Ngā Pae o te

Māramatanga

ISBN 1177-1860
ISBN 0-9582610-1-6

Tihei Oreore Monograph Series - POLICY SEMINARS

Dec. 2005 - Volume 1, Issue 2

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This monograph has been published by

Ngā Pae o te Māramatanga

The National Institute of Research Excellence for Māori Development and Advancement

Contact details:
Waipapa Marae Complex
16 Wynyard Street
Private Bag 92019
The University of Auckland
New Zealand

www.maramatanga.ac.nz

Explanation of Title:

The title ‘Tihei Oreore’ heralds
the awakening of indigenous peoples.
This monograph provides a forum for the
publication of some of their research and writings.

ISSN 1177-1860
ISBN 0-9582610-1-6

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NGĀ PAE O TE MĀRAMATANGA

RESEARCH AND POLICY SEMINAR

SERIES

Turnbull House

Wellington, February 2005

Series Editor

J.S. TeRito

Copy editor

Jan Sinclair

Background on Ngā Pae o te Māramatanga

Ngā Pae o te Māramatanga is one of seven Centres of Research Excellence that were funded by the New Zealand Government in 2002. It was established as The National Institute of Research Excellence for Māori Development and Advancement and is hosted by the University of Auckland. Its participating entities are spread throughout New Zealand. The Institute offers three distinct but intersecting programmes: Research, Capability Building and Knowledge Exchange.

Whakataukī (Proverb)

Ko te pae tawhiti arumia kia tata	Seek to bring the distant horizon closer
Ko te pae tata whakamaua	But grasp the closer horizon
Kia puta i te wheiao ki te aomārama	So you may emerge from darkness into enlightenment

The Māori name for the Institute means “horizons of insight”. This is symbolic of the role of the Institute in assembling a critical mass of excellent researchers to undertake high quality research that leads to practical outcomes which result in the development and advancement of Māori.

Our Directors

Professor Michael Walker and Professor Linda Tuhiwai Smith

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FOREWORD

High quality research leading to practical outcomes that result in the development and advancement of Māori is fundamental to the future of the nation. It is important that policy analysts are provided a forum where they can be brought together with Māori researchers who are leading the development of this high quality research.

For this reason, Ngā Pae o te Māramatanga, The National Institute of Research Excellence for Māori Development and Advancement, initiated a Research and Policy Seminar Series designed to create a space for dialogue between policy analysts and Māori researchers. The theme selected for each Research and Policy Seminar highlighted issues that traverse the different ministries, departments and agencies, and that significantly impact on Māori cultural, social and economic development and wellbeing. The different researchers selected for each Research and Policy Seminar represented a wide variety of perspectives on the chosen theme.

In this Research and Policy Seminar Series, invited policy analysts and representatives from different ministries and government agencies heard presentations from a variety of leading Māori researchers in the country and were given the opportunity of dialogue with researchers who are not only connected to leading research institutions but also extensive community networks. Because high quality research is a creative and innovative process, engagement with top researchers is an essential ingredient in the development of policy that will have long lasting impact in both the medium and long-term in New Zealand. An additional perspective is added to the Seminar Series with the incorporation of a Ministry/Agency respondent who also presented a paper on the seminar topic.

This monograph represents a compilation of papers, including paper submissions by the researchers of their presentation, a brief submission by a representative from the Ministry of Education, Rāwiri Brell, and a paper written by Howard Fancy, Secretary for Education, which was relevant to the seminar topics. The monograph also includes a summary transcription of the discussion that took place at the conclusion of the presentations.

The two Research and Policy Seminars centred on key issues that affect all departments and government policy.

1. Contractual relationships: Lessons learned: Friday 4 February 2005

The Government has just completed a review of all contractual relationships between Māori entities and the Crown. New legislation is being introduced [the Māori Entities Bill—sponsored by John

Tamihere] that will have enormous implications for any and all Māori collectives whether they are involved in a Treaty Claim settlement negotiation, memorandum of understanding, or contract to provide a service or to undertake research for a Crown agency. The Law Commission is also undertaking research in this area but solely as it relates to Māori entities receiving Treaty settlements.

This seminar will explore "Māori Experience of Contractual Arrangements with the Crown" that profiles a range of experience and a range of reasons for entering into a contract with the Crown. This seminar will be an opportunity for policy analysts to be informed about contractual experiences and emerging issues that may have budgetary implications for ministries and departments.

Chair: Rauru Kirikiri, Treaties Responsibility Manager, Manaaki Whenua Landcare Research

Researchers:
Dr Fiona Cram, Katoa Limited, Wellington
Dr Pip Bruce-Fergusson, Te Wānanga o Āotearoa
Dr Brad Coombes, Auckland University

Ministry respondent:
John Kape, Investment Strategy Manager – Māori, FRST

2. Consultative relationships: Community voice: Friday 18 February 2005

Collectively, we are experts in understanding community voice. This seminar will engage with key Māori researchers from multi-discipline areas, from a variety of Māori community groups throughout the country, and who all have experience in engagement and consultation with, by, and for, Māori.

This seminar particularly relates to issues of community engagement and challenges the status quo, asking, "is there a better way?" As part of developing an improved model of consultation, a number of key issues and questions will be addressed, including asking, "how is community voice used?"

This seminar will focus on ways to change the cycle so that Māori can better contribute to policy development, to improve Māori participation in the public policy process, and develop Māori consultation protocols that will guide this process. Ultimately, this seminar intends to go beyond consultation to other options and alternatives that more fully involve Māori consultation and participation. The objective of this approach is to aim for a fairer, less exploitative, and more equitable consultation process that is beneficial for everyone and results in positive and relevant outcomes for all parties concerned.

Chair: Brenda Tahi, Governance and Business Management Consultant

Researchers:

Dr Josie Keelan, Auckland University of Technology

Dr Mere Kēpa, Ngā Pae o te Māramatanga

Dr Charles Royal, Ministry of Research, Science, and Technology

Ministry respondent:

Dr Lynne Whitney, Senior Manager, Research Division, Ministry of Education, and member of the Social Policy Evaluation and Research Committee (SPEaR), a coordination hub for government agencies and the social research and evaluation sector to improve capability, capacity and outcomes.

Research & Policy Seminar Series

Contractual relationships: lessons learned

Turnbull House, Wellington

4 February 2005

Chair: Rauru Kirikiri Treaties Responsibility Manager, Manaaki Whenua Landcare Research

Researchers:

Dr Fiona Cram Katoa Ltd, Independent Consultant, Wellington

Dr Pip Bruce-Ferguson Research Co-ordinator, Te Wānanga o Āotearoa

Dr Brad Coombes Faculty of Arts, Geography, Auckland University

Ministry respondent:

John Kape Investment Strategy Manager—Māori, Foundation for Research, Science & Technology

Present:

Dr Adrienne Alton-Lee, Chief Education Advisor, Ministry of Education

Dr Clive Aspin, Executive Research Officer, Ngā Pae o te Māramatanga

Katherine Baxter, Ministry of Social Development

Dr Seddon Bennington, CEO, Te Papa Tongarewa

Rāwiri Brell, Group Manager Māori, Ministry of Education

Precious Clark, Intellectual Property Group, Ministry of Economic Development

Erica Guiney, Intellectual Property Group, Ministry of Economic Development

Fiona Kale, Justice Department

Dr Mere Kēpa, Ngā Pae o te Māramatanga

Malcolm Menzies, VICLink, Victoria University of Wellington

Riripeti Reedy, Tertiary Education Commission

Charmaine Ross, National Health Committee

Professor Linda Smith, Director, Ngā Pae o te Māramatanga

Dr Lynn Whitney, Research Division, Ministry of Education

Nancy Ward, CEO of Karori Wildlife sanctuary

Margaret Wilkie, Mai ki Pōneke Co-ordinator, notes

Contested conservation legacies and the co-option of Māori resistance through co-management

Brad Coombes
Senior Lecturer
School of Geography and Environmental Science
University of Auckland.

> …champions of co-management…are strangely oblivious to the curious mix of unexamined romantic/modernist assumptions underpinning 'co-management' and it's implicit promise of an ahistorical future perfect (van Sittert 2003: 200).
> How can such a nation of evictees, squatters, and land barons—among whom exclusion is the governing principle—now share a landscape? (Hughes 2001: 743).

Introduction: The Appropriateness of Co-management

Implicit within many of the memoranda of understanding between the Crown and Māori which have recently evolved for the conservation estate, co-management is an attempt to produce better and fairer institutions of environmental management. It is applied to protected areas to reduce their social impacts, incorporate indigenous peoples into decision making, and generate policies which reflect local ecology and culture (Conley and Moote 2003). Co-management refers to institutional structures for dialogue and power sharing amongst resource users and managers, who "negotiate, define, and guarantee amongst themselves an equitable sharing of the management functions, entitlements, and responsibilities for a given territory" (Castro and Nielsen 2001: 230). Yet co-management has not always reduced the conflicts between indigenous peoples and park managers. Through evaluation of debates about comanaging Te Urewera National Park, I conclude that the demand of indigenous peoples for co-management has often been exaggerated, leading to the likely persistence of conflict after the negotiation of collaborative regimes. Historical legacies of land alienation affect present relationships between Māori and conservation authorities, and it is unrealistic to assume that the former will embrace co-management when it is offered as a token resolution of land grievances.

Co-management appears to be an obvious strategy for resolving the tensions between Articles I and II of the Treaty of Waitangi as they apply to the management of natural resources. While collaborative governance is implicit within Waitangi Tribunal recommendations which affect the conservation estate (e.g., Ngai Tahu, Ngāti Ruanui), the management approach has been much slower to evolve here than in Australia or Canada. Moller *et al*. (2000) contend that there are few legal impediments to co-management in New Zealand, but they also highlight the success of recreational and environmental groups in contesting and, ultimately, limiting the implementation of collaborative agreements within

the Ngai Tahu Settlement Act 1998. This contestation will undoubtedly arise when any co-management offerings for Te Urewera are submitted to public scrutiny, but the approach has encountered more substantive barriers at earlier phases of the policy process. A legacy of disputable transactions (as was the case for most of the land which now comprises South Island national parks), Crown confiscation (e.g. Taranaki), and compulsory acquisition (e.g. Whanganui) of Māori land reduces the legitimacy of state management of national parks. Where title to the land in a national park is disputed, acceptance of co-management may legitimise state control of that space, conflicting with and sometimes co-opting indigenous agendas for land repatriation. It is pertinent to question *why* and under what conditions Māori would likely demand co-management.

This paper is based on research which was commissioned to qualify environmental claims within the Urewera Inquiry District of the Waitangi Tribunal. An extensive account of the basis for these claims cannot be presented here (see Coombes 2003; Coombes and Hill 2005), but it is substantially grounded in land loss rather than the appropriateness of Pākehā conservation approaches. Most of the twenty claims within the inquiry district include generic statements against Crown acts and omissions which have affected iwi. Only a few cite explicitly the impact of conservation, but nearly all focus on alienation of the land which now comprises the national park, signifying the priorities of claimants. Many request the return of land as reparation for their grievances. Although the research did not centre on the local suitability of co-management, this theme was a primary concern of research participants. Most of the research was archival but in addition, 17 Treaty claimants were interviewed. Although the Māori participants were selected primarily because of their role in Treaty claims, these individuals are likely to be involved in any future negotiations for co-management. Indeed, several of the Māori participants have already been involved in the informal joint management which is analyzed below. Several research hui with Tuhoe communities provided an important feedback mechanism. Notably, Māori participants at these hui were aware of the capacity of the research to support a case for co-management, but they were reticent about this prospect.

Focusing on the period since the Department of Conservation (DoC) became responsible for the park in 1987, I present four cases where local Māori have evaluated co-management, but where the approach was either rejected or received only conditional support. Two clear themes emerge from this analysis. First, tangata whenua were preoccupied with their land claims and were wary about the potential of co-management negotiations to disturb, delay or co-opt those claims. A commonly repeated objection at research hui was that "co-management conflicts with our wider agenda". Second, all parties recognized the potential of co-management to generate conflict between and within iwi. Competing claims to mana whenua were apparent to all, and there was no obvious 'community' with whom DoC could comanage Te Urewera.

Co-managing the Possum Problem

Because varying degrees of power-sharing are labeled co-management, some purportedly collaborative structures fail to balance power hierarchies, conforming more to consultation than partnership (Notzke 1995). In that context, indigenous delegates may join "advisory groups from which no one seeks meaningful advice", so that co-management "essentially co-opts local interests, providing only a venting outlet" (Castro and Nielsen 2001: 235). Consultation in such forums is typically *ex post facto* and may legitimise preordained policy, or yield the compliance of the indigenous partner rather than their effective representation. Under neoliberalism, some co-management agreements make local people responsible for public environmental services, whilst granting them limited funds or power (Sundar 2000). Engagement in co-management negotiations can therefore be invidious for indigenous peoples.

The first explicit consideration of co-management in Te Urewera highlights that these fears of co-option are real, as well as confirming that there are important institutional impediments to the approach in New Zealand. As was the case locally, Māori throughout the country have protested the use of sodium monofluoroacetate ("1080") poison in control of the brushtail possum (PcfE 1994). In the mid-1990s, tangata whenua opposition to 1080 became so intense that DoC investigated co-management as a means to secure support for it's pest control objectives. Staff of the conservancy surrounding Te Urewera were asked to comment on the briefing document titled *Comanaging the possum problem*. Purporting to investigate "how a local community–DoC co-management possum strategy could be developed", the project brief included a narrowly-defined role for co-management:

> Given recent responses to the management of possums on the conservation estate we suggest that there is a degree of urgency in the development, evaluation and potential adoption of alternate processes if the use of some presently available technologies is not to be lost through the lack of public acceptance (DoC 1995: 2).

The sole purpose of co-management in this context was to safeguard a particular technology, leaving no scope for indigenous perspectives on pest management. Furthermore, decisions under this collaborative model were required to conform to a National Possum Project (NPP), the strict financial conditions of which privileged only aerial application of 1080. Any co-management committee for the control of introduced species would be forced under the NPP to ensure a minimum 80 per cent kill rate for opossums at $20 per hectare or less. These are the typical operational parameters for 1080 and Māori preferences for ground control using traps will rarely achieve such targets. In this invidious context, a co-management body would take responsibility for deciding policy on the one available technology. It could do little more than bring an unwarranted sense of community sanction and legitimacy to a predetermined DoC policy.

The potential for co-option is revealing, but so too were comments of conservancy staff on the briefing document. Suggestions that the public should be invited to deliberative sessions to decide appropriate strategies received little support: "Are the knowledgeable going to attend?" "Time is precious" and, "Who has the experience etc in community?" (Comments on DoC 1995, SPR 706). Submissions on a written request to trial the model in the conservancy elicited an account of its

> "Disadvantages": (1) Raising the profile attracts unwarranted attention. (2) Yet another constraint. (3) Costly... (4) Usefulness???" (Submissions, 14.3.1995, SPR 706).

