



# SUBMISSION TO THE JUSTICE SELECT COMMITTEE

on The Principles of the Treaty of  
Waitangi Bill

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# About us

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PGF Services is part of the Problem Gambling Foundation of New Zealand. Our mission is to enhance the mana of all people by preventing and minimising gambling-related harm.

**“Kia pakari ai te mana o tēnā, o tēnā kia tāharahara te ngau o te wara petipeti”**

We are a charitable trust operating nationally with services delivered under contract to Te Whatu Ora and funded from the gambling levy. PGF Services deliver treatment and public health services nationwide and have a skilled and diverse workforce with staff who are qualified in clinical work and in health promotion.

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## Our Position

This submission from PGF Services to the New Zealand Parliamentary Select Committee addresses the Act Party's Treaty Principles Bill (the Bill). **PGF Services opposes the Bill**, as we believe it poses significant risks to the mana and integrity of Te Tiriti o Waitangi, undermining its principles and obligations.



# Our Tiriti-led Strategic Framework

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PGF Services evidences the importance of Te Tiriti to our organisation by using it to inform and strengthen our strategic framework, Te Ata Hāpara (Appendix 1). Te Ata Hāpara, endorsed by our Board, serves as a roadmap - uniting our teams under a shared vision and empowering us to achieve long-term success. This affirms:

**"We (PGF) recognise Te Tiriti o Waitangi as the foundational document of Aotearoa, New Zealand.**

**We integrate its promises into our organisational strategy, policy, and practices.**

**We ensure alignment with the mana and integrity of Te Tiriti o Waitangi."**

Our strategic framework **Te Ata Hāpara** guides our organisational commitments and practices. Central to this is protecting the mana and integrity of Te Tiriti o Waitangi. This includes Mana Tiriti – we value Te Tiriti, we uphold the mana of Te Tiriti o Waitangi by recognising and endorsing the roles of Tangata Whenua and Tangata Tiriti and we incorporate best practices regarding te reo Māori, mātauranga Māori, and tikanga Māori.



# The Bill's Impact on Gambling Harm

The mana and integrity of Te Tiriti o Waitangi are at risk if any part of Te Tiriti is redefined through restrictive interpretations of the English text. The proposed Treaty Principles Bill aims to codify definitions of principles long understood to realise and uphold the original intent and spirit of the agreement signed in 1840. The Government's obligations under Te Tiriti o Waitangi are the foundation for legislation that recognises gambling as a significant social hazard (1). As with other colonised countries in the world, Māori are the most impacted by negative health outcomes, including issues with addiction and mental health related harm. For gambling harm services, the government strategy to minimise gambling harm calls for culturally accessible and culturally responsive services and for those services to always maintain a focus on healthy futures for Māori(1).

The prevalence of gambling harm in Aotearoa is comparative to other Western countries with about 5% of the population showing indicators of low to high-risk problematic gambling (low risk 4.6%; moderate risk 1.8% and high-risk problem gamblers were 0.2% of the population) (4). However, Māori experience disproportionate levels of moderate and severe risk gambling. The 2018 National Gambling Study estimated that 8.6% of Māori experience such levels of harm, and that this compares to 7.6% of the Pasifika population, 1.2% of the Asian population and 0.9% of the general population. They also state that this disparity has not diminished over the years (4).

According to the Wai 2575 Māori Health Trends Report, “greater proportions of Māori adults experience negative impacts from someone else’s gambling than non-Māori adults. Six percent of Māori adults reported experiencing problems because of someone else’s gambling compared with 2 percent of non-Māori adults.” (5, p42) The report also identified that “Māori females are disproportionately affected by someone else’s gambling” (5, p42) as Māori females were over three times as likely as non-Māori females.

Levy also argued that the contributing factors increasing risk for Māori populations include the combination of living in areas of high socio-economic deprivation with increased accessibility of gambling opportunities compared to other areas (6). This assessment has been further reinforced by more recent research conducted by the Victorian Responsible Gambling Foundation which found that people living further from gambling venues were less likely to gamble, and perhaps more importantly, that the effects of living close to a gambling venue were largest for more vulnerable populations (7).

Gambling Machine Profit (GMP) statistics published by the Department of Internal Affairs (DIA) shows that at 30 June 2021, 62.7% (664 of 1,509) of gambling venues are located in areas with a medium-high or very high level of deprivation (8) and New Zealand population Census data shows that Māori are more likely to live in these areas: 63.5% of Māori live in areas with a deprivation decile of 7-10, as opposed to 34.2% of the non-Māori population.

Non-casino Electronic Gambling Machines (EGMs) appear to be particularly problematic for Māori women, while men tend to favour strategic, or skill based competitive forms of gambling (such as casino tables, track and sports betting). Levy continues to link the increased risk for Māori to develop intergenerational gambling harm through normalisation, cultural appropriation, and that EGMs display signs and symbols pertaining to Māori culture in and around the premises (6). Equally as important is the distortion of “normal gambling” within a Māori cultural context; where the combination of gambling undertaken communally, for a specific collective benefit, and within whānau (family) controlled environments produces positive benefits for whānau.

