

IN THE WAITANGI TRIBUNAL

**WAI 2700
WAI 2824**

IN THE MATTER OF

The Treaty of Waitangi Act 1975

AND

IN THE MATTER OF

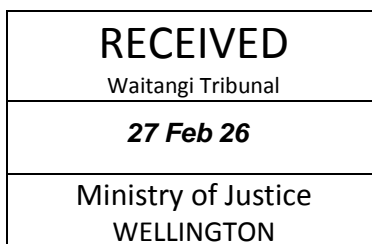
The Mana Wahine Kaupapa Inquiry
(Wai 2700)

AND

IN THE MATTER OF

A claim by Cinnamon Whitlock on
behalf of the Thrive Teen Parent
Support Trust (Wai 2824)

**AMENDED STATEMENT OF CLAIM
DATED 27 FEBRUARY 2026**



**Te Mata Law Limited
Barristers and Solicitors**

PO Box 44331

Point Chevalier

AUCKLAND 1246

Tel: 0508-TEMATA (0508-836282)

Counsel Acting:

David Stone | Catherine Leauga | Sophie Gordon

David@tematalaw.co.nz | Catherine@tematalaw.co.nz | Sophie@tematalaw.co.nz

MAY IT PLEASE THE TRIBUNAL

The claimant

1. The claimant is Cinnamon Whitlock, CEO of Thrive Teen Parent Support Trust (“the Trust”) who brings this claim on behalf of the Trust, and the wāhine Māori in Central and West Auckland who are serviced by the Trust.
2. The Trust offers intensive case management for teen parents-to-be, or new parents who are facing challenges that may include housing, finances, education, whanau family support, relationship breakdown, parenting and more. The Trust has assisted 108 teenage parents in the last 12 months. The majority of the Trust’s clients are Māori youth.

Treaty of Waitangi Act 1975

3. The claimant falls within section 6(1) of the Treaty of Waitangi Act 1975 as:
 - a. She is Māori; and
 - b. Has been and continues to be or is likely to be prejudicially affected by the various Acts and Crown policies, practices, acts and omissions adopted by, or on behalf of the Crown or its agents.

PARTICULARS

A. MATERNAL HEALTH

Antenatal and postnatal care

4. Almost 13,000 babies are born by Māori women each year, making up 22 percent of all babies born in New Zealand annually.¹

¹ Leigh-Marama McLachlan “Calls to address shortage of Māori midwives” *Radio New Zealand* (1 October 2015).

5. However, wāhine Māori face inequities in healthcare in regard to their experiences with, and access to maternity services. These inequities are manifested in various ways, including:
 - a. Māori mothers are less likely to receive antenatal education classes;
 - b. Māori mothers are more likely to be referred to Oranga Tamariki or to vulnerable women’s groups;²
 - c. Māori mothers are provided with limited support and information, with young Māori mothers particularly affected;³
 - d. There are insufficient numbers of Māori midwives, with only 260 midwives being Māori;⁴ and
 - e. Most Māori mothers do not have access to maternal healthcare that is culturally responsive or meets their needs as Māori.⁵
6. Despite the Crown’s obligation to work in partnership with Māori, the Crown has failed to recognise the culturally specific needs of Māori maternal health.
7. The Crown has a duty to protect wāhine Māori. The Crown has a duty to work in partnership with Māori in the development of an equitable and kaupapa Māori based maternal healthcare service that produces positive health outcomes for wāhine Māori and their pepi.

Mental health

8. The Crown has failed to provide services for Māori mothers that caters to and addresses their antenatal and postnatal mental health.
9. There is often a focus on the mental health of Māori men, while that of wāhine Māori remains unseen. However, in the previous 12 months, Māori women had

² Hawkes Bay District Health Board (2015) and the Ninth Annual Report by the Perinatal and Maternal Mortality Review Committee (2015).

³ University of Otago *E Hine - reducing barriers to care for pregnant Maori women under 20 years and their infants*.