The remainder of this paper focuses on the strategic opposition of tangata whenua to co-management, as well as internal disputes which were induced by the prospect of collaboration. However, the narrow definition of the term in official conservation discourse, it's fraught use in efforts to procure compliance for pre-determined strategies, and institutionalised cultures of disdain for public involvement also contribute to co-management's stalled evolution.

The Awkward Formalities in Agreement

Attempts to establish a formal management agreement between DoC and tangata whenua for a sub-unit of the park signify another set of dilemmas in co-management for indigenous peoples. In 1997, a group of 50 local Māori—Ngā Tamariki o Te Kohu—occupied an area of exposed lakebed at Waikaremoana. The land had been dewatered after a hydroelectric scheme was developed downstream of the lake during the 1940s. This use is also subject to Treaty claims, as the lakebed is in customary title but the Māori owners were given no opportunity to object to the scheme. In 1918, the Crown lost an attempt to displace customary title to the lake in the Native Land Court. It appealed, but the original decision was not confirmed until 1947, by which time the power scheme was substantially complete. Because the lake is a scenic focus for the region, the government then endeavored to purchase the lakebed. An arrangement was negotiated in 1971 whereby Ngai Tuhoe and Ngāti Kahungunu lease the lakebed to the government so that it can be managed as part of the park. Management of the lease has been controversial for younger Māori and disaffected groups who sometimes challenge the authority of the Tuhoe-Waikaremoana Trust Board (TWkTB), which administers the lease for Tuhoe. The occupation reflected perceived disenfranchisement from both park and iwi management structures. During and after the occupation there was conspicuous tension between the TWkTB and Nga Tamariki.

In August 1998, a Joint Ministerial Inquiry (JMI) heard Nga Tamariki grievances about customary resource rights, use of poisons in pest control, and lakeshore erosion. Noting that "more can be done to…manage the leased area at Lake Waikaremoana in a manner which gives effect to the principles of the Treaty of Waitangi", the JMI recommended the negotiation of "a formal management agreement" to "give tangata whenua a more inclusive and transparent role in issues relating to the management of

the leased area" (TPK 1998: 25). Dialogue on this cautious recommendation of collaborative management was slow to commence, partly because the prospect of a formal agreement was perplexing for local iwi:

> We considered this idea, but some of the people thought of it as a diversion—a diversion perhaps designed with malice, or perhaps just unintentionally. Who knows? But you have to ask, was it just coincidence that it came about so close to the hearing of our claims? Either way, there was a concern about how this might affect our claim. Some of us want something more than sharing management—after all, the claim is mostly about who is the rightful owner of Te Urewera. They say that if there's sharing to be done, then it's us who should do the sharing, on our terms (Tuhoe elder, interview 16.10.2001).

Indifference to co-management negotiations reflects a fear that such deliberations may expose broader agendas to undesirable risk.

The difficulty in identifying an appropriate community of interest with whom DoC could negotiate also confounded the possibility of a formal agreement:

> The issue has been informally canvassed with the trust boards who are less than enthusiastic…A letter has been received from one person seeking to establish co-management under Ngāti Ruapani. That proposal is not expected to sit easily with other iwi (Rept. 6.10.1988, MAO 020).

That the attempt of Ngāti Ruapani to engage in co-management negotiations did not "sit easily" with other parties is revealing. Inter- and intra-tribal competition for the right to be a co-management partner led to fears of conflict, stimulating withdrawal of all parties. Ruapani are simultaneously a tangata whenua group at Waikaremoana, a hapū of Tuhoe, an affiliate of east coast Māori and an independent iwi in their own right and there has been extensive conflict about how their claims can be incorporated into Tribunal hearings. By February 1999, DoC confirmed that it was "approaching the [JMI] recommendation cautiously", characterising it as "a massive and potentially disruptive issue" (Rept. 28.2.1999, MAO 020). All accepted that it was inappropriate for DoC to choose it's co-management partner and that, if iwi could not settle the matter internally, abandonment of negotiations was preferable to public struggles for authority.

The politics of determining a co-management partner became more complex over time:

> Two individuals have expressed an interest in negotiating an agreement for management of the Waikaremoana area. [The Tuhoe] Trust Board has indicated that they have no interest in the issue. The Waikaremoana Māori Committee has advised that they are still more concerned about the ownership issue…The [Kahungunu] Trust Board has indicated that they would be prepared to consider…an agreement with them having a governance role over Te Urewera National Park. The ownership / mana whenua matter is not one that can be resolved by the Department of Conservation…No further action (Rept. 31.10.1999, MAO 020).

Discourses about legitimacy and ownership merged with concerns about how to negotiate with plural interests, leading to inertia. By April 2000, interest in the JMI's recommendation for a formal arrangement had diminished, with Tuhoe and DoC focusing on preparations for the Tribunal hearings and the development of a new park management plan (Rept. 6.4.2000, MAO 020). Too often, the

advocates of co-management have simplified the diversity of interests within Māoridom. The imagined communities of some approaches to co-management are represented as homogeneous unit's, with strong and uniformly shared norms which govern behavior. This "vision of small, integrated communities using locally-evolved norms and rules to the ways that manage resources sustainably and equitably" fails to attend to differences within communities, and these differences affect management outcomes (Agrawal and Gibson 1999: 633).

Advancing Informality?

Failure to identify a co-management partner after the JMI focused attention on an existing experiment in collaborative management. The Aniwaniwa Area Office and local Māori have developed a programme of 'informal joint management,' although labeling this partnership or co-management is contentious for both parties. The Aniwaniwa model developed in response to enduring tensions, which a DoC officer characterised as "a big gulf of misunderstanding and misconceptions". In his words, development of an inclusive system of management was an attempt to "bridge the gap" and to provide opportunities for cross-cultural learning:

> The original concept, still valid today, was to bring people on board to have a say, be informed and be part of the decision making process. Delegates…have an open invitation to attend the monthly review and planning…meetings. [They are] also involved in business planning, although this year the national directions did not allow any flexibility so there was no opportunity for input by tangata whenua. Tangata whenua still have input on operational issues, helping prioritize how jobs are done. Notwithstanding this, tangata whenua are concerned that there is conflict between national and local priorities…Tangata whenua are also involved in strategic planning…However there is concern that there are some strategic processes that affect the Lake [Waikaremoana] but are done outside and without tangata whenua input (File note 72149, MAO 001).

The national directions which are identified in this statement include fixed expenditure requirements, standard operating procedures and restrictive mandates. The national office of DoC employs these to confine conservancy actions within the scope of national policy.

In conjunction with this inflexibility, the lack of a clear warrant for co-management leads to disparate responses. Tangata whenua "applaud the apparently successful co-management model at Aniwaniwa" but they are "at a loss as to why the model is not being applied across all areas" (Tuhoe submission 10.9.2001, MTP 126). They argue that ecological, cultural and historical contexts are similar in other management areas of the park, and that the spatial disparity in applying joint management exposes the Aniwaniwa model as an aberrant departure from an otherwise mono-cultural system. Indeed, the informal joint management evolved solely from the efforts of an enlightened ranger, and there are no policy mechanisms to encourage cautious or disinclined administrators elsewhere. The lack of a more comprehensive approach to co-management, as well as the obstacles to fulfilling the Aniwaniwa model, may be more revealing than any of the accomplishments of that model.

Yet there is considerable evidence of the success of the Aniwaniwa model. Iwi have developed

> ...a real understanding of what DoC is doing and how much it has to spend. They no longer have unrealistic expectations because of the open book policy…There is now a high level of trust between all parties" (File note 72149, MAO 001).

Local Māori have welcomed the "very open-door policy relationship with the Department" (Marae Committee Chair, interview 23.11.2002). Conservation programmes are less contested than they once were and newfound degrees of trust have become a basis for harnessing the voluntary initiative of Māori in collaborative forest restoration (Hill and Coombes 2004). Nonetheless, there are divergent opinions about whether the Aniwaniwa model can be universalised to resolve historical conflicts. Some interviewees believe that formal approaches to co-management will fail because they require a singular iwi partner, resulting in an incapacitating mire of tribal and sub-tribal competition for statutory acknowledgment. They suggest that the informality in the Aniwaniwa model bypasses tribal and sub-tribal politics, providing the only realistic mechanism for collaboration. Through liaison with an informal but motivated group of local Māori, rather than engaging in an arrangement which requires identification of a formal partner, DoC can distance itself from claims that it has interfered unduly in tribal concerns:

> *The Waikaremoana Inquiry recommended that a formal agreement be drawn up, but Area staff, and tangata whenua were generally reluctant. They feel that the informal process is closer to a Māori structure, with the unwritten but present rules (Wharenui rules) that underlie this traditional structure. "No rules make it work" because there are no exclusions (File note 72149, MAO 001)…*

This discovery indicates a need to incorporate indigenous systems for conflict resolution into co-management frameworks, and validates further experimentation with informal joint management. It suggests that proponents of co-management may be more successful if they accept indigenous approaches to interaction, debate and consensus (Lane 2002; Vertanen 2003). Yet, there can be no certainty that park managers will be able or willing to adjust their practice to this extent, signifying again the considerable challenges of collaborative conservation.

Other interviewees argued that the informal agreement is not a basis for developing a park-wide model for co-management. One noted that the lack of a "formal status" represented a failure to properly resolve mana whenua conflicts:

> Unless some formal relationship is established between DoC and tangata whenua founded upon a robust process, I am afraid that the problems that we are having with various sections of our people will continue" (TWkTB 2.11.1999, MAO 020).

Circumvention of tribal and sub-tribal politics has brought short-term benefit's, but longer-term legitimacy will require appropriate confrontation of the mana whenua predicament. The arrangement remains restricted to the Aniwaniwa Office for a variety of reasons, including recognition that

expansion will implicate a greater range of iwi and hapū, thereby leading to more intense competition for mana whenua.

In addition, some suggest that the Aniwaniwa model is limited to short-term management, whereas genuine co-management is based on meaningful contributions to governance and policy formation. Decisions about spending and conservation priorities are made elsewhere, resulting in a reluctance to consider the joint arrangement as shared decision making or a means to overcome land grievances. Although both DoC and Māori have evaluated the possibility of upgrading the model to a more radical governance regime, there is a disparity in their anticipation of future management *and* ownership relationships. According to a key Māori delegate for the Aniwaniwa agreement, "We've told DoC that this is a form of practice. We're rehearsing our park administration skills because one day we will have these lands back. We're not interested in collaboration unless it will lead to repatriation of our lands" (Marae Committee Chair, interview 21.4.2004). DoC officers have considered whether the informal joint management could become the basis for formal co-management, but some Māori participants argue that the Aniwaniwa model is an experiment which foreshadows self-determination in conservation practice. Consequently, it is unwise to separate analysis of the prospects for co-management from consideration of the politics of ownership.

Submitting to Co-management?

Tangata whenua also asserted the interconnectedness of ownership and (co)management in submissions on a 1999–2003 review of the park management plan. Such plans are updated every decade, with those from 1976 and 1989 yielding concerns about customary resource rights and ongoing consultation. Māori submissions were generally critical of the draft plan, and of the consultative process for it's development. The planning exercise provided an opportunity for tangata whenua to publicize their concerns, but it was an inappropriate forum in which to address them. A DoC officer (interview, 30.10.2002) acknowledged that the plan's focus on management conflicted with the primacy of ownership disputes for tangata whenua: "I just sat and people talked about the plan, and what they wanted to see. But bottom line…we want the park back, we want our land back."

Situated between Māori critique of park management and their calls for return of land, co-management became one focus of demands for alternatives. Yet the range in Māori perspectives on co-management is suggestive both of it's potential attractions and aversions for iwi. Tuhoe submitters were disdainful about the loss of ancestral lands, as well as the illegitimacy of management structures which fail to address ownership conflicts. The Manuwaru Māori Executive (submission 28.3.1999, MTP 125) stated resolutely that "Land was taken—land must be returned." The joint Tuhoe submission (10.9.2001, MTP 126) included a caveat that it was made subject to the outcomes of their Tribunal claim:

> Whilst Tuhoe lost the sovereign title of much of it's ancestral lands to the greed of the Crown, Tuhoe has never relinquished it's spiritual sovereignty over Te Urewera. The claim is over the entire Te Urewera National Park.

Therefore Māori consideration of co-management was typically placed in the context of historical grievances and contested ownership, resulting only in tentative and conditional support for collaboration:

> Management of Te Urewera National Park should be undertaken in a manner in which to ensure Tuhoe mandate to manage. People have no confidence in the Department to manage Te Urewera…Co-operative management of the Park was necessary (West Tuhoe Exec. 8.4.1999, MTP 125).
> Over the years the roles have changed where DoC. is now 'Tangata whenua' and tangata whenua is now regarded as another 'Joe Public.' We seek to strive for equal partnership in the running of Te Urewera park in all facets of park management (Hinepukohurangi Trust 1.6.1999, MTP 126).

Iwi may support co-management even where they contest the title of conservation lands. Nonetheless, these quotations highlight that demands for co-management are not always about the appropriateness of management outcomes but rather may reflect opposition to the *right* to manage. A family submission from Ruatahuna stated this most eloquently:

> Te Urewera has it's own boundaries so now do away with East Coast Hawke's Bay Conservation Board. Do away with Te Tairawhiti…and get back to Te Rohe Potae o Tuhoe, Te Urewera…Na Tuhoe na Whenua. Ko D.O.C. te Partner (Huiroa whānau, MTP 126).

Proclaiming that Tuhoe are of and from the land, the final sentence also asserts that DoC can *only* be a partner. While the common definition of a partner implies an equitable division of authority, the phrase signifies and contests an alleged directionality in the Treaty partnerships of conservation. The submitter may accept that DoC and Tuhoe should be partners, but his declaration pejoratively reverses their perceived positions to effect local change. The author challenges the legitimacy of state management within Te Urewera and of any concept of 'partnership' where the Crown—with false munificence – offers collaboration from the presumed status as first partner. When asked whether Tuhoe wanted co-management as an outcome of the management planning exercise or as resolution of it's Treaty claim, one interviewee replied that "Co-management is not what we want, it's what we'll get" (Tuhoe elder, interview 3.9.2001). Claimants viewed co-management with a resigned acceptance of it's likely role in Treaty settlement, rather than as the successful culmination of their political strategies. This finding may explain the persistence of conflict between indigenous peoples and conservation authorities after the establishment of co-management regimes (Castro and Nielsen, 2001).