It is important to highlight that if this Bill were to receive royal assent and become law, it would have implications for the WAI 1909 claim to the Waitangi Tribunal (2). This claim brings attention to the disproportionate impact of gambling harm on taiohi Māori, an issue that requires urgent focus and action. The WAI 1909 claim to the Waitangi Tribunal calls on the government to uphold its Tiriti obligations. The claim seeks to protect taiohi Māori from the harmful effects of gambling, challenging the government to honour Te Tiriti o Waitangi by addressing disparities and fulfilling promises of partnership, active protection, equity and equal treatment, redress, informed decision making, self-determination and right of development. Its objective is to improve health outcomes for a generation of Māori.

It is crucial to consider these implications carefully to ensure that the rights, health, and well-being of hāpori Māori (Māori communities) are upheld, and that public health initiatives addressing gambling harm remain effective and culturally responsive.



# Principle 1

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Principle 1 asserts that the Executive Government of New Zealand holds full authority to govern, and Parliament possesses comprehensive legislative power. This principle disregards the mana and integrity of Te Tiriti o Waitangi and emphasises a uniform approach to governance and law-making, that, if passed, would negatively impact gambling harm interventions among hāpori Māori. Currently, the Ministry of Health's Strategy to Prevent and Minimise Gambling Harm acknowledges the disproportionate impact experienced by Māori due to gambling, with prevalence rates showing Māori are 3.13 times more likely to be at moderate risk of harm than non-Maori(1).

This principle focuses on a more standardised policy framework and puts at risk culturally specific programs addressing the unique needs of Māori, that under Te Tiriti o Waitangi are protected. This principle would undermine efforts to provide effective support to reduce gambling-related harm within hāpori Māori.



# Principle 2

Principle 2 recognises the rights of hapū and iwi Māori as they were at the time of the signing of Te Tiriti o Waitangi but limits their recognition to historical settlements under the Treaty of Waitangi Act 1975. This would significantly impact efforts to address harmful gambling in Aotearoa New Zealand. By narrowing the scope of the Crown's obligations to Māori, this principle risks deprioritising the culturally specific approaches that are central to the current Strategy to Prevent and Minimise Gambling Harm 2022/23 to 2024/25.

Principle 2's narrow interpretation of Te Tiriti o Waitangi rights undermines the resourcing and delivery of these interventions, restricting hāpori Māori in addressing gambling harm with culturally appropriate, impactful models of care.

This contrasts with the current interpretation of Te Tiriti o Waitangi principles, which emphasises the Crown's duty to actively protect Māori rights and interests, including those that may differ from the general population, without requiring specific settlement agreements. The existing framework acknowledges the status of Māori as Tangata Whenua and upholds their rights to tino rangatiratanga (self-determination), mana motuhake and cultural preservation.





# Principle 3

Principle 3 emphasises equality before the law, stating that "everyone is equal before the law and is entitled to the equal protection and equal benefit of the law without discrimination".

Māori are disproportionately affected by gambling harm, often due to systemic inequities and historical injustices. Addressing these disparities requires culturally appropriate interventions that respond to specific needs. Without acknowledging and addressing these inequities, public health strategies risk perpetuating the status quo, leaving those most at risk without adequate support. **Equity-focused prevention is essential to achieve meaningful, sustainable improvements in health outcomes and reduce gambling-related harm across the sector**(1).

The proposed Bill could significantly impact harmful gambling interventions in Aotearoa New Zealand, particularly those tailored to hāpori Māori when considering the complexities of intergenerational harm and trauma underlining from colonisation(3). Taking an equality lens assumes that everyone starts from the same position and requires the same level of support. However, this approach fails to address the deep-rooted inequalities that exist for hāpori Māori, particularly in health outcomes. From a public health perspective, prevention and harm minimisation must prioritise equity over equality, recognising that different population groups experience unique challenges and barriers.



# Conclusion

**This Bill narrows the scope of the Crown’s obligations, undermining equity-focused frameworks that are vital for addressing systemic disparities, particularly in areas like public health, well-being, and harm minimisation.**

Under PGF Service’s current agreement with Te Whatu Ora Health New Zealand, we are contracted to address inequity, ensuring that resources and interventions focus on reducing disparities. However, the proposed Bill seeks to remove this equity focus and replace it with an equality lens, which fails to address the systemic and longstanding barriers to support for harmful gambling and other addiction areas where Māori are overrepresented. Such changes in the interpretation of Te Tiriti o Waitangi principles would negatively influence the allocation of resources and support services, reducing emphasis on culturally appropriate interventions and further widening disparities in health outcomes for Māori.

This Bill compromises our ability as an organisation to honour and align with the mana of Te Tiriti o Waitangi. More broadly, it risks diminishing the mana and integrity of the agreement itself and, by extension, the foundational relationship it represents.