⁴ Leigh-Marama McLachlan “Calls to address shortage of Māori midwives” *Radio New Zealand* (1 October 2015).

⁵ Beverley May Parton “Māori Women, Health Care, and contemporary Realities: A Critical Reflection” (Doctor of Philosophy (Health) thesis, Massey University, 2015).

a higher prevalence of mental health disorder (one in three) than Māori men (one in four).⁶

10. In addition, mental health disorders were the most prevalent among people aged 16 – 44 years, meaning that the clients of the Trust are most at risk.
11. The maternal mental health of wāhine Māori is of particular concern. Māori women face additional complexities in their maternal care in comparison to non-Māori.⁷
12. Young Māori mothers in particular face multiple avenues of stigmatisation.⁸ They are Māori, they are young, and as a result they are perceived by Crown agencies and healthcare services as not being capable of being good mothers.
13. It has been found that women who feel more stress during pregnancy, and experienced anxiety before and during pregnancy faced a greater likelihood of experiencing antenatal depression.⁹
14. Factors such as low incomes, poverty, discrimination, housing, relationship and whānau situations, education and general health status all play a role in the experiences of the Trust's clients during their pregnancy. These factors mean they are more likely to experience antenatal and postnatal depression.
15. However, wāhine Māori are largely invisible in conversations surrounding maternal mental health.¹⁰
16. While Te Aka Whai Ora previously had a mandate to monitor Māori maternal health, it was disestablished in 2023, which the Tribunal found, to be in breach

⁶ Email from Cinnamon Whitlock dated 30 August 2018.

⁷ Jane Parsons *Perinatal mental health of young women* (2009) 21(3) Aotearoa New Zealand Social Work 14 at 15.

⁸ Jane Parsons *Perinatal mental health of young women* (2009) 21(3) Aotearoa New Zealand Social Work 14 at 15.

⁹

¹⁰ Email from Cinnamon Whitlock dated 30 August 2018.

of the Treaty.¹¹ Manatū Hauora is now responsible for Māori health monitoring. Absorbing these reporting responsibilities to a larger agency weakens accountability for equity outcomes.

17. The Pae Roa (Healthy Futures) Amendment Bill further weakens equity frameworks, as it proposes to remove Treaty based safe-guards and reduces Māori influence over services that affect them.
18. The Crown has failed to adequately collect and provide data concerning Māori maternal mental health.
19. The Crown has failed to work in partnership with wāhine Māori to provide kaupapa Māori based maternal mental health services that meet the needs of wāhine Māori.

B. HOUSING

20. Many wāhine Māori assisted by the Trust require housing assistance. The processes for Crown organisations such as the Ministry of Social Development are not culturally responsive, and do not support the needs of young wāhine Māori, particularly those who are pregnant.
21. The Trust assists clients in obtaining emergency accommodation, refuge housing support, residential housing, community housing, and private rentals.
22. Often, the need for housing assistance stems from family breakdowns, including family and partner violence, or the client's decision to become independent. The majority of clients need housing assistance after the birth of the baby.
23. The Crown's policy and legislative framework presents barriers to young wāhine Māori obtaining homes. Many clients are not of legal age to apply for a

¹¹ Waitangi Tribunal, Hautupua: Te Aka Whai Ora (Maori Health Authority) Priority Report, p 71.

private rental, and face discrimination in favour of clients who are 18 years or older applying for houses. The Crown has also recently updated the eligibility criteria for emergency housing, making it more difficult to meet the requirements.¹²

24. Clients may also be offered housing or accommodation by Crown organisations that is not in an area known to them, or close to whānau. This adds barriers to wāhine Māori being able to see their whānau, in terms of distance, time, and cost.