Conclusion: Ownership *And* (Co)Management

Two themes dominate recent debates about co-management in Te Urewera: the inescapably complex nature of 'community' politics, and the centrality of land grievances to Māori. First, an uncritical acceptance of homogeneity within indigenous communities leads to a recurrent failure to investigate their demand for co-management. My case studies highlight a need to be attentive to diversity to ensure equity in management outcomes. Whether it is based in conflicts between iwi and their hapū, or the young and the establishment, plurality is both pervasive and a potentially irresolvable obstacle for collaborative approaches. A state preference for negotiating with iwi over hapū may make co-management unworkable. Second, the relationship between management and ownership of parks may require further consideration if co-management is to be successfully implemented. DoC attempts to evade responsibility for ownership grievances, particularly through reference to having no mandate to address such concerns:

> This plan is developed within the confines of legislation…and addresses management issues only. Aspects of the status of land ownership in relation to Te Urewera National Park land [are] outside the scope of this plan. The Crown is addressing land ownership claims through the Waitangi Tribunal Claims process…It is not the role of the Department to address these issues and this plan is focused on management aspects of the park. (DoC 2003: 5)

It is doubtless true that DoC lacks a mandate to resolve ownership disputes, but the history of Te Urewera means that it is not realistic to manage the park under the assumption that management can be separated from ownership. Because co-management is merely a form of management, this finding has implications for the veracity and acceptability of the approach.

Co-management is an obvious strategy for resolving the grievances between indigenous peoples and conservation authorities, but the conflicts which some intend the approach to resolve are embedded in the politics of substantive historical events and colonial processes. The potential effectiveness and legitimacy of co-management may therefore be dependent on appropriate resolution of the historical legacies upon which so many of our parks are premised. Hence, current policy for Treaty settlements may be the most significant impediment to the evolution of effective co-management in New Zealand. Unlike the case in Australia (Lane 2001), Canada (Berkes *et al.* 2001) or even South Africa (Ramutsindela 2003), where the state has experimented with land transfer and lease back arrangements to resolve land claims over national parks, Crown policy here is "to keep conservation land in public ownership unless there is strong justification for vesting title in claimant groups" such as the enclosure of sacred burial sites (OTS 2003: 113). The acceptability of co-management for Māori is likely to be negligible when co-management is presented as a token solution to their *land* claims rather than being embedded within broader considerations of historical justice. The lasting significance of land loss explains the apparent illegitimacy of state conservation agencies. Remediation of this illegitimacy is a

protracted social process and suggestions that it can be accomplished within a single experiment in alternative governance are likely to be met with further resistance.

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An Ode to Pink Floyd:
chasing the magic of Māori and iwi providers[1]

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Over the past 10–12 years I've learned many lessons from Māori and iwi providers about the services and programmes they are providing for their communities. Such lessons have also come from a number of colleagues I've worked with on various evaluation and research projects that have focussed on the work of Māori and iwi providers. This paper is essentially a commentary on these lessons, with particular reference to the nature of contracting relationships between providers and Crown agencies.[3] The research and evaluation work that is being drawn upon includes:

- Research with successful Māori and iwi providers (2000-2002)
- Evaluation of capacity building initiatives (2003-2004)
- Research on marginalisation (2003-04)
- Evaluation work with Māori and iwi providers (1993-present)

To set the scene for this discussion I begin by briefly touching upon Kaupapa Māori as this has been the theoretical framework that has guided the research and evaluation work that informs this commentary. This is followed by an introduction to the context for the provision of services and programmes by Māori and iwi providers. Then the commentary examines the changing nature of contracting relationship between Māori and iwi providers and government agencies. Although rightly these relationships should be premised upon the Treaty of Waitangi, it is only in the past five years that government thinking has shifted to 'partnering relationships' and the like when engaging with Māori and iwi providers. Following on from this I discuss three key issues that impact on contracting relationships: the clients of Māori and iwi providers; the 'magic' of Māori and iwi providers; and issues of interpretation and ownership. This paper then closes with some concluding remarks.

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[1] A version of this paper was first presented at a Ngā Pae o te Māramatanga (University of Auckland) Policy Seminar in Wellington on 4 February 2005.

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[3] Rather than seeking to speak on behalf of these providers and thereby re-present these lessons to you, this paper contains some of the essences that I've drawn from these lessons that assist me in my work as an evaluator, researcher and trainer. The responsibility for what is contained here therefore rests with me, with a debt of gratitude to all those who have shared their knowledge, understandings and aspirations with me and those I've worked with.

Kaupapa Māori

Kaupapa Māori is literally "a Māori way". Taki (1996:17) expands on this further in her consideration of the word "kaupapa"; namely that "kaupapa encapsulates…ground rules, customs, the right way of doing things". The importance of te reo Māori within Kaupapa Māori is further reiterated by Graham Smith (1997) who writes that the Kaupapa Māori paradigm in education is founded on three themes: taking for granted our right to be Māori; ensuring the survival of te reo Māori me ōna tīkanga; and the central place occupied by our struggle to control our own cultural well-being. According to Smith (1995), Kaupapa Māori:

- Is related to 'being Māori',
- Is connected to Māori philosophy and principles,
- Takes for granted the validity and legitimacy of Māori,
- Takes for granted the importance of Māori language and culture, and
- Is concerned with the "struggle for autonomy over our own cultural well-being"

In other words, the core of Kaupapa Māori is the catch-cry: "to be Māori is normal". Tied to this is the recognition that Māori worldviews, ways of knowing and mātaurangā Māori are valid and legitimate. Kaupapa Māori is about our right to operate within this context, within Āotearoa. 'Knowing' is therefore sourced within our own values and beliefs. In addition, this knowing is positioned within a reflexive cycle of being willing to evolve, grow and update our knowing (Henry & Pene, 2001). Thus, our ancestors existed within a research culture whereby knowledge was updated "as part of ongoing information management practices" (Reid 1999:61). We are therefore not limited to merely responding to mainstream constructions of us: we can facilitate the revitalisation of traditional constructions as well as the formation of new constructions of what it means to be Māori within Āotearoa.

There is a growing theorisation and practice of Kaupapa Māori across, for example, education, health, justice and social services. Kaupapa Māori informs practice, research and policy within these disciplines and within mainstream (where Māori groups operate), Māori, and iwi contexts.

Māori and Iwi Providers

Even though Māori and iwi development, incorporating the provision of services and programmes to reduce Māori/non-Māori disparities, has always existed (Smith, 1995), the number of 'flax roots' initiatives has grown dramatically over the past 2–3 decades. This growth in the provision of "by Māori and iwi, for Māori and iwi" services can be seen as one response to hapū, iwi and Māori community dissatisfaction with mainstream services, including the perception that these mainstream services are responsible for maintaining Māori—non-Māori disparities rather than working actively to address them.

One of the things that may not have been working in the mainstream delivery of services is the "dominant, professional, and 'expert' driven service delivery model and system" (Ricks, Charlesworth, Bellefeuille & Field, 1999:xiii). Within this model services will respond to people as individuals in isolation from their families, communities and social context, with an emphasis on the assessment of individual pathology and deficit's (ibid.). An example of this was highlighted by Māori service providers in the area of family violence (Te Puni Kokiri, 2000). These providers identified that the application of a mainstream framework to Māori family violence policy and services:

- Failed to recognise the negative impact of colonisation on whānau, hapū and iwi;
- Endorsed interventions focused on concepts of individual harm, as opposed to whānau, hapū and iwi development and well-being;
- Created barriers to flexibility within programme provision;
- Failed to recognise the importance of addressing issues such as systemic violence and the endemic nature and acceptance of family violence within communities;
- Failed to value prior learning amongst Māori providers; and
- Did not recognise the value of Māori methods and models.

The mainstream framework was therefore not working for Māori. In recent research on Māori and iwi provider success, many providers (of services across six different sectors including social services) described how their motivation for beginning their service was that which was not working (Pipi et al., 2003). For example, one social service provider stated: "We didn't buy into existing social services programmes. We decided we would do our own needs analysis and use that as a launching pad".

Māori and iwi initiatives represent a struggle by Māori and iwi to regain control over their own lives and deliver services that are more in tune with whānau, hapū, iwi and Māori community needs and aspirations. Providers have told us that their dreams and goals revolve around tino rangatiratanga and mana motuhake. They are also motivated by their desire to improve conditions for Māori, with their effectiveness reflected in the positive changes they see in the attitudes and behaviour of individuals and their whānau (Pipi et al., 2003).

Many government agencies are now recognising the importance of Māori and iwi providers. A 2000 Te Puni Kokiri (TPK) report on Māori providers, for example, stated that:

> 'Māori providers have an important role to play in Māori development. They contribute in two ways. Firstly, they are well placed to deliver appropriate and effective services to iwi, hapū, whānau and Māori communities… Secondly, the development of Māori provider organisations contributes to the building the capacity of iwi, hapū and whānau and Māori communities.'

We know from the community development literature that community-based groups and organisations may be better placed to deliver appropriate services to their community because their value-base is the

same as the community's value-base and because they are in touch with the needs of their community. In addition, these groups and organisations are often led by 'catalytic people': that is, people who are capable leaders who are committed to social change (Newman, 2001). However, as Connell, Kubisch, Schorr & Weiss (1995) point out, building community development through provider development remains a complex issue. There are, for example, factors inherent in communities that community groups and organisations may not be able to change (e.g. racism, economic depression). For this reason other stakeholders, in particular regional and central government, also have an important role to play in community development.

Within this context Kaupapa Māori research and evaluation with Māori and iwi providers encompasses a multitude of ideas that are sourced within what it means to be Māori:

- We recognise that Māori and iwi providers often do not start out with a grand plan for service provision. Often providers are responding to the needs in their community that continue to go unmet by mainstream service providers.
- The services and programmes provided by Māori and iwi providers are intimately connected to who they are as Māori; to their philosophies and beliefs.
- Māori and iwi providers often have dual accountabilities—at the same time as they are accountable to a funder for outputs and outcomes, they are also accountable to their community.
- Māori and iwi providers are striving for self-determination.
- The greatest asset Māori and iwi providers have is their leaders (kaumatua and CEOs), their staff, and their community.
- Although out of their control, the external environment (including political, historical, social, legal and economic factors) often impacts largely on the work providers do and the goals they wish to achieve.

Evaluation is therefore about 'capturing' what providers are trying to do, including their motivations, their goals and their understandings of how their programme or service provides something that their community needs and wants to be involved with. This is important as the role of evaluation is often to document whether or not the outcomes contracted for by a funder are being achieved by a provider. An understanding of the context in which providers are working can both mediate expectations and provide a platform for partnering relationships between providers and funders.

Outputs + Outcomes + Relationships[4]

The growth in the Māori and iwi provider sector has been accompanied by a maturation of the Crown's conception of what it's engagement Māori and iwi providers should entail. The culmination of this, to date, has been an acknowledgement of the importance of the Crown's relationship with Māori and iwi providers. According to one agency key informant in the Māori and iwi provider success research (cf. Pipi et al., 2003): "Our research has shown us that the relationship outcome is

[4] This section has been informed by the contributions of Vera Keefe to the Māori and Iwi Provider Success research (Pipi et al., 2003).

just as important as the task focu". A key factor in this has been the relatively recent notion of a 'partnership relationship' between Crown agencies and Māori and iwi providers; in addition to more standard contractual requirements of outputs and outcomes.

The Public Finance Act (PFA) 1989 is one of 'four major statutes that establish the legislative framework for the public sector financial management system' (New Zealand Treasury Website, www.treasury.govt.nz). As stated on the Treasury website,

> 'the driving principle of the Public Finance Act is a shift of focus from what departments consume to what they produce. Hence, budgeting and reporting is on an output basis rather than relying solely on information relating to how outputs are produced. Departments were made responsible for outputs (the good and services they produce) while Ministers were made responsible for selecting the output mix to achieve government outcomes (desired goals)'.

The Act therefore introduced a bureaucratic terminology, including 'outputs' and 'outcomes'. As defined by the Act, "outputs":

> (a) means good or services that are supplied by a department, Crown entity, Office of Parliament, or other person or body; and
> (b) includes goods or services that a department, Crown entity, Office of Parliament, or other person or body has agreed or contracted to supply on a contingent basis, but that have not been supplied.

An "outcome":

> (a) means a state or condition of society, the economy, or the environment; and
> (b) includes a change in that state or condition.

Following the Act, contracts between Māori and iwi providers and Crown agencies were premised on this requirement to be accountable for how funded services and programmes resulted in both outputs and outcomes. As an evaluator in the 1990s this often meant that my initial evaluation work with providers was formulating a programme logic that connected their goals and activities to their desired outputs and outcomes, within the context of their contract. Although many providers 'knew' what was needed within their communities, they were often at a loss to re-create this knowing within the evaluation frameworks that were acceptable to the Crown agencies that funded them.[5]

In addition, the agencies themselves often did not have the capacity or capability to assist Māori and iwi providers in articulating their goals and how they would achieve them, and/or to understand how these goals fitted with what the agency itself was trying to achieve (Pipi et al., 2003). Comfort for these agencies was most often found when the providers were able to use the terminology that the

[5] Later in our evaluation and research work we adopted the notion of 'critical friend'. A critical friend in this context is someone who walks alongside providers and asks them about the 'what', 'how' and 'why's of their programme or service. A critical friend also offers providers objective feedback, based on their observations and the evaluation findings. It has been the our experience that this is an important, and often unacknowledged, role of Māori evaluators.

agency representatives recognised. As an agency informant in the Māori and iwi provider success research said:

> '…whenever I go there they talk our language so they use our jargon back to us and that has a sense of, it comforts people in this organisation, they use the same words we use'.

For some time the onus was therefore on Māori and iwi providers to explain themselves in the language of the Crown. The long sought after independence of these providers was therefore at risk of being compromised because hopes and dreams needed to be translated into non-Māori jargon (also see section below, 'Understanding vs. Owning).

There was a turn for the better in 2000–2001 when the newly elected Labour Government funded capacity building initiatives across several government agencies, with the specific intent of building the capacity of Māori and iwi providers. The government defined capacity building as

> a process that seeks to strengthen the ability of whānau, hapū, iwi, Māori organisations and Māori communities to build the strategies, systems, structures and skills that they need to control their own development and achieve their own objectives

(also see below, "Theorising social change"). In addition, a capacity building newsletter (undated) defined capacity building as a 'whole-of-government' initiative involving almost all agencies working together to respond appropriately and effectively to the needs of whānau, hapū, iwi, Māori organisations and Māori communities.

Most importantly, perhaps, for Māori and iwi providers was that this initiative also signalled the Crown's desire for a change from a contracting relationship between government agencies and providers to a 'partnership relationship'. Arrangements and agreements between Māori and iwi providers and Crown agencies were now to reflect and support the partnership relationship sought by the Crown.

