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TE AO MĀORI 1NEWS

# Treaty provisions set to be scrapped from Corrections Amendment Bill

By Te Aniwa Hurihanganui, 1News Māori Affairs Correspondent Thu, Jun 6





Corrections logo on shirt. (Source: 1News)

1News can reveal multiple Treaty of Waitangi provisions are set to be scrapped from the Corrections Amendment Bill, legislation that would have compelled the agency to improve outcomes for Māori in the corrections system.

Iwi and Māori experts throughout the country were involved in the development of the draft treaty provisions and the legislation was introduced to Parliament by the former Labour Government last year.

**Treaty provisions set to be scrapped from Corrections Amendment Bill**

2:08

The legislation would have compelled the agency to improve outcomes for Māori in the corrections system.

But last month, Corrections Minister Mark Mitchell sought Cabinet approval to "remove these provisions in their entirety".

They include:

- Equitable rehabilitation and reintegration outcomes for Māori
- A requirement on the Chief Executive to ensure the development, maintenance, and implementation of a strategy that is focused on improving outcomes for Māori in the corrections system to address long-standing Māori needs
- Making access to cultural activities a purpose for which prisoners can be temporarily released or temporarily removed from prison
- Ensuring prisoners have access to cultural activities regardless of the prison in which they are detained
- Enable the views of whānau, hapū and iwi to be taken into account, where appropriate and practicable, in decisions about which prison offenders are accommodated in

In his Cabinet paper, Mark Mitchell said Corrections already had "operational programmes" underway to meet the needs of Māori.

"Corrections' current practice is to integrate mātauranga Māori alongside western psychological practice, and in doing so follow what has been established to be a key aspect of effective rehabilitation."



Mark Mitchell speaks to Q+A in May 2024. (Source: Q+A / Irra Lee)

He said officials considered it likely concerns would be raised over the changes, given the "significant over-representation of Māori in the corrections system."

He also noted, "no consultation has been undertaken on this paper".

Corrections agreed it was already on track to meeting its Treaty obligations.

In a briefing paper to Mitchell in April, the agency said it was already working with Māori "to build meaningful and purposeful relationships that will achieve the goals of the bill's Treaty provisions".

Green Party Justice Spokesperson Tamatha Paul said any suggestion Corrections was achieving its obligations under the Treaty were "completely untrue" and removing the provisions was wrong.

"This is a ministry where there is an over incarceration of Māori people, where 60% are Māori," she said.

"It's straight up Treaty abuse, the way that they continue to lock up Māori."

She said the Treaty provisions would have ensured prisoners had access to their culture and whakapapa.

"You can't force rehabilitation programmes on somebody and expect them to reflect on their behaviour and change that," she said.

"They need a 'why' and for many people who have been in prison that is knowing who they are, where they come from and what their whakapapa is. Removing these treaty provisions gives no onus and no responsibility on anybody to make sure that that fundamental connection is made."

## **Mark Mitchell responds**

Police Minister Mark Mitchell told 1News a review of Treaty provisions in legislation was part of the coalition agreement, and it "does not impact" the work Corrections is currently doing.

"It is in the coalition agreement, that there is a review going on and Cabinet decided that there is no point adding Treaty provisions until that review is done."

Asked whether the department was serving Māori well, Mitchell responded: "Yes absolutely."

"Māori incarceration rate is something that all of us share a concern around and are actively working together to try and fix.

"Not only are Māori over-represented in our criminal justice system, they're over-represented in our victims as well. So, you know [there is] a lot of work to be done in that space."

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Mitchell said Corrections already had strong connections with iwi and hapū which was a "critical part of how we do business, especially rehabilitation".

"They deliver very strong, Māori-based programs now inside Corrections and that relationship is enduring and it will be ongoing."

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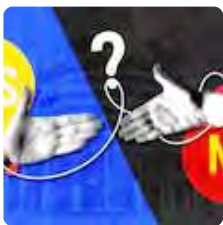
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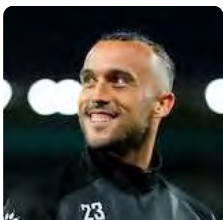
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