C. FAMILY VIOLENCE

25. Approximately 55% of women will experience family violence from a male perpetrator in their lifetime.¹³

26. As Māori are overrepresented as both victims and perpetrators of family violence, wāhine Māori are particularly impacted.¹⁴

27. As many as 90% of the clients served by the Trust have disclosed some form of intimate partner violence, including verbal, physical, and sexual abuse.¹⁵

28. Domestic violence disputes within the family is the highest cause of clients becoming homeless, followed by partner violence, and violence involving children.¹⁶

29. Studies have shown that the lifetime prevalence of intimate partner violence is much higher for Māori women than for women of other ethnicities in New Zealand.¹⁷

¹² Social Security (Emergency Housing) Amendment Regulations 2024.

¹³ Ruth Fairhall *Review of family violence legislation: Regulatory impact statement* (Ministry of Justice, 3 June 2016) at 7.

¹⁴ Ruth Fairhall *Review of family violence legislation: Regulatory impact statement* (Ministry of Justice, 3 June 2016) at 25.

¹⁵ Email from Cinnamon Whitlock dated 30 August 2018.

¹⁶ Email from Cinnamon Whitlock dated 30 August 2018.

¹⁷ Denise Lievore and Pat Mayhew *The scale and nature of family violence in New Zealand: A review and evaluation of knowledge* (Ministry of Social Development, April 2007) at 80.

30. Family or domestic violence was not part of te ao Māori prior to colonisation. All members of the whānau had a role to play in maintaining the order and balance within the universe. Violence by men toward women and children was unusual, and there were harsh punishments according to local tikanga if it did occur.¹⁸
31. Childcare was an important role shared by tāne and wāhine, alongside other members of the whānau or hapū.¹⁹ Māori men played an important role in the nurturing of their tamariki, and were described by early European settlers as being openly loving and affectionate toward their tamariki and mokopuna.²⁰
32. One of the ongoing impacts of colonisation is the destruction of the traditional collective family unit, resulting in traditional parenting skills being lost between generations.²¹
33. The Crown has failed to implement a system to effectively address the overwhelming overrepresentation of Māori in family and domestic violence statistics.
34. The gap is particularly evident in regard to local family violence prevention and support that is culturally responsive and appropriate for young people.
35. The Crown has a duty to address these issues, however it has failed to do so.
36. Victims of domestic violence are prevented from seeking civil orders, for example protection orders, due to the cost and complexity of the application, as well as fear of retaliation from the perpetrator.

¹⁸ E Tu Whanau “Our Ancestors: Our wahine ancestors were strong, influential and valued” <<http://etuwhanau.org.nz/resources/>>.

¹⁹ E Tu Whanau “Our Ancestors: Our wahine ancestors were strong, influential and valued” <<http://etuwhanau.org.nz/resources/>>.

²⁰ E Tu Whanau “Our Ancestors: Our tāne ancestors were tender fathers” <<http://etuwhanau.org.nz/resources/>>.

²¹ Tom O’Connor “Colonisation link to abuse should be considered” *Waikato Times* (online ed, 30 July 2016).

37. The Trust provides support to clients to assist them in obtaining protection orders and trespass notices against family members, and has helped to place a number of clients with Refuge or other safe accommodation.²²
38. The Crown has failed to create and implement a system which actively supports and assists victims, and links both victims and perpetrators to services that are designed to reduce violence.²³

Kaupapa Māori programmes

39. Research has demonstrated that culturally based initiatives, with the fostering of kaupapa such as whakapapa, tikanga, wairua, tapu, mauri, and mana have the “potential to inform wellbeing in intimate partner and whānau relationships, transform behaviours and provide alternatives to violence.”²⁴ Further, initiatives that restore and strengthen whānau and communities should be developed, as well as individual based interventions.²⁵
40. Successful programmes are likely to have:
- a. Māori population-based responses grounded in te reo me ona tikanga, which complement the work of Māori and other community-based intervention services.
 - b. Close collaboration between government agencies and iwi and hapū, to facilitate that implementation of initiatives that meet the particular needs of iwi.
 - c. A foundation in research and evaluation that is built on and within te ao Māori.²⁶

²² Email from Cinnamon Whitlock dated 30 August 2018.