The principle of partnership is one of the three principles of the Treaty of Waitangi emerging from the Royal Commission on Social Policy. The other principles are participation and protection. The interpretation of partnership by the Courts and the Waitangi Tribunal therefore provides a very good insight into what a 'partnership relationship' between the Crown and Māori and iwi providers might look like:

> The Court of Appeal has referred to the Treaty relationship as "akin to a partnership", and therefore uses the concept as an analogy, emphasizing a duty on the parties to act reasonably, honourably, and in good faith. The Waitangi Tribunal has also emphasized the obligation on both parties to act reasonably, honourably, and in good faith, but derives these duties from the principle of reciprocity and the principle of mutual benefit (Te Puni Kokiri, 2001:77).

In addition, in the Tribunal's view of the principle of reciprocity:

> "the Crown is obliged to respect Māori autonomy as far as practicable, that is, Māori authority and rights to manage their own policies, resources and affairs according to their own preferences' (Te Puni Kokiri, 2001:81). "

The move toward a partnership relationship therefore put some of the onus back on Crown agencies to engage more fully with Māori and iwi providers; perhaps to even try and understand what these providers are trying to achieve so that their ambitions and goals might be better supported and facilitated by the Crown.

The remainder of this paper is devoted to a discussion of three aspects of providers' work: who they work with; the outcomes they achieve; and how to describe what it is they do. The purpose is to try to understand some of the issues and tensions that exist for Māori and iwi providers in order to aid understanding of both their context and their work.

In the diagram below, a programme or service offered by a Māori or iwi provider is conceptualised as a change mechanism (i.e. a prism) that alters the people who encounter it in a multitude of different ways. Sometimes these alterations are small and sometimes they are dramatic. As an evaluator my task is often to document these outcomes—be they planned or serendipitous—and to posit how they are linked to the activities undertaken by the provider. The journey I document is often also about how providers reach out and engage with participants; what they do with participants once they have engaged with them; and what happens to participants as a result of that engagement. This is what I have learned:

A Client Base for Providers: Whānau, Hapū, Iwi and Māori Communities

Several reports from government agencies and non-governmental organisations have highlighted disparities between Māori and non-Māori, with Māori worse off on measures ranging from educational achievement to morbidity and mortality to treatment within the justice system to poverty. And yet for all we know about the statistics and the deprivation, do Crown agencies really understand what is happening to the people?

I recall a housing seminar in the mid-1990s at which a senior policy analyst spoke about his recent trip to a rural community on the east coast of the North Island. He was aghast at the appalling condition of many of the houses occupied by Māori, so much so that his trip was more like a journey of discovery that he was keen to share with an American housing expert (who he was sure would be able to offer some solutions). He had also brought photos of these houses back to Wellington so that he could show his colleagues because he knew that they simply would not believe him. And yet this was a man who was influential in policy formation for the very people whose circumstances he was out of touch with. Would he and his agency be able to enter into an honourable and reasonable partnership relationship with a Māori or iwi provider working to assist whānau within their community to gain an acceptable standard of housing?

Similarly, I would argue that one of the lessons learned from the last four years of Crown agency capacity building with Māori and iwi providers is for needs analysis. There is probably little doubt that when the capacity building initiative was introduced by the New Zealand government in 2000 it was needed by whānau, hapū, iwi and Māori communities. However this knowledge about an overarching need was not then backed up by more intensive needs analyses among rōpū prior to the establishment of policy, funding criteria, and the roll out of funding.

Such needs analyses (as opposed to a journey of discovery) would recognise that Māori and iwi providers are all too often engaging with a client base that is more marginalised and disenfranchised than the client base seen by most mainstream agencies and service providers. In addition, Māori and iwi providers are often providing services and programmes to Māori clients who other, mainstream, agencies have not been successful with. If Māori and iwi providers are going to be appropriately positioned within their 'market' then there needs to be an understanding of what this market is. Without such an understanding any relationship between providers and Crown agencies will be premised on false starting points and unrealistic expectations.

Achieving Outcomes: Theorising Social Change

Theorising social change is about developing an understanding of our own explanatory pathways—what needs to happen first before other outcomes can be achieved; how do outcomes build upon one another; how can these building blocks be stacked upon one another so that long term goals and visions stand the best chance of being achieved; and, how long will this take?

The 1999 publication *Te Utunga I te Wero: Meeting the Challenge*, produced by Skill New Zealand, reported on several innovative Māori skills training enterprises. The General Manager, Max Kerr, wrote that the challenge for providers is to design courses that can rekindle interest in learning and inspire the confidence to achieve. Kerr believed that for many Māori learners, what was required was a reconnection to culture through te reo, tikanga and whakapapa.

The outcomes Māori and iwi providers achieve are therefore often about building the cultural esteem and knowledge of individuals and whānau. It is on the top of such outcomes that the outcomes of Crown agencies can then be achieved: for example, employment, enterprise, education. If there is little knowledge or understanding of immediate outcomes (such as cultural esteem) and their link to longer-term outcomes then there is a risk that important building blocks in providers' work will be overlooked and/or undervalued. It is also possible that those providers who, in the timespan of their contracts, only achieve these immediate outcomes will be seen as unsuccessful by funders, in spite of their community's starting place and needs.

In addition, Mayne (1999) argues that the sensible use of performance measures is within a culture that focuses on "results that matter to citizens". This includes measuring the progress a service or programme makes towards the results desired by funders or policy makers (e.g. community development). In this way, Mayne confirms the importance of having a theory of social change so that immediate and long-term outcomes can be documented.

Part of an evaluator's work with Māori and iwi providers is therefore about documenting how these providers are working toward and theorising social change in their communities. This is an acknowledgement of Māori and iwi 'knowing' and making this 'knowing' explicit within an evaluative framework. It is also about being aware of the role of providers' operating environment (legal, social, political, economic, etc.) in facilitating or hindering their achievement of outcomes. These aspects are also important for Crown agencies to 'get' if they are to engage in partnering relationships with these providers.

What Māori And Iwi Providers Do: Understanding Vs. Owning

Two issues that Māori and iwi providers have raised from their side of a partnership relationship are: how far do they go in terms of explaining what they do in language that the Crown will understand, and how do they protect their intellectual property if and when they do successfully explain the work that they do? Both issues need to be addressed within the context of a partnership relationship that upholds and supports Māori development.

The Māori and iwi provider success research (Pipi et al., 2003) found only limited capacity and capability within Crown agencies to engage in partnership relationships. This was because of both the limited number of Māori staff and the over-emphasis on these staff members' responsibility to undertake the agencies' 'Māori business'. It was as if having Māori staff somehow gave an agency a tick in it's 'Māori responsiveness' box. Yet because of this limited capacity, Māori and iwi providers often remain in the position of having to translate what they do so that it is easily understood and digested by an agency that is still viewed as a contractor rather than a partner. This is not upholding Māori autonomy (cf. Te Puni Kokiri, 2001). Rather the capacity and capability of Crown agencies should be such that they are able to understand what providers are hoping to achieve, how they are hoping to achieve it, and how small achievements build to become big achievements.

Within such understandings there needs to be a respect for the intellectual property of Māori and iwi providers; in other words, understanding does not confer ownership. This is often difficult within evaluation as one of the key elements of evaluation work is often to find out what is happening and why so that a successful programme can be replicated in other sites. Apart from issues related to autonomy and the differences across Māori communities and iwi, this approach is not reasonable if the intellectual property rights of Māori and iwi providers are to be respected.

Even so, the shift from a competitive funding environment to one that is more relationship oriented has meant that Māori and iwi providers are becoming more willing to share what they are doing with one another. This will lead to learnings and provider development as well, I suspect, to new understandings that what they once guarded fiercely as their intellectual property (and therefore their competitive advantage in securing contracts) is quite similar to what other providers have found works in their communities. It is this sharing that will form a strong basis for providers to enter in to a partnering relationship with the Crown.

Concluding Remarks

Indigenous development is firmly tied to self-determination. Reconciliation Australia (2002:4), for example, argue that:

> There is compelling evidence that sustained and measurable improvements in the social and economic well-being of Indigenous people only occur when real decision making power is vested in their communities, when they build effective governing institutions, and when the decision making processes of these institutions reflect the cultural values and beliefs of the people.

Similarly, in the eyes of Māori at least, Tino Rangatiratanga and the Treaty of Waitangi are essential components of Māori development (Durie, 1994a,b, 2000). It is from this basis that Māori and iwi providers will enter into partnership relationships with the Crown and it's agencies. That is, a relationship that is by it's nature fair, honest, reasonable and conducted in good faith.

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Education partnerships — A difference in practice

Speech notes, public service senior management conference, Tuesday 19 October 2004, Wellington Town Hall

Howard Fancy
Secretary for Education

The Challenge

In education we have a single-minded goal: to lift the achievement of every student in our education system. International research tells us that we have high average achievement—but relative to other countries with high average levels of achievement we have one of the widest gaps between our highest and lowest achievers. These studies also show that, relative to the same countries we have within schools a high variance of achievement. The reality is that for too many students, the system has not been doing as well as it should – and this especially includes students from poor socio-economic backgrounds, who are Māori or Pasifika or who have different needs.

All children from all backgrounds are capable of success—the evidence is telling us this. The research tells us that effective teaching is one of the most powerful influences to lift achievement. It also tells us the more that teaching can be made relevant to a learner's background the more effective it will be. It tells us that the more that individual characteristics can be taken into account in teaching the more likely it will be that the learner succeeds.

Iwi partnerships and our relationships with other iwi and other Māori organisations are one of the means through which we are looking to develop an education system that succeeds with all students. The starting point for this journey of education partnerships can be characterised by three events between 1996 to 1998. These were:

- an approach to the Ministry by Tuhoe people for us to work with them to strengthen education within the Tuhoe rohe;
- a TPK audit of the Ministry of Education that was very critical of the Ministry's responsiveness to Māori; and
- an ERO report that was very critical of the quality of education being received by children in East Coast schools.

To raise achievement it was clear that as a Ministry we needed to develop different ways of thinking, working and relating. It meant that aspects of the system and our role in it needed to change at the

same time as the daily demands of the different communities and students continued to be met. In essence the challenge was akin to rebuilding an airplane while it also continued to fly.

Opportunity Not Obligation

What I want to focus on today is:

- the steps being taken to create the conditions for success;
- the characteristics of a partnership approach; and
- the experience of working in partnerships to make positive shifts to educational achievement.

We have nine education partnerships with iwi and iwi-based organisations across the country. We are working with another 13 in various stages of development. These partnerships are about a developing new ways of thinking and better ways of working. They are not contracting models or ones about devolution. They are a particularly relationship intensive way of working that centres around establishing common outcomes and clear roles and responsibilities in working towards the achievement of those outcomes.

Opportunity Not Obligation

It is not about obligations. It is about opportunities, and what those opportunities can deliver in schools and communities. It is about identifying better ways to get things right for today's young people. It certainly is not about political correctness or about the constitutional debates of the day. It is about having a strong but rigorous practical focus on getting the system to work better. It is also part of a broader way of working to get things right for all students – whether they be Māori, Pākehā, Pasifika or have special needs, are gifted or have a disability.

Again, we know from research that family and community can have a strong positive influence on a student's achievement. Tomorrow Schools highlighted the critical role families and communities can play in taking increased responsibility for designing and implementing actions and solutions. The Ministry of Education recognised that to be part of a better solution we needed to change. We see the iwi partnerships are as much about iwi investing to build the Ministry's capabilities as they are about us helping to strengthen iwi and community capabilities. Working in partnership recognises that working together will make a greater difference compared to working in isolation from each other.

We have learnt that to be effective, the partnerships cannot just be about contracts and funding.
The education partnerships must be fundamentally based on a shared vision and commitment to working together to bring about improvements in outcomes—a mix of obligation and opportunity.

Shared Clear Purpose And Shared Outcomes

The Ministry of Education is not a provider. It is not directly involved in family, in classroom and in the school setting. Our effectiveness depends on our ability to strengthen the effectiveness of teaching, strengthening the roles families and communities play and strengthening the relationships between educators and their communities. Iwi also have a similar 'indirect' role, but can have a strong role in supporting whānau to make informed decisions and choices and in influencing relationships between communities and schools and early childhood services. Establishing a shared, clear purpose to the relationship is crucial. Strong, workable partnerships can only be built if the partners are clear about what they are trying to achieve.

Partnerships won't work if those involved have wildly different expectations. I liken it to bringing different waka on to the beach, and both getting into a new and larger one that we've both helped design, that we both navigate, and that will allow us both to travel further and faster. We don't discard our individual waka because these contain our individual strengths and advantages, so important when you agree to work closely alongside another party. This takes work. Developing the relationship, and agreeing on a purpose and desired outcomes from it takes the investment of time and a real commitment.

With Ngāti Porou on the East Coast this started with a clear message to me that if I was looking to tell them what to do then I should catch the next plane out of there. I offered a blank sheet of paper and a pencil, and made it clear that I saw the issue as finding ways in which the funding, teaching expertise and people expertise on the coast could be used differently and in ways that would see every student succeed. I said I thought we had expertise to bring to the table but we certainly did not have the answers and would have a lot of learning to do, We were invited to stay and to come back!!

Developing shared outcomes is also key. For example Mason Durie described three key education goals for Māori, namely:

- to live as Māori;
- to be citizens of the world; and
- to enjoy good health and high standards of living.

These are not either/ors – all three are important. He also pointed out that there are many pathways through the education system that can deliver these outcomes. Each pathway is valid but can involve different roles for schools, whānau and iwi. Having a shared purpose and outcomes means being clear about the difference we are trying to make, having clear understandings about what is meant by quality, how our students are achieving and what we are trying to achieve.

This concept of a best of all worlds approach to quality is important. For example, looking back I would say the Ministry was strongly focussed on the "global citizen" while for many Māori their emphasis was on the "being Māori" outcome.

Rather than look for the win-win that encompassed both outcomes the relationships then were more about a competition as to which of the two outcomes should take precedence.
This clarity around outcomes helps build stronger demand for improvements and success. And it helps develop the framework for a strong response. It also helps clarify the expectations of our role, the school's role, and that of the early childhood services, the whānau and the marae.
It means developing a partnership approach that is based on the concept of win-win.

Shared Decision Making And Accountability—And Autonomy

The Ministry of Education and iwi are autonomous organisations – but we come together to achieve improved education outcomes. While there is an element of compromise, we don't try to change the other party to meet our needs. There is no fait accompli. The partnerships move all those involved from situations of either/or to working together to accommodate both – an and/and outcome. We recognise our distinct capabilities, where they are complementary and where we need to do more work. We also recognise our respective constraints and different accountabilities and work within those. We recognise that success relies on the whole organisation being engaged. From the Ministry's perspective the relationship with iwi is with our organisation and not with an individual or group within it.