**PGF Services therefore respectfully calls on the Coalition Government to uphold the mana and integrity of Te Tiriti o Waitangi.** Te Tiriti should not be vulnerable to changing governments, as the foundational document of Aotearoa New Zealand it should be respected. It is our duty to recognise and respect the agreement laid down in Te Tiriti o Waitangi, including the Māori text, and avoid legislative measures that dilute its power and constrain its constitutional significance.



We recognise Te Tiriti o Waitangi as the foundational document of Aotearoa, New Zealand. We integrate its promises into our organisational strategy, policy, and practices. We ensure alignment with the mana and integrity of Te Tiriti o Waitangi.

## VISION

**Kia tū ai a Aotearoa hei whenua ngaruru mō te katoa.**  
Aotearoa is a socially just nation where all people flourish.

### Manaakitanga

#### WE ARE SUPPORTIVE

We nurture an environment where human potential can be realised for all.

### Kaitiakitanga

#### WE ARE JUST

We undertake actions that honour, protect and develop the people of Aotearoa, New Zealand.

### Whaanungatanga

#### WE ARE INCLUSIVE

We build and uphold meaningful connections that celebrate inclusivity and diversity.

## VALUES

### Awhinatanga

#### WE ARE COMPASSIONATE

We engage and embrace all people to inspire hope and trust in their future.

### Hahuatanga

#### WE ARE FOCUSED ON EXCELLENCE

We strive for excellence in all that we do, aiming to surpass expectations.

## MISSION

**Kia pakari ai te mana o tēnā, o tēnā kia tāharahara te ngau o te wara petipeti.**  
We enhance the mana of all people by preventing and minimising gambling-related harm.

## PILLARS

### Mana Tiriti

#### WE VALUE TE TIRITI

We uphold the mana of Te Tiriti o Waitangi by recognising and endorsing the roles of Tangata Whenua and Tangata Tiriti. We incorporate best practices regarding te reo, mātauranga, and tikanga Māori.

### Mana Taurite

#### WE VALUE EQUITY

We acknowledge that Māori and other priority groups have faced and continue to face disproportionate harm, and tailor our approaches to ensure equitable outcomes for all.

### Mana Tangata

#### WE VALUE PEOPLE

We offer best-practice, mana-enhancing care and support to people, whānau and communities, enabling them to forge their own paths towards well-being.

### Mana Wheako

#### WE VALUE LIVED EXPERIENCE

We value and uplift the voices, knowledge, and wisdom gained from real-life experiences across our services. We incorporate insights from those who have faced, tackled, and overcome gambling harm into our strategies and approaches.

### Mana Rauhi

#### WE VALUE COLLABORATION

We collaborate with partners across the gambling harm sector. We share our expertise and knowledge to advance our Vision and Mission, maximising access, impact and reach. We focus on outcomes across the sector as well as strengthening our own impact.

## STRATEGIC PRIORITIES

### He Toa Takitini

#### CULTIVATE A NETWORK OF CHAMPIONS

- Galvanise and equip a community of individuals and organisations committed to preventing and mitigating gambling harm.
- Support a network to serve as advocates, educators, referrers, and resources within their spheres of influence.
- Leverage and connect resources, networks, and capabilities.
- Work collaboratively to raise awareness, reduce stigma, promote help-seeking, provide support, and implement preventative measures.

### He Mana To Te Kapu

#### SHIFT THE NARRATIVE

- Develop broad-reaching, impactful communication strategies to shift norms and remove stigma.
- Advocate and promote the benefits of a society free of gambling harm.
- Recognise the continuum of gambling harm, its impacts across society and the systems and environmental factors that determine harm.
- Normalise conversations about gambling harm, portraying the recovery, resilience & bravery of those experiencing adversity.

### Toro Mai To Ringa

#### MEET PEOPLE WHERE THEY ARE

- Establish a dynamic, client-led stepped model of care spanning the continuum of gambling harm.
- Enhance access to services by delivering choice and fostering innovation to evolve and improve our service offerings.
- Develop and facilitate access to complementary well-being services.

### Kia Kātea Te Wānanga

#### CREATE SMART SYSTEMS FOR BETTER OUTCOMES

- Continuously improve and optimise processes, resource efficiencies, technology and decision-making to enhance operational performance.
- Empower staff with the tools, training, and resources to maximise the impact of their work.
- Equip teams with robust data and monitoring systems to proactively identify challenges, solve problems and make informed decisions.

### He Tuakana, He Teina

#### BE AN EMPLOYER OF PURPOSE AND IMPACT

- Emphasise meaningful work and opportunities for professional growth and wellbeing.
- Value diversity and specialist knowledge.
- Drive thought leadership, research, and innovation.
- Hear kaimahi and connect them with strategy and decision-making.



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# Contact Us

## PGF Services

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### Phone

0800 664 262



### Email

[comms@pgf.nz](mailto:comms@pgf.nz)



### Website

[www.pgf.nz](http://www.pgf.nz)



### National Office

Auckland  
Level 1, 128 Khyber Pass  
Road  
Grafton, Auckland 1023