²³ Ruth Fairhall *Review of family violence legislation: Regulatory impact statement* (Ministry of Justice, 3 June 2016) at 8.

²⁴ Terry Dobbs and Moana Eruera *Kaupapa Māori wellbeing framework: The basis for whānau violence prevention and intervention* (New Zealand Family Violence Clearinghouse, Issues Paper 6, April 2014) at 1.

²⁵ Terry Dobbs and Moana Eruera *Kaupapa Māori wellbeing framework: The basis for whānau violence prevention and intervention* (New Zealand Family Violence Clearinghouse, Issues Paper 6, April 2014) at 1.

²⁶ Terry Dobbs and Moana Eruera *Kaupapa Māori wellbeing framework: The basis for whānau violence prevention and intervention* (New Zealand Family Violence Clearinghouse, Issues Paper 6, April 2014).

41. The Crown has failed to support and develop Kaupapa Māori programmes and initiatives to address the overrepresentation of Māori in domestic violence statistics from a criminal justice and government organisation perspective.
42. The Crown has left the responsibility of developing frameworks to address domestic violence to Māori organisations, such as the Trust, which are generally underfunded and under-resourced. While Māori are in the best position to develop frameworks that work for Māori, the Crown should be meeting its duty of partnership by working alongside Māori toward this objective.
43. The Crown should improve its responses to domestic violence by adopting a holistic approach that supports and meets the basic needs of wāhine Māori, whānau, and communities. This includes evaluating and improving the consistency and safety of Crown responses through the police and justice system, the health system, and organisations such as Oranga Tamariki.²⁷

Legislation

44. The Domestic Violence Act 1995 (“DVA”) does not carry any mention of Māori, tikanga, or the Treaty of Waitangi. This represents a legislative failure on behalf of the Crown to create a framework that addresses domestic violence in a way that assists Māori.
45. While the DVA adopts a broad definition of family relationships, most of the research surrounding domestic violence reflects the nuclear family construction of European New Zealand. There is little discussion of the differences in whānau and other extended family forms. For Māori, the whānau structure will “play an important role in the breadth of violence experienced, in interpretations of what constitutes violence, where the boundary lies between discipline and violence, and in disclosure and help-seeking decisions.”²⁸

²⁷ Terry Dobbs and Moana Eruera *Kaupapa Māori wellbeing framework: The basis for whānau violence prevention and intervention* (New Zealand Family Violence Clearinghouse, Issues Paper 6, April 2014) at 17.

²⁸ Denise Lievore and Pat Mayhew *The scale and nature of family violence in New Zealand: A review and evaluation of knowledge* (Ministry of Social Development, April 2007).

46. The Family and Whānau Violence Legislation Bill (“the Bill”) was introduced to the House of Representatives in 2017.²⁹ The Bill proposes an overhaul of the Domestic Violence Act 1995. While the Bill may be well-intentioned, the Bill also fails to address Māori family violence in any meaningful way. The use of the word “whānau” in the title of the Bill is a negative and tokenistic use of te reo Māori, which reinforces stereotypes and creates separation.³⁰ Nowhere else in the Bill is the word “whānau” used.³¹
47. While s 1B(i) of the Bill does provide that “responses to family violence should be culturally appropriate and, in particular, responses involving Māori should reflect tikanga,” this is the only mention of tikanga in the Bill.³² The Bill does not provide any framework to facilitate how tikanga will be observed in responses to Māori family violence.
48. This lack of framework provides another example of the Crown leaving the burden of addressing family violence to Māori community organisations, which are under-resourced and underfunded.

D. PAY EQUITY

49. It is well published that a gender pay gap exists between men and women.
50. While gender bias from men in senior roles is often touted as the reason for the national gender pay gap, the fact that wāhine Māori are affected by the pay gap to a greater degree than Pākehā women is often ignored.³³

²⁹ New Zealand Parliament “Breaking the pattern of family violence in New Zealand” <<https://www.parliament.nz/en/get-involved/topics/all-current-topics/breaking-the-pattern-of-family-violence-in-new-zealand/>>. Accessed 2 July 2018.