A key aspect of the relationships is to make different parts of our organisation accessible.
From an iwi perspective this enables them to make the links to those areas that are most relevant to their current education priorities—such as early childhood, aspects of school improvement or tertiary education. We also take advice from this to cover where the interfaces with social policy, economic development and iwi development can be best aligned with their education focus. The immediate focus of the relationship then focuses around those areas and obviously can vary from relationship to relationship. For us the partnerships create the opportunities to identify those policy areas where we would benefit from input from iwi to inform both the design and implementation of policy.

To reinforce this, our strategic planning process has included twice yearly planning involving hui where the senior management of the Ministry meet with representatives of the nine partnerships. I want to give you a feel for how we have used these principles of opportunity not obligation, shared decision making and accountability and autonomy to help meet our goal of lifting student achievement.

I've mentioned my initial encounter with Ngāti Porou on the East Coast. Now, a bit of history. A 1997 Equivalent Fulltime Student (ERO) report on schooling on the coast was the catalyst. The joint Ngāti Porou/Ministry of Education initiative, *Whaia te iti Kahurangi, Strive for the Ultimate*, began in 1998 to strengthen educational outcomes on the East Coast. After extensive consultation with East Coast

communities, a strategic plan was drawn up and implemented in 1999. It addressed areas such as governance, leadership, policy and curriculum planning, performance management, teaching and professional development. As part of this, over the past three and half years, teaching, learning and achievement on the East Coast has been steadily transformed. IT has also been supported by an innovative ICT strategy: Te Rangitawaea. Te Rangitawaea operates:

- in 18 schools
- on 20 sites
- and includes approximately 1400 students.

All principals and teaching staff have laptops. All secondary schools have a suite of multimedia equipment and software. Students in wharekura access good teachers in different parts of the country through a video conferencing network with other wharekura and Māori boarding schools. In 1997 less than 5 per cent of Ngāti Porou students were competent users of ICT today that's risen to 98 per cent of students. Thanks to Te Rangitawaea, Tolaga Bay Area School students developed a video on the subject of the Transit of Venus. This project was more than just developing a video. This work related to several curriculum areas – the arts, ICT, literacy, science, social studies and involved a wide range of skills from storyboarding, scripting and research to production planning, presenting, interviewing, shooting and editing. It involved a school-wide commitment.

The school arranged it's teaching programmes to support the Transit of Venus topic—the science teacher covered astronomy and the social studies teacher focused on Captain Cook coming to NZ. It allowed the students to delve into their past and into their community's past and their own identity. What the students came up with won them a nationwide secondary schools competition about the Transit of Venus. And a result a team of students went to the United Kingdom to discover more. What started as a small project—turned into an international learning experience for these students. It was also a personal learning experience connecting to their community and their sense of belonging, personal development and self confidence: attributes we would like to see in all our successful school leavers.

Learning From And With Each Other

Moving the Ministry from being part of the problem to part of the solution has meant working hard to see the world through iwi eyes. It has also meant having a more inclusive view about quality, knowledge and different ways of working. There is no fixed way of developing and establishing relationships with iwi. Each relationship is unique and dynamic. It is a constant, real and constructive learning experience for all involved. There has to be a genuine commitment to being prepared to 'walk in one another's worlds' to gain a better appreciation of options and the constraints – from both our and the iwi's perspectives. Learning from and with each other also involves facing the hard questions and issues, and looking to jointly to solve the problems.

There also has to be an acceptance that there are different, legitimate pathways to success. For example, I recall hearing Bishop Bennett speak at an education hui in Rotorua. He posed the question that if success was judged 50 years into the future what were the first critical steps that ensured success? The answers from this hui were around getting it right for the child born today and to capture all the knowledge of the old folk before they move on.

Taking iwi aspirations and culture and reflecting these aspirations in the learning process have been a learning experience for us. Māori bodies of knowledge and intergenerational linkages can have a major influence not only on the shape and success of the partnership – but on the day-to-day activity in schools, curriculum work and on educational outcomes. For example, through the partnership community based language resources have been developed. These utilise local stories, local histories and local contexts to develop learning resources to use within classrooms. Strengthening education also strengthens the iwi.

Investing In Each Other

Making a real commitment to the relationship in people and time might seem obvious. But this isn't lip service. It has to be taken seriously. Building relationships and confidence takes time and effort.
It means recognising the cost in time and resources to grow the capacity and capability—not only within the iwi but across the Ministry. The relationships need to be genuine. They need to draw out past frustrations and anger—in order to move. They need to have an honest recognition that neither party gets things right all the time – and we need the confidence to put such issues on the table and work through them and learn from them. Taking the time to invest in each other pays dividends in the long run.

An approach that balances the focus on relationship management and achievement of tasks is crucial. It's important to drive the partnership off an education strategy, the shared understanding of outcomes, a practical appreciation of the hard challenges to be addressed and the importance of relationships. Contracts can support the relationships. They can inform the relationship. They require a strong best practice discipline in project management. But they are not the relationship. The relationship has to be framed within the wider iwi and education community and in ways that really strengthen the education outcomes and to ensure momentum is maintained.

Ngai Tahu gives insights into the importance of effective relationships – particularly with schools and parent. Both Ngai Tahu and the Ministry want strong relationships between schools and their Māori communities that enhance the learning of all students. A few years ago the regulations where changed to require schools to focus more explicitly on the achievement of Māori children.

> Rather than have 700 schools seek to contact Ngai Tahu directly Ngai Tahu asked that implementation be put on hold until they could develop a resource that set out the expectations of schools and gave practical guidance as to how they could work with their communities to benefit all students.

The result was *te Kete o* Aorak*i*: an easy to read reference guide. Te Kete o Aoraki is the first of it's kind in the country and spells out the responsibilities of key players in the Ngai Tahu education community, paying specific attention to the role of schools, papatipu rūnanga, Ngai Tahu, and the Ministry of Education. Its key aim is to show how vital relationships are to improving the education success of Māori. Indications are that this has contributed to a noticeable improvement of parental involvement in the education of their children, and the local schools. *Te Kete o Aoraki* readers are introduced to the country's National Administration Guidelines (NAGs) and National Education Guidelines (NEGs) and what they mean to Māori living in the takiwa. Concepts such as a school's Māori community are explained. And readers can scan a map of all Ngai Tahu papatipu runanga, study a glossary of Māori terms, and refer to a list of contact people with whom they can discuss education. The resource has been distributed to all schools and has triggered—for the first time ever for some—discussions between schools, whānau and runanga on how to improve education outcomes. These discussions are also based around opportunity and not obligation.

High Expectations And A Strong Belief

Having high expectations and a strong belief about the partnerships underpins their success. We are making progress. We're getting evidence all the time that these partnerships and education communities are helping move towards the goal of high achievement for every student. SOAR @ Paeroa is a cluster of nine schools in the Paeroa district. Māori students make up 42 per cent of the total roll of the schools. SOAR aims to raise the literacy achievement particularly for Māori students. Across the cluster interim data shows Māori students reading at or above average reading age, increased from 53 per cent to 70 per cent between March 2003 and March 2004. Schools and local iwi have recognised the importance of involving whānau in this development which will be the focus of a programme to enable this to happen—iwi, schools and whānau combined. In the Far North—Te Pūtahitanga Mātaurangā—(TPM) has seen significant gains as a result of the partnership. These include greater numbers of Māori parents elected to local boards of Trustees, fewer kura on discretionary Education Review Office reviews, significant changes in pedagogy in teaching of Māori, particularly by Pākehā teachers, in mainstream schools and improvements in essential skills in Year 9-10 student in secondary schools.

And back to the East Coast. Whai te iti Kahurangi is now moving into a new phase and has changed its name to E Tipu E Rea. Student writing performance in East Coast schools has improved substantially since 2001. Year 2 and Year 4 reading scores are very promising. Mathematics

performance in Year 9 is showing improvement. There has been a drop in teacher and principal turnover and in the number of first time principals. Teachers and principals are actively working to increase student engagement in learning—through goal setting, tailoring teaching to where students were, reward systems and celebrations. Teachers are using student assessments constructively to support children make gains in learning. This is a far cry from that 1997 ERO report.

Conclusion

The partnership with iwi are just part of a journey. Each of them is at different stages. But each of them is centred on success and strengthening educational achievement. They are not about devolution or contracting out. They are simply about changing the way we think and work together. They are about building effective bridges between different worlds, different viewpoints and different expertise. Essentially they are a commitment of two parties to invest in building each other's capabilities to be mutually acceptable to each other. Essentially they are about recognising and valuing each other's expertise, constraints and accountabilities while looking for the win-wins. Essentially they are about solving problems and creating opportunities that are judged in terms of educational success. Essentially they are built on a strength based approach not a deficit based approach. Mistakes are made, misunderstandings can arise. But the strength of an effective relationship ensures these don't derail activities and the broader focus. Working in a partnership is far harder and far more demanding than working through contracts or responsibilities. But it is also potentially a lot more rewarding in terms of the differences that can be made. It's important to believe in what these partnerships can achieve—they will work by creating the local conditions—local involvement and supports that are seeing many children achieve at much higher levels.

Contractual Relationships: Lessons learned
Consultation with communities

Paper prepared for Ngā Pae o te Māramatanga Research and Policy Seminar with senior policy advisors, Turnbill House, 4 February 2005

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Kotahi te kohao o te ngira
E kuhuna ai te miro ma, te miro pango, te miro whero
There is but a single eye of the needle
Through which the white, black and red threads must pass
[Potatau te Wherowhero]

I am privileged to contribute to this seminar, the other presenters for which are eminent Māori researchers. The theme of the seminar, lessons learned from contractual relationships between Māori and the Crown, is being considered from a range of different perspectives. The whakatauki quoted above recognises the joint work that we are all engaged in, both in education and in other aspects of government and social practice.

My own practice and research background is solidly educational—I trained as a primary school teacher in the late 1960s and since the mid 1980s have been an adult educator and researcher in a variety of different tertiary institutions—a Community College, a Polytechnic, a University and currently a Wānanga. I plan to pursue the following structure in the paper: first, to look at some recent publications which consider aspects of the requirement that the government should consult with communities of various interests; secondly to look at the story of a community (the impact of PBRF on the researchers of Te Wānanga O Āotearoa) and relate it to the wider Māori research community of which they are a part; and thirdly to suggest some possible improvements in the consultation process which may permit the communities to feel better heard, and policy advisors to provide good advice to their Ministers.

Policy Development And Consultation Requirements

First, then, I shall consider some government requirements to consult with relevant communities when policy is being developed. Governments require sound policy to guide their dealings with their own

departments, different groups and individuals. These policies will be followed more faithfully if those on whom the impact of policy falls have some sense of 'buy-in' and understanding of the policy. Therefore it is advisable that those who are required to carry out or to adhere to the policy should me involved in it's design and working. Indeed, as we are part of a world community, such groups as the OECD make strong representations on the need for sound consultation with regard to government policy making.

> Active participation is regarded as a relationship based on partnership with government, in which citizens actively engage in defining the process and content of policy making. It acknowledges equal standing for citizens in setting the agenda, proposing policy options and shaping the policy dialogue –although the responsibility for the final decision or policy formulation rests with the government. (OECD 2001:12) (quoted in Gray, 2002:5 – 6).

Recognising the wisdom of this argument, successive governments both here and overseas have devised a range of strategies for engaging communities in consultation when policy is being developed, changed and promoted. Some consultation relies on informal networking; some on 'traveling road shows'; some on key informants in particular areas; some on groups convened specifically for policy advice purposes. Sometimes these groups have self-convened for purposes of influencing government policy—in a local example, the Tairawhiti Development Taskforce was initiated by local mayors, included politicians and community representatives, and sought to influence the effectiveness of social and economic programmes in Tairawhiti. So grass-roots and organisational lobbying are also ways of carrying out policy consultation, though there is an obvious agenda in place from the lobbying group (as there may well be from government's perspective also!)

The Crown has a special responsibility with regard to consultation with Māori, because of our Treaty relationship. Rāwiri Brell (MinEdu, 2001) described consultation as

> a type of engagement relating to a specific issue or piece of work and is designed to define problems, obtain information, discuss issues or options, design processes or seek agreement.

The Crown has long paid lip service (and in recent years considerably more than lip service) to consultation with it's Treaty partner, to the point where the current Government's attempts to rectify past injustices have exposed it to claims of reverse racism. These claims do not overrule the Crown's obligation to consult, however; as Brell wrote in 2001,

> The Ministry recognises obligations to consult with Māori in certain circumstances and also acknowledges the benefit's of engagement in the sense of developing ongoing relationships of mutual benefit to Māori and the Government.

This seminar is an attempt to encourage and to further develop such relationships, promoted as it is by Ngā Pae o te Māramatanga, a collaboration demonstrating government research funding allocation to providers of education for Māori, for specifically Māori research initiatives.

Before I examine further the Crown's responsibility to consult appropriately with Māori, I wish to present some information on moves for better consultation that are occurring among indigenous peoples globally. Our local requirement for consultation with Māori is supported by increasing pressure at international level for better recognition of the rights of indigenous peoples to have their particular cultural and spiritual perspectives recognized and equally valued in their home countries' social and educational practices. It is an area in which our country has been recognised as a leader, but not one where we can rest on our laurels. One way in which indigenous peoples, particularly in education, are making their voices heard is through the World Indigenous People's Conferences on Education (WIPCE). The 1999 WIPCE produced the influential Coolangatta Statement, which reflects extensively on the impact of past neglect or oppression of indigenous needs in education and suggests ways of improving the situation. The Statement claims that:

> Historically, Indigenous peoples have insisted upon the right of access to education. Invariably the nature, and consequently the outcome, of this education has been constructed through and measured by non-Indigenous standards, values and philosophies. Ultimately the purpose of this education has been to assimilate Indigenous peoples into non-Indigenous cultures and societies…. Yet, Indigenous peoples across the world are demanding and, in some cases, achieving the establishment of systems of education which reflect, respect and embrace Indigenous cultural values, philosophies and ideologies—the same values, philosophies and ideologies which shaped, nurtured and sustained Indigenous peoples for tens of thousands of years.

The Statement recognises the challenge for indigenous peoples in promoting, protecting and nurturing their cultures, particularly in an environment where many are located in cities far from their homelands. It promotes the Draft Declaration on the Rights of Indigenous Peoples, revised in July 1993, which asserts that:

> Indigenous peoples have the right to have the dignity and diversity of their cultures, traditions, histories and aspirations appropriately reflected in all forms of education and public information. States shall take effective measures, in consultation with Indigenous peoples, in eliminating prejudice and to promote tolerance, understanding and good relations. (Article 15)

Ultimately, the Statement concludes that:

> 1.7.1. Meaningful, empowering and culturally sustainable education for Indigenous peoples will be possible only when Indigenous peoples have the control (a fundamental right) and the resources (an inarguable responsibility of States/governments) to develop educational theories, curriculum and practices that are indigenous and are able to determine the environment within which this education can best occur.

