\_Primer-on-the-Treaty-Principles-Bill.pdf](#)

<sup>2</sup> [Treaty Principles Bill: What the academics say is wrong with David Seymour’s legislation - NZ Herald](#)

<sup>3</sup> [CJones\\_Primer-on-the-Treaty-Principles-Bill.pdf](#)



**RACS represents more than 8300 surgeons and 1300 surgical Trainees and Specialist International Medical Graduates across Aotearoa New Zealand and Australia. We are the accredited training provider in nine surgical specialities. Surgeons are also required by RACS and Te Kaunihera Rata o Aotearoa - Medical Council of Aotearoa, to continue with surgical education and review of their practice throughout their surgical careers.**

**The RACS Aotearoa New Zealand National Committee represents Surgical Fellows, Trainees and Specialist International Medical Graduates, advocating on public policies, workforce and surgical standards for the advancement of surgery and equitable patient care to government representatives, statutory agencies, healthcare providers and other key stakeholders.**