³⁰ Family and Whānau Violence Legislation Bill 2017 (247–2) (select committee report) at 17 and 20.

³¹ (11 April 2017) 721 NZPD 17288.

³² Family and Whānau Violence Legislation Bill 2017 (247–2), s 1B.

³³ Miriama Aoake “Pay Equity in New Zealand is a Race Issue, Not Just a Gender Issue” *Vice* (online ed, 8 March 2017) <www.vice.com>.

51. Wāhine Māori earn, on average, \$4 less per hour than Pākehā women.³⁴
52. For every dollar that a Pākehā man earns, a Pākehā woman earns 86 cents, while a Māori woman earns 76 cents.³⁵
53. Māori women are more likely to be in casual, part time, or insecure work.³⁶ They are more likely to be working low paying jobs, often in the publicly funded health and community sector.³⁷
54. However, upon entering the labour market, wāhine Māori earn less than Māori men, Pākehā women, and Pākehā men, with the same levels of education.³⁸
55. Wāhine Māori are prejudiced twice; firstly, for being women, and secondly, for being Māori.
56. The Crown has recently introduced the Equal Pay Amendment Act 2025 which makes it harder to bring pay equity claims. The repeal of the Fair Pay Agreements framework removes industry wide bargaining. Together, these changes work to entrench the pay gap and disadvantage wāhine Māori further.
57. The Crown has a duty to ensure that Māori have the same rights and privileges as non-Māori. This extends to equal employment opportunities, and the right to equal pay for equal work. Wāhine Māori do not benefit from those rights and privileges.

³⁴ Coalition for Equal Value, Equal Pay “Pay gaps by ethnicity and gender, and equal value, equal pay for Maori and Pacific women” (15 August 2018) <<http://cevepnz.org.nz/Gender%20pay%20gap/gender-ethnicity.htm>>.

³⁵ Email from Cinnamon Whitlock dated 30 August 2018; Human Rights Commission *Tracking Inequalities at Work tool* (2018).

³⁶ Email from Cinnamon Whitlock dated 30 August 2018.

³⁷ Coalition for Equal Value, Equal Pay “Pay gaps by ethnicity and gender, and equal value, equal pay for Maori and Pacific women” (15 August 2018) <<http://cevepnz.org.nz/Gender%20pay%20gap/gender-ethnicity.htm>>.

³⁸ Coalition for Equal Value, Equal Pay “Pay gaps by ethnicity and gender, and equal value, equal pay for Maori and Pacific women” (15 August 2018) <<http://cevepnz.org.nz/Gender%20pay%20gap/gender-ethnicity.htm>>.

58. The Crown has failed to provide a policy and legislative framework that allows pay equity for wāhine Māori.

E. REPRESENTATION OF WĀHINE MĀORI

59. The Crown’s legislative and policy framework and processes have resulted in generations of Māori women being largely absent from decision-making processes.

60. Statistics New Zealand has recognised that “representative governments engage diverse communities, draw on the skills of the broadest group of people, and provide checks on the use of political power.”³⁹ Despite this recognition, the Crown and local authorities have failed to implement effective policies to facilitate the representation of Māori women.

61. The 2026 General Election saw 57 women elected to Parliament. Forty six percent of Members of Parliament (“MPs”) are now women; the highest number New Zealand has had since women were first allowed to stand for Parliament in 1919.⁴⁰

62. Women are consistently underrepresented in local government roles, with only a third of local government representatives being women in 2016.⁴¹ Eighteen of the 67 Mayors elected in 2025 are female.⁴² Obtaining statistics about Māori women in local government has proven difficult.

³⁹ Statistics New Zealand “Female representation in parliament and local government” <http://archive.stats.govt.nz/browse_for_stats/snapshots-of-nz/nz-social-indicators/Home/Trust%20and%20participation%20in%20government/female-rep-parl-local-govt.aspx>.