The Coolangatta Statement is being widely cited by a range of different formal, informal and governmental groups as a benchmark for how educational work with indigenous peoples should proceed. In Australia, for example, the Statement was cited in the Discussion Paper, *Achieving Educational Equality for Australia's Aboriginal and Torres Strait Islander Peoples* MCEETYA Taskforce on Indigenous Education (2000), a paper which recommended substantial improvement in consultation with Australia's Indigenous peoples. It is strongly supported by the World Indigenous

Nations' Higher Education Consortium (WINHEC). A Google search on the Coolangatta Statement also brings up a range of ways in which this Statement is influencing thinking on indigenous needs in areas as diverse as labour relations, education, and sustainable environmentalism in Asia, the U.S. and of course Australia and New Zealand. As we consider what processes may be appropriate for policy consultation in New Zealand, particularly vis-à-vis the needs of Māori, we would be wise to keep the recommendations of the Coolangatta Statement in mind, and also to consider it's source. WIPCE will be referred to in the recommendations at the end of this paper.

I referred earlier to the abrogation of Crown responsibilities to consider Māori as equal partners historically, and this will be no news to anybody at this seminar. The point has been reinforced by successive Māori advisors and academics over many years. In 1999, for example, Dr Ngatata Love, CEO of Te Puni Kokiri, wrote:

> The irony is that Māori are among the most researched peoples in New Zealand, yet at the same time there is a lack of robust information to assist policy makers to make decisions about what is happening for Māori in the health, employment, education, and housing sectors.

Dr Love's point was that the Crown, given the responsibility to promote equality of outcomes for Māori in New Zealand society, had not produced, commissioned or used sound enough information to enable good policy to be made. He reiterated that [There are] two fundamental outcome questions, for which Māori can and do hold the Government accountable:

1. Do government policies, programmes and services protect and enhance the right of Māori to live and develop in a Māori way?
2. Do government policies, programmes and services result in Māori achieving the same social and economic outcomes as non- Māori?

The answer to these two questions is obviously "no" at the current time, and it is the responsibility of this and succeeding governments to address the problem. I shall be speaking shortly of the "right of Māori to live and develop in a Māori way" with regard to the implementation of the PBRF in applying government research funding in education.

To develop, introduce and implement policies that will address the questions Dr Love asked is an ongoing challenge for governments. But ongoing failure to do so is not an acceptable option. Howard Fancy, Secretary for Education, claimed in a Ministry report in 2001 that:

> Maintaining effective relationships is a key task for us, not just with Māori but all communities and all education sectors…. Good policy design and good policy implementation require us to identify how Māori may be affected by these, and to obtain and incorporate their perspectives wherever possible in all phases from problem definition and the formulation of options through to decision making and implementation…. We need to get better at working more closely with Māori, not in a controlling sense but more in a partnership that helps to empower them. Flexible and positive consultation and engagement will improve the quality of our work and contribute to better educational outcomes for Māori.

Interestingly, the Te Puni Kokiri report recognised that complying with the Treaty might be a minimalist approach to consultation and improvement.

> Clearly, there is an obligation to consult linked to the Treaty of Waitangi but the importance of consultation is much wider. Otherwise, there is a risk that compliance with the Treaty becomes a minimum standard that we must meet and not be inclined to exceed' (MinEdu, 2001).

How, then, should policy advice encourage governments to meet their Treaty obligations and rectify historical deficiencies? I shall now move to the second point of my paper, a consideration of the story of my own institution's experience of entering the Performance-Based Research Fund, a fund developed as a result of consultation and policy development over better ways to ensure that government research funds are used for the purposes for which they are intended.

The PBRF And Te Wānanga O Āotearoa—A Short Story

The Performance-Based Research Fund came about because of growing awareness by Government that the research funding that is delivered through the EFTS-based system was not resulting in the research outputs that government wished to see. Accordingly, a system was proposed and is now being implemented which will see funds delivered according to measurable outputs, alongside the gradual abatement of the EFTS-based research funding. Our wānanga has no quarrel with this move; we recognise the need for government to ensure that research funds delivered are used for research purposes.

Timing Of The Consultation And Implementation Processes

However, the fund was developed and implemented with what can only be termed considerable speed, given it's implications for tertiary education organisations (TEOs). WEB Research, who evaluated the first round, noted that it "was carried out successfully despite a very tight timeline. The rapid implementation revealed problems" and recommended "the less hurried conduct of the 2006 Quality Evaluation" (2004:7-8). This speed is where I believe problems occurred vis-à-vis appropriate consultation, not only for us at TWoA but for other providers of education.

The Ministry of Education's report (2001) claims that

> [Consultation] involves a high degree of listening and valuing the perspectives and aspirations that Māori have of the education system and knowing how Māori prefer to be consulted. It requires the identification of barriers in a policy sense and also the constraints on Māori.

While I appreciate that the Tertiary Education Advisory Commission (as it then was) *did* attempt to consult over the design and implementation of the PBRF, in the case of our wānanga this consultation was not effective. This is because, given our rapid rate of growth over the preceding two years

particularly, our management was concentrating on providing education of the kind that substantial numbers of students (both Māori and non-Māori) had not received in the traditional education system and were demanding from TWoA in response to their experience of our lower-level programmes. We had government funding for research in EFTS only since 2001, when our first degree was approved, and over the subsequent three years four further degrees have been approved and others are in the pipeline. The likely impact of the PBRF on EFTS funding in degree programmes was therefore difficult to convey to our staff given the high levels of energy going into development work elsewhere, and the novelty of the scheme. I am arguing therefore that recognition of the constraints that our particular Māori institution faced was not provided nor were our needs appropriately recognised in the new scheme.

One Size Does Not Fit All

I am not arguing here for 'special treatment' for TWoA; rather I am explaining that when consultation occurs, first it should not be rushed; and secondly it needs to take cognisance of the different developmental stages of a range of providers, not just ngā wānanga. WEB Research, quoting the UK Review of Research Assessment (Roberts, 2003), stated that "information for the public and policy makers needs to be traded off against the higher need to serve the fair and transparent allocation of funding" (2004:9). I could not agree more. If an equitable system is to be put in place, these provisos *must* be followed otherwise unjust outcomes will undoubtedly occur, and I believe they did occur in the case of the PBRF's initial round. During 2003, when the PBRF's first round was being implemented, TWoA had over 40,000 students enrolled, making us New Zealand's biggest tertiary provider. We were offering three different degrees and developing others, so the time and resources needed to gather all available data for PBRF in a retrospective environment (the round covered the years 1997 through to 2002, and PBRF requirements were not known during much of that period) made data gathering very difficult. Much of our research occurs in the creative and performing arts areas, where evidence of performances and exhibitions six years earlier was extremely hard to obtain.
Notwithstanding our reservations about the process and the adequacy of consultation around it, which I raised in a letter to Minister Steve Maharey in August of 2003, we chose to participate in the Fund. We did so because of a firm conviction that research *was* happening at TWoA; furthermore that it was fundamentally inequitable for Māori taxpayer dollars to go into a government research fund that was inaccessible for the Māori research work being carried out at TWoA. However we were latecomers to the scheme—I was appointed in April 2003, and as a newcomer and a Pākehā was responsible, with my colleague Puawai Cairns and eventually another new appointee, Katerina Pihera, for introducing the whole concept of PBRF and it's requirements to staff on ten different campuses.

This responsibility was influenced by another issue that almost certainly did not affect the other TEOs who took part. Our rate of growth of student numbers and programmes required not only the research

to determine community/programme/student needs, but also huge pressure on our kaiako (teachers) to develop resources to support these new programmes and a cultural commitment to holistic student support that goes way beyond any other experience of tertiary education I have ever observed. So while the will was there from many of our kaiako to participate through provision of Evidence Portfolio (EP) material when we visited, the practical issues of time and the need for hunting for evidence over the previous six years in an environment where formal research publication has not been the norm was quite problematic. I believe that if consultation with TEOs like ours had been less rushed and more individually tailored, a system could have been devised which would have permitted us to enter the process more gradually—for example, by protecting our EFTS-based research funding until the next PBRF round (currently scheduled for 2006) to enable us to come up to speed with the fund in a more equitable way. The polytechnics, for instance, argued *en masse* (except for UNITEC and Wintec) for a ring-fenced fund, rightly determining the strong university slant inherent in the first round of the PBRF (Tawhai, Pihera and Bruce-Ferguson, 2004:7). It is likely, however, that the restrictions around this fund are likely to see many polytechnics opt to compete in the PBRF's next round, so this particular 'resolution' has been somewhat of a poisoned chalice.

Targeting Additional Funds To Māori And Pacific Islands Research/ers

It is incongruous that the processes that the Tertiary Education Commission put in place to try to assist TEOs promoting Māori and Pacific Islands research/ers did not apply at all to TWoA, the country's largest tertiary provider, and one enrolling thousands of Māori and Pacific Islands students. This is because the targeting of additional funds was delivered via research degree completions—which require a 75 per cent thesis loading in a postgraduate degree, and we had none of these during the first PBRF round. But all our undergraduate degrees do require some measure of research, which is strengthening research skills in our graduates and encouraging them to go on to further research study in the future. It is possible that more widespread and less pressured consultation in the early stages might have revealed better ways of targeting additional funds for Māori and Pacific Islands researchers than the Research Degree Completion (RDC) measure, though it is likely that this suggestion will be strongly resisted by the universities, whose needs and interests are largely promoted in the PBRF to the detriment of those of other providers like ngā wānanga and the polytechnics.

Another perhaps unforeseen negative effect with regard to funding of Māori research occurred in the first round of the PBRF through the disparate levels of funding available for Research Outputs (ROs) depending on what panel the ROs were submitted to. An assumption was made that Māori Knowledge and Development research was less expensive to carry out than some other types of research, such as in the Performing Arts or in Dentistry or Agriculture. As examples, Māori Knowledge and Development (MKD) research was funded at a base rate; Performing Arts research at twice that rate; Dentistry and Agriculture at 2.5 times the base rate. This assumption probably derives from the

differential funding provided for EFTS in TEOs, depending on the so-called expensiveness of the subjects taught, but how recently has this assumption been the topic of critical analysis? Is it *really* less expensive to investigate Māori nautical practice (which may require the construction of special waka, as TWoA has done with a dual-hulled waka called Āotearoa 1, now being used for research and educational purposes) than to continue with existing dental research, where expensive equipment may already be paid for?

Appropriate recognition of cultural capital is another way in which the MKD area's low rate of funding may have disadvantaged Māori. The MKD panel was put in place so that people who understand Māori cultural knowledge and practices were judging Māori research. But our staff who submitted their ROs to this panel, and there were quite a few of them, could attract only the lowest level of funding for their work. So they had to make a call as to whether to submit their work to people whom they trusted would judge it on appropriate cultural grounds, or to submit it to other panels where the funding rate was higher, but they could not necessarily count on appropriate judgements being made of Māori research and practice. They had to determine whether their own, and TWoA's, best interests were served by going for appropriate cultural judgements, or higher dollars. This is not a judgement that would have had to be made by other than Māori participants in the scheme, and there didn't seem to be a win-win situation available in the first round of the Fund. It is to be hoped that a way is found in the next round to rectify this anomaly.

Problems with the Quality Evaluation process

The research outputs reported in Evidence Portfolios were judged by panels, who determined the quality scores they felt the work deserved. We have written elsewhere (Tawhai, Pihera and Bruce-Ferguson, 2004) of the problems this caused our staff for a variety of reasons, foremost among these the requirement to 'blow one's own trumpet' in order to achieve a high score in the RO, Peer Esteem (PE) and Contribution to the Research Environment (CRE) measures. In our environment, "the kumara does not speak of it's own sweetness" so to ask staff to tell us how great others thought their work was, met with some considerable resistance. Accordingly, they were reluctant to give us much data at all in PE and CRE, and were often quite cautious about the information they included in even the RO category. WEB Research noted that

> The validity of the judgements [of Nominated Research Outputs] were therefore dependent on how well the evidence in an EP was presented and documented, and the consistent and appropriate use of the proxy indicators by panel members' (2004:26).

The proxy indicators relate to the use of largely printed research outputs for quality judgements. As WEB Research noted, "The most commonly used proxy indicator of quality by peer review panels was the international standing of journals" (2004:26). This is quite problematic for researchers in largely practice-based fields, be they performers, artists, engineers or teachers. Extensive criticism has come

from all these fields (and possibly others) with regard to the first round of the Fund. I am now a member of the Sector Reference Group looking at the revamp of the Fund for it's next inception and have to be careful not to break confidentiality, but there is widespread knowledge of the dissatisfaction of groups representing all the above researchers with the current quality measures. We in Āotearoa/New Zealand should be able to judge the "world class" nature of our research on it's own merit's, not on whether it has been published for the first time in an overseas refereed journal. World class Māori and Pacific Islands research *should* be judged by it's peers—in this country and in the Pacific—on measures that are deemed equivalent to the comments of American, U.K. or European researchers who work using different cultural capital. And our practice-based researchers may (and do) feel ethically bound to present their work in practice-based situations for the immediate benefit of their colleagues, students and the general public, rather than for some remote academic audience who may never implement their research in practice. It is therefore imperative that more appropriate quality measures for what constitutes A, B and C research take into consideration local review, not just overseas comment. As Tawhai, Pihera and Bruce-Ferguson noted (2004:3):

> The PBRF system does not yet appear to separate or appreciate the uniqueness of some kaupapa Māori Research, for example the uniqueness of some performing arts or unrecorded dynamics that occur within the Māori community. The Fund shows that it does not appreciate this uniqueness by not providing evaluative criteria that best suit the needs or the uniqueness of some kaupapa Māori research practices, especially in the PBRF emphasis on peer esteem.

It is to be hoped that proxy indicators that are really relevant to this country and to the Pacific area in general are used in the next round, rather than the excessive reliance on 'traditional academic (i.e. peer reviewed, overseas journal)' measures of excellence.

How Well Did TWoA Do In The First Round Of The Fund?

Despite our having received government funding for research since only 2001, when our first degree went through, and our struggle to obtain fair recompense for the expenses of establishment of TWoA (which required a huge struggle through the Waitangi Tribunal, and took endless time and energy from our senior management) we came 16th equal with Wintec in the overall quality scores. In some areas, such as Social Sciences, we came 7th, ahead of the University of Waikato. We outperformed the Colleges of Education in Christchurch, Dunedin and Wellington, all of whom have been offering degrees for many more years than we have, and have therefore received government research funding for much longer periods. Despite the mis/use of the quality results by a variety of providers since the results were published, caution needs to be exercised—the ranking system does not make clear, without further analysis, that some providers (and some subject results) were achieved with very small numbers so the results and claims should therefore be taken with a grain of salt, a situation that the general public do not seem to understand well.

There is an additional conclusion of considerable interest that can be drawn from the figures provided by the TEC. I suspected that, considering the amount of funding we were due to receive in 2004 compared with that received by other participants, Te Wānanga o Āotearoa would demonstrate effective "use of the money" in terms of the research we have managed to put forward to this fund. This is especially the case since we have received research funding for only the past three years. Accordingly, a spreadsheet was prepared, using the University of Auckland (the highest ranked institution, and the recipient of the most government research funding from this PBRF process) as a base index. This spreadsheet shows amount received compared with research results produced.

Remarkably, given the order of "excellence" shown in TEC's ranking chart (Table A-1, page 96 of *Evaluating Research Excellence*) TWOA shows as clearly the most effective in using government money provided to produce research of quality. The order in Table A-1 is substantially changed. This spreadsheet is printed below.[7]

Table 1

	Funding (000)	PBRF Score	Score based on funding	Efficiency relative to Auckland University	
TWoA	63	0.32	0.007	46.8	
Coll Ed Dunedin	208	0.27	0.023	12.0	
Lincoln	3,725	2.56	0.404	6.3	
Coll Ed Auck	768	0.39	0.083	4.7	
Coll Ed Chch	456	0.2	0.049	4.0	
Wintec	776	0.32	0.084	3.8	
Unitec	2,039	0.71	0.221	3.2	
Waikato	10,218	2.98	1.108	2.7	
Victoria	13,727	3.39	1.489	2.3	
Canterbury	17,777	3.83	1.928	2.0	
Coll Ed Wgtn	203	0.03	0.022	1.4	
Otago	22,802	3.23	2.473	1.3	
AUT	5,599	0.77	0.607	1.3	
Auckland	36,520	3.96	3.960	1.0	(Base Index)
Massey	22,009	2.11	2.387	0.9	

[7] Very small TEOs are excluded from this analysis, owing to their potential to distort the data.

In this spreadsheet, we demonstrate that we are making exceptionally good use of government research dollars, even in the short period that we have been receiving funds. This is yet another argument for careful and timely consultation between the government and TEOs such as ours, so that this financial benefit can be enhanced. I am convinced that if the Fund operated in a more equitable way than it did in the first round, we can demonstrate even more effective and efficient use of government research funding than we were able to achieve this first round, given the deficiencies of consultation and implementation I have already described.

What Went Well In The PBRF?

It would not be fair to conclude this brief story of what lessons we learned from participation in the PBRF without noting what went well also. Space does not allow a lengthier presentation of all the points made in the Tawhai, Pihera and Bruce-Ferguson paper, both positive and negative. But I would like to note that the PBRF definition was a great help to us in introducing our staff to research. I believe this definition *did* arise from appropriate consultation, as it is very inclusive and few difficulties arose in it's use in the first round. Almost all those that did arise were issues of interpretation, not inherent in the definition itself. We were able to empower our staff, particularly in the creative and performing arts areas, to define and interpret their work as research through the use of the PBRF definition. Indeed, at a research workshop presented as part of the Wintec SPARC Conference in 2003, Dr Anna Munster from Sydney observed that the PBRF definition is the first time in her experience as a creative arts lecturer that creative arts have been deemed *as* research, not as *equivalent to* research, so the designers of the PBRF can take credit for that innovation.

We should also note, as WEB Research did, the considerable help and sound consultation between TEOs and PBRF staff that occurred once the process was under way. Our Wānanga had the utmost assistance and consideration from the PBRF staff themselves during the data collection stage—Katerina Pihera was invited to Wellington where she received training on the collection spreadsheet; Val Lindsay was never more than a phone call away and visited at least three times; Kay Bacica was available via email and responded promptly. It is a great pity that the team was disbanded at the end of the first round, with subsequent loss of 'history' and relationships. WEB Research noted that

> A significant component of the administrative success of the 2003 Quality Evaluation was the excellent relationships that were established between members of the PBRF Project Team and administrative staff in TEOs (2004:20)

They further noted that

> The implementation of the PBRF and the conduct of the 2003 Quality Evaluation were possible because of a high level of trust and co-operation between TEOs, their staff and the TEC. There is a very strong expectation in TEOs that the TEC will continue to develop that trust and will maintain good relationships with the sector (2004:8)

Despite the loss of these key staff for the next round, we hope that the trust established between TEC and the TEOs with regard to the Fund will be continued and expanded.

Recommendations For The Future

I am not a government policy advisor, and it has not been my intention in this paper to "teach my grandmother to suck eggs." Rather, it has been my wish, reflecting on the theory of consultation with regard to policy advice, to use the lessons learned from the story of PBRF engagement at TWoA to make some suggestions on how to improve consultation processes for the future. I recognize the imperatives that government policy advisors are subject to, and hope that they are increasingly aware of the imperatives that drive us as staff in TEOs of various different kinds also. I have seen this seminar as an opportunity to share ideas, and to raise issues for reflection and possibly for future incorporation. No doubt my colleagues co-presenting at this seminar will also be raising issues for consideration and inclusion.

At the start of the paper I noted both local and international expectations that government *will* consult with Māori, as policy is developed and implemented. These expectations will only expand, I believe, as recognition of the importance of timely and culturally appropriate consultation is further developed. I am hoping that in some small way the lessons learned from TWoA's engagement with PBRF, which I have expressed here, may provide cause for reflection from government policy advisors as to whether the first round of the PBRF could have been more appropriately tailored to be inclusive of Wānanga and other tertiary providers. I think the goodwill demonstrated between the TEC and providers in the process, flawed though the first round may have been, is a beacon of hope for future development.

The Ministry of Education's 1999 report, as the country hovered on the brink of a new millennium, stresses the need for such sound co-operation and consultation:

> The Waitangi Tribunal says that consultation can cure a number of problems and the courtesy of early discussions is considered to build better understandings and insights to inform subsequent debate. The New Zealand Court of Appeal says that the principle of reasonable co-operation arises from a special relationship "analogous to a fiduciary relationship ... akin to a partnership". This involves a "positive duty to act in good faith, fairly and reasonably towards each other".
> The Crown must take positive action to fulfil it's obligations to protect Māori interests under the Treaty. The Court concedes that consultation is not necessary in every case although it is an "obvious way of demonstrating the existence of good faith". With respect to major issues, the Court of Appeal is clear - the Crown has a legal duty to consult with Māori.

My pleas would therefore be as follows:

- to build in appropriate time for consultation with Māori when new government initiatives (such as the PBRF) are being proposed. Let this consultation be compatible with Māori

notions of time, of consultation with whānau, hapū and iwi where possible, and not just dictated by the speed with which government ministers require fast answers which may not necessarily be wise.

- To express proposed policy in terms that people who are not working in government circles can understand and appreciate easily. In the Sector Reference Group, for example, I have argued for the provision of 'model answers' as it were: Evidence Portfolios that can help staff in TEOs to see what will count as high scoring work in the PBRF. This is an education example, but there will be many other ways in which those promoting government policy can tailor examples that will help those charged with carrying out the policy see how it might work in practice. Policies and processes are useless if people don't understand them.

- To measure 'quality', in whatever areas government chooses to promote development, in terms that make sense to the broad spectrum of users, not just the existing power holders. I believe that "quality measures" in PBRF have suited traditional "academic" purposes well, but severely disadvantaged practitioners in the whole range of TEOs that participated in PBRF.

- To commission balanced, up-to-date research into the wisdom and equity of current allocations of funding in research and teaching, where these have obviously disadvantaged certain types of research and teaching for possibly invalid reasons. The historical set-up costs of equipment and staffing (e.g. in medicine and dentistry) may no longer be valid reasons for applying the highest level of funding to these areas while other areas of study remain consistently underfunded.

- To be very cautious about adopting a 'one size fits all' policy approach in *any* area, however structurally and politically convenient it may be. The results may well produce very inequitable and unjust results.

I referred earlier to the World Indigenous People's Conference on Education (WIPCE) and it's influence in producing the Coolangatta Statement in 1999. The latest WIPCE will be held in Hamilton late this year, sponsored by my Wānanga along with the University of Waikato and Waikato Institute of Technology—a great example of local TEO collaboration. I would strongly encourage policy advisors who are able to do so, to attend this Conference—to sit and listen to the varying perspectives of the over 5000 indigenous peoples of the world who are expected to attend this conference. By listening, we are more likely to understand and appreciate diverse perspectives and to be able to build them into our policies and practices.

Together we—the red, the white and the black threads referred to in Potatau Te Wherowhero's whakatauki—can help to build a better Āotearoa/New Zealand. It is my fervent hope that this collaboration will happen, and will enrich us all.

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Research and Policy Seminar Series, February 2005

Rāwiri Brell
Ministry of Education

Contractual Relationships

Relationships can generate different kinds of demands for contracts and vice versa. For the many Ministry of Education contracts, these arrangements or relationships can range from very commercially focussed relationships to ones where a contract is a very small part of broader relationship to achieve a particular outcome. In the latter case it is more about understanding what this outcome is and how the journey to achieve this might be shared with others, in a way that they receive some kind of value from this at the same time as the outcome is being achieved.

The Ministry's relationships with iwi are built more around a notion of partnership where two parties have agreed to share the development and implementation of a piece of work which is specifically designed to improve learning outcomes for students. There is an important focus on creating a strong relationship centred on supporting an iwi strategy as against a Ministry one, where the Ministry is aiming to support those aspects of the strategy it can positively contribute to.

Gaining a deeper understanding of the respective idiosyncrasies, jurisdictions, constituencies and contexts of the two parties is an important part of going forward. This doesn't happen in one go but will happen over a longer period of time. For both parties it requires each to be clear about a number of things:

- Our respective roles and responsibilities: the Government and ministers, and the iwi;
- The resourcing pressures which each government faces in terms of trying to meet demands. These always exceed supply; and how important inter-agency and whole of government thinking and strategy is in terms of trying to support the wider responsibilities of iwi organisations across social and economic areas. Programmes like whole of government, strengthening families, reducing inequities are programmes which generate cross agency collaboration and discipline. The actual workings of these require considerable cross agency buy-in and this is often helped by a high level of clarity about what outcomes the respective agencies are contributing to, and a strong willingness to work together;
- The resource pressures which an iwi might face and the often vulnerable position of iwi, in terms of being dependent on the Government for funding. This is particularly so when the organisation has been created specifically in response to a government policy. It seizes the opportunity, sets up and provides a service or product and then the policy might change. Clarity around expectations is therefore a very important part of understanding an arrangement

and a commitment to it and sometimes the 'commerciality' of this in terms of straight contracts for services (or products) could be a much clearer way to work;

- The nature of the jurisdictions (legal and resourcing frameworks) and how these vary from sector to sector influences the nature of a relationship and the kind of work that might be undertaken. In Education for example the bulk of the resourcing is formula-driven and tied to regulations which are a lot about access and provision. Health is different again as is Housing, Welfare, Māori Development and so on. Education, like Health, is relatively devolved in terms of governance and management so the nature of the relationships with the different parts of education sectors and iwi can be quite different from what they might be in the social development field.

- The nature of the iwi 'jurisdiction' or context and it's recognised rohe, it's governance and management structure, it's purpose and obligations or relationships with it's constituents is important to understand. There are often contests for authority across some iwi, and mandate issues which need to be taken into account when agreeing to jointly achieve a particular outcome;

- Valuing each others respective contributions and views—valuing different views about quality, about ways of working and thinking, about knowledge and knowledge creation and sharing, about ownership of knowledge; understanding that the Ministry can never be Ngāti Whakaue or Ngāti Porou but that it can and should know enough to value what these iwi are trying to do and why; understanding that Ngāti Whakaue and Ngāti Porou can never be the Ministry but that it can know enough to value what it is trying to do; reflecting this in the way the Ministry thinks about strategy and developing policy and how this can meet the diversity of values and views from the different iwi;

- Being able to show that the effort is making a difference – that children are achieving better outcomes, that families are being supported to contribute to this process and teachers are increasingly becoming better at what they are responsible for doing;

- Increasingly using best evidence as a key informer for change, strategy and investment particularly in terms of building capacity and capability, but also as a way of informing thinking about research and evaluation;

- Knowing that we are not all things to everyone and we are not the experts about everything; accepting that we have many things to learn and working together like this provide many opportunities for this to happen—if you believe it is important;

- Being in these relationships for the long run—they can't really be short term arrangements.

Research & Policy Seminar Series
Contractual relationships: lessons learned
Ministry respondent, discussion and summary

John Kape—Ministry Respondent

4 February 2005

Thanks Ngā Pae o te Māramatanga for organising this forum. I acknowledge the importance of bringing together researchers and policy makers to bring life and vitalisation to the interface between policy development and research and the evidence. FoRST manages a range of contracts with Crown Research Institutes, universities, business and Māori organisations. Many of you will have a set of contracts you manage with Māori organisations, so I just wanted to acknowledge the experiences we all have on this topic.

The first point I want to make is that there has been a significant increase in the last 15 years in the number and quantum of contract relationships between Crown and Māori organisations. There is wide diversity in the nature of those contractual relationships: at a high level, you might describe the relationship as like a Treaty settlement agreement between the Crown and Māori organisations. There has been a significant increase in direct agreements between the Crown and health and research sectors, and Māori organisations. This presents a range of challenges around capability development, around mutual agreement, outcomes, and establishing trust, and foundations for the contractual relationship, all of which were discussed here this morning. Noting the title of the seminar, *Contractual Relationships and the Lessons Learned*, the Crown is actually stopping at the moment, noting that there is a significant increase in the number of these relationships, and asking what are the lessons and what this means?

A review is currently being undertaken by Justice and Te Puni Kokiri, around Crown Māori relationship mechanisms. What the document essentially indicates is that the Crown is undertaking this review, wanting to put in place clear guidelines for the establishment of these relationships and contractual relationships. In the meantime it was putting a hold on all relationships between Crown agencies and Māori organisations, and any agency that wanted to establish a new MoU had to put it to the Cabinet. So there was a concern about the proliferation of the number of MoU being developed, and about the details of those and the lack of consistency and understanding of what those MoU

meant. It is quite a significant signal from the government that we are taking a look at the lessons to be learned.

My own simple observation of what is happening in the growth of these relationships, is that each of the agencies have a set of outcomes they want to achieve, and they are going out to establish contractual relationships with Māori organisations in response to their own specific objectives. So it has not necessarily been guided by any systemic approach from the government or any systemic set of strategic outcomes that the government has developed with regard to what they want to achieve for Māori development over the next 10 or 15 years. So it's natural that the situation is that we have a wide range of diverse approaches to contractual relationships.

Over the last five years the Foundation has increased the number of its research and science contractual relationships with organisations. It has also encouraged research providers such as universities and Crown research agencies to establish research programmes with Māori communities or organisations. There has been a significant increase in the level of engagement between the research community and Māori organisations.