⁴⁰ New Zealand Parliament “Members of Parliament” (24 February 2026) <www.parliament.nz>.

⁴¹ National Council of Women of New Zealand “Celebrating and encouraging women in local government” (30 May 2016) <<https://www.ncwnz.org.nz/celebrating-and-encouraging-women-in-local-government/>>.

⁴² Department of Internal Affairs “Local government sector profile” Local Councils <localcouncils.govt.nz>.

63. The Bay of Plenty is the only region that provides Māori with a guaranteed separate constituency to guarantee Māori representation in local government.⁴³ However, there is no structure to guarantee representation of Māori women.
64. While certain local authorities may have had varying degrees of processes in place to consult with Māori advisory committees or iwi representatives, there is no framework in place to encourage the engagement of wāhine Māori, or how to ensure their representation.⁴⁴
65. The Crown owes a duty of active protection to all Māori. This includes facilitating the participation and representation of Māori women and their interests as both women and as Māori.
66. The Crown owes a duty of partnership to Māori. However, the Crown has failed to work with Māori to ensure the representation of Māori women.
67. The Crown has left the burden of improving Māori and Māori women's representation and participation in local government to local authorities. As a Treaty partner, the Crown must recognise its obligations to Māori.
68. The Crown has failed to provide effective statutory or policy frameworks to local governments to encourage and facilitate the participation and representation of Māori women in local and central government. Where Māori women are represented, they are expected to be representatives of all women as well as all Māori; groups which may, from time to time, have differing viewpoints.
69. The representation of Māori women is largely ignored by the Crown and local authorities. Māori women are separated into either the "Māori" umbrella or the "female" umbrella. Their needs as a distinct group are ignored.

⁴³ Human Rights Commission *Māori representation in local government: The continuing challenge* (October 2010) at 6.

⁴⁴ Louise Alliston and Debbie Cossar *The participation and engagement of Māori in decision-making processes and other government initiatives: A literature review prepared for the Electoral Commission* (Research New Zealand, 4 December 2006) at 88–89.

PREJUDICE

70. As a result of the Crown's breaches, wāhine Māori are suffering, and that suffering includes:

- a. A lack of culturally appropriate maternal healthcare services;
- b. Higher risk of antenatal and postnatal depression;
- c. Discrimination (particularly in regard to young Māori mothers-to-be);
- d. Difficulties obtaining information and assistance from Crown organisations;
- e. Lower rates of pay in comparison to Māori men and Pākeha men and women with the same levels of education;
- f. A higher likelihood of being employed in a low wage position;⁴⁵
- g. A higher likelihood of experiencing poverty;⁴⁶
- h. A lack of culturally appropriate services to address family violence;
- i. Exclusion from decision-making processes; and
- j. A loss of mana.

Relief Sought - Findings and Recommendations

71. The claimant welcomes a finding that this claim is well-founded and any other appropriate recommendations that the Waitangi Tribunal deems fit.

72. The claimant reserves the right to amend this claim at a later date.

DATED at Auckland this 27th day of February 2026.



David Martin Stone



Catherine Leauga



Sophie Gordon

⁴⁵ Coalition for Equal Value, Equal Pay “Pay gaps by ethnicity and gender, and equal value, equal pay for Maori and Pacific women” (15 August 2018) <<http://cevepnz.org.nz/Gender%20pay%20gap/gender-ethnicity.htm>>.

⁴⁶ Coalition for Equal Value, Equal Pay “Pay gaps by ethnicity and gender, and equal value, equal pay for Maori and Pacific women” (15 August 2018) <<http://cevepnz.org.nz/Gender%20pay%20gap/gender-ethnicity.htm>>.

TO: The Registrar, Waitangi Tribunal; Crown Law Office; and those on the notification list for the Wai 2700 Mana Wahine Kaupapa Inquiry.