Some of the challenges: as part of the FoRST investment process we have been seeding programmes that are driven by the aspirations of iwi and hapū and other Māori organisations, with a clear pathway to delivering an outcome for those communities involved. So there is an expectation that when a proposal is submitted to us, there is a relationship in place, a basis of trust in place; and that those two groups, the research provider and the Māori organisation, have agreed on the outcome which they are aiming for, the set of skills that are needed to get there, and have agreed also that this should be done in a relatively short period of time. This is a big expectation. One of the key lessons from that type of investment process is that those Māori organisations and research agencies that are on the 'front foot' have a competitive advantage. Māori organisations with a clear sense of what their own aspirations are, what their research issues are, and who have a relationship with an organisation with a set of skills in order to achieve that, are relatively advantaged in that kind of contestable funding process. But the challenge is not same for a wide range of other hapū and iwi organisations who are not quite at that stage, who are looking for a set of resources to help achieve their aspirations. It's a kind of Catch 22: they haven't got the linkages and resources which they need to be involved in a funding round. FoRST is interested in how to address that challenge, by designing mechanisms that have a discrete pathway for capacity building. There is uncertainty in that because you don't know the skills that are in place.

FoRST has tried a number of ways to address that. We have scholarships to enable individuals to complete Masters and Doctorate programmes, so there is a skills development among Māori to increase the capacity of Māori to undertake their own research. Some will go on to work with their own iwi and hapū, but there is no expectation that they will now or in the future.

Another approach is in seeding grants to enable hapū and iwi and other Māori organisations to develop a new R&D strategy. So there is a need to go and identify aspirations and the associated research priorities and then to develop the linkages with organisations to help progress the priorities developed. Those seeding mechanisms have been quite popular and we see an example of research proposals where Māori organisations have developed R&D strategies. A series of steps come after that and one of the challenges is how to fund projects that come out of that seeding grant. Part of the process is to link the organisations up with existing knowledge and sectors which could benefit. So if an iwi had an aspiration of plentiful eels which could be harvested, to revitalise mahinga kai, they would need a link to existing knowledge and research available, e.g. from the National Institute of Water and Atmospheric Research (NIWA).

One point which has been raised concerns what knowledge is in the public domain and what knowledge is with the community group? It is important that the different parties to a contract have a clear understanding of what the relationship is, so that there is a clear understanding that people bring their own sets of knowledge to the table, and there is clarity that they own that knowledge. There is an issue about the new knowledge that arises from that relationship and how that's managed. There is a need for a discrete understanding or agreement about how new knowledge will be managed. This new knowledge can include knowledge that is very specific to a particular organisation, and which the organisation would want to protect—and they should be able to do that. There also should be knowledge that has wider public good application and benefit and it may just relate to the model of how people are working together. As an investment agency we are keen to see that knowledge has transferability, that there are the best pathways in place for people to benefit from that, so that knowledge is accessible. Again it comes back to people having a clear understanding of how they are going to manage the outputs and the outcomes of the contractual relationship that they have in place.

Just to summarise: there is a challenge around how we develop capability so that all Māori organisations can participate in a funding process. The bedrock of all this, which you have all identified, is a clear basis of trust between agencies and Māori organisations.

Discussion notes from Policy Seminar participants

In relation to Intellectual Property (IP), we have just finished workshops with people in the community. There was very small attendance, but one significant issue raised concerned the issue of IP. There was suspicion that people working for government agencies would go in, develop strategies, work out how best to approach Māori communities, listen, and in a few years, pull it all together, rewrite it slightly and represent it as their own new idea.

It is important for providers to write down and make it explicit what it is you are saying, so it is their IP. I think once they have done that, two or three years down the track if anyone is trying to use it, when everyone is looking at it there can be no misunderstanding who owns it. It's not a static once-only opportunity.

A Capacity Workbook has been developed with "a right to copy" statement included, to allow people to make use of it, share it, and use it, make changes. It's not for commercial purposes, but we'd like the authors acknowledged if you do, and if you change and adapt it. It's not so much copyright as the right to copy—it's about making conversations and discussions and learning.

One thing about creative endeavours, once you have put it down with a copyright, people can build on that. People don't develop new patterns out of the blue very readily. What they have usually done is taken something that is already there, and built on it and changed it. You need to have existing knowledge that's out there acknowledged in appropriate ways. There are issues around information and knowledge.

In a university people have an incentive to package their knowledge, to make sure it is codified and published, because that's what counts. But that is a slow process. It's inimical to innovation. It's important to discuss the different drivers in two different systems: the academic system as provider of research compared with a system of policy that is very fast moving.

The crux of the issue is in the title of this symposium. It is understanding the nature of our roles. We all have different contributions to make, and the different views and players in the mix need to be managed. This is about not only what contribution we can make but also what I can learn and let go. My paradigm and my approach can play a role, it has rigour, but listening to others it can also be shaped. It is about acknowledging different perspectives. We talk about data and the rigour and technology of research, validity of data, and the nature of relationships negotiated as we go through. All is predicated by the quality of relationships and that is critical for evaluation, when talking about theories of intervention. Evaluation should first test an assumption that a programme is operating. It should also engage with government intervention and policy, and with what they want to achieve. We have the communities and what they want to achieve and we have evaluators mediating the two groups and trying to make sense of the two different paradigms. It's not about one partner putting their agenda on the other. It's also that the length of time taken to talk is important. We may not have joint visions about things, we may have different visions, for example about what you want to achieve as a government agenda versus what a policy sets out, but it is important to have a common vision of the evaluation or what the research is trying to achieve. We need to be open about what you may have to change and be flexible with.

A part of relationships is establishing how you value the different ways of looking at things. This is where you run into different tensions in the Māori research community about different paradigms and how you do the research that actively reflect multiple levels and issues of quality and ownership. There is also the need to consider the Crown's views on that. The title of this seminar about contractual relationships provokes new thoughts.

In FoRST, we manage thousands of contracts and they reflect different sets of relationships—a commercial IT firm contract, compared with iwi contracts and relationships where funding is hardly even mentioned. When we start to get into discussions about money—they don't have it, we do—then you start to look at the question of power and discuss dependency and monopoly compared with the original intention for engaging in a relationship. It is important how that's framed; and the outcomes are just as critical with the strategies of how to get there. When you get to a point where you can sit around a table and share and have trust and confidence in each other, you have come a long way.

It is interesting to understand the context that each of us works in—education is different from health, which is different from welfare or justice. From a Māori point of view, they see all of those things together. Contractual relationships are a smaller part of working out our relationships or partnerships, but it is perhaps the most exciting part of what we do as it is an investment in the future, for a whole lot of opportunities to be developed.

We need to get radical about how contracts are funded. And that's not so far out from making magic. If we don't take account of those kinds of issues that make the differences, things will still go wrong. However, there are things happening out there that are pretty good. So why are they not systemised? Why aren't they happening across the system? If this is a good practice here, and you will come across good practices, why aren't they all over the place? We hear about good stuff, and we need to repeat it and ask why doesn't it happen elsewhere. But to make it happen, we have to talk about it.

In reality, under-pricing and under-resourcing are the things that communities remember. The contract process is a small part of a long term relationship, so you have to think about the things that these people are going to remember you for. If they feel ripped off by you, you have already disadvantaged the relationship.

Some of us know about the theory of working together with contracts. There is a lot of literature about stuff like funding in the broader relationship. A lot of us know how we would like to go about these things, so the question we are constantly asking in our own organisation is about how community organisations actually work? We know a lot of this. What are the things getting in the way of good practice?

There is another dimension of working with especially Māori and iwi groups—what is different, is there another dimension? Are we going to blur Māori—or is there something different about indigeneity, and contractual relationships with Māori as was brought out in the last presentation?

Another part of this seminar is about the collaboration for research, evaluation and knowledge sharing. Some of the issues are different but how can we work together on that? It is really great to work on good practice examples, and some of the partnering and purchasing examples have worked well. It is easier to spread improvements and practices that are working well and telling other people about it.

If we all know the theory and institutions know the theory of good partnerships, why don't we all do it? From my viewpoint the answer is that one of the key limitations of putting together a good negotiation package is because there are third parties that get involved. After looking through a lot of research by Māori there is a tendency to centralise the whole Treaty relationship as Māori and the Crown, as if the whole rest of civic society doesn't exist.

On the question of "What's different about Māori and iwi providers?", in practice we ask Māori and iwi providers what they do and they say "Isn't it obvious?". Do we want non-Māori or non-iwi providers to be doing similar sorts of good practice when they encounter Māori whānau? Because is it about the provider or is it about the whānau choosing their provider? So should the lessons that come up from Māori and iwi providers that makes them different—e.g. can manaakitanga be applied to non-Māori, non-iwi providers?—should these things be more broadly applied so that when our whānau move through those services they are more cared for and protected?

Another question is how do we evidence good practice? Often there is evidence of good practice but it is contested evidence because in the evaluation sphere we often resist the view that random control trials are the gold standard. There are still key influential people in this country—including academics—who will stand or fall by random control trials. So when we start to promote other forms of evidence of what an outcome chain might look like, there are people who don't appreciate that the provision of services in a community environment are often not amenable to random control trials. We have got to look to other forms of evidence. We need a way to have different evidence that is just as rigorously collected, that informs best practice. Until we actually start to get those forms of evidence accepted as the basis of informing policy I don't see that we are going to get very far at all with a focus on a win-win situation.

Looking at the policy research interface, here we have been talking about the different types of culture and the different nature of relationships. Agencies can be distinguished by the fact they operate in a very different culture themselves. It is critical to understand that this culture is different for each paradigm, and we need to understand the differences. Part of this is to understand that policy to some

extent is risk averse, with a strong sense of accountability, and to go forward we need to be sure we are managing risks well.

Part of relationships building and understanding is that we are both going for a win-win, although we operate in different contexts. In research that is contested, we need to understand the type of evidence required, the nature of research and the different methodologies. So it's not just about having a conversation about some of the things around specific projects, or specific pieces of research. It's about coming to terms with some of the ways we operate, about risk, our terminology, and about what we see as important. We need to come to terms with controlling risk, and understanding each other's environment.

If services are publicly funded, are their learnings public? Is the learning process that produces public knowledge an implicit outcome in research and knowledge creation? To what extent, when public funding is used, is knowledge to be shared and expanded or built upon when it is funded by the Crown? There is a question from sociology and education, how do you replicate good practice? How do you replicate transformation?

Key actors in change are the cultural mediators and interpreters. On one side of contract we see potential and protect it. At the same time we manage the risk in a way to craft and shape the contract. On the other side it is important to understand what part of the magic you are willing to institutionalise or put into a programme, and what part should continue on for the next step. It is not just replicating the magic because as communities get more experience they expect more magic, not the same magic. We need to understand how to replicate magic in a new way. The question is how to capture it in evaluation, how to recognise where the magic is different from something else.

One Ministry has relationships with 20 different iwi. Each started differently, each have different levels of skills and expertise but the common points across all 20 are an essence of sharing something. The Ministry staff are not experts. They have some expertise but are weak in others. Iwi have relations within the whole of the Ministry not just Māori staff and all have dealt with the CEO, the captain of the waka. This commitment from the top, the captain, is important in developing the nature of the relationships.

As we think about the relationship between people and contracts, any relationship will be dependent on trust. It is interesting to understand the point at which the relationship should become contractualised. A contract doesn't make a relationship. At some point the process of defining what's shared, the common agenda and what each party brings to it has to be drawn out and shared, and then formalised. There are steps along the line before arriving at the point in the relationship when it's right to formalise the contract.

On Memorandums of Understanding (MoU), over time a MoU has become important. Some Māori groups want a MoU before a relationship, but we have to ask what does the MoU represent if we have no understanding based on trust? We need a high level of trust before signing. So the question is when to enter into contract and also what is a contract. Does it have to be a document that is formally entered into? Māori haven't traditionally entered into contracts; it is something that has been imposed. One Crown agency demands a contract up front—and that is where relationships have then failed because it was contracted before a relationship has developed. This is about building relationships, and the question is at what point to sign up a contract? Contracts are not just between two parties. There has been a history of misunderstandings, and in some instances it is common to need a third party to mitigate the processes and issues arising in the contract.

The cost of relationship building: it is one thing to go to a rūnanga or iwi where people are salaried to talk with different agencies and build relationships; and another thing to do a consultation relationship exercise that is going to cost money—and where do you get the money to do that exercise? Relationship building needs to be cost neutral for all parties to come to the table, be it a consultation exercise or moving towards a MoU. This extends even to the fact that if you go to a marae and you think you have done everything right about consultation, then you need to consider that for some people to put $10 in their car to get there is a significant cost, and then they have to think about who can look after the tamariki, or decide whetherr they should take a half day off work to attend your consultation. So you hear a lot about consultations not being well attended and one reason for that is that it's expensive for people.

In response to the question about the pathways and knowledge and how that translates to make a difference for partnering relationships and the outcomes: it is not a linear process. Often what we delineate in the beginning is outputs and outcomes, and in fact these are changed by the end. We need to understand that all of the players are always different. As an example, a qualified translator needs to move between the worlds, to be able to understand the concepts and to accurately bring those concepts into another world and take them back again. The whole translation business about intent, language, understanding, is underpinned with an understanding that we aim to come to a position of trust. That's something I think the public services and government need to come to understand.

Often we don't have a good theory of how things change, how development works, and the theorising of outcome change even broadly is one of the missing bit's. Often poorly theorised developments are given huge money for evaluation. I am a policy maker living in a democracy, so when researchers like Ngā Pae o te Māramatanga look at how both the Crown through agencies and Māori are working together, and that kind of advice is brought together to inform the Government, it is also a good thing.

Everyone speaks about contracts as though they are based on trust. They are not. Contracts are about power. Whoever has the most power is the one who has the best lawyer. One of the things that happens in contracts between the Crown and Māori and iwi providers is that the definitions of terms are not equal. In reading the research around the Treaty of Waitangi, relationships are often about the Principles or the Articles. For Māori, we are talking about the Articles. We all talk Treaty but mean different things. A contract does not denote a relationship of trust. Trust is all the things we do before a contract is signed.

In Summary

Contractual relationships are part of a bigger relationship building exercise. There are a number of models in which these relationships can be built on, such as the formal contract like Memorandums of Understanding and more informal relationships that bodies get into. There are issues for individuals as opposed to organisations where these relationships are built. A strong point raised today was the question about partnerships. We need to bear in mind that there is more than one partner in a relationship. Traditionally there are two partners but lots of organisations have a perception that there is only one partner in it. These are the things we need to tease out a bit more as we develop the sorts of things we are doing here, because ultimately we are talking about the linkage between research and policy formation. There is little point in doing research if it doesn't go anywhere, particularly in this context if it isn't influencing what comes out in the Beehive. How to build up that linkage is critical, and this relationship is important. Ngā Pae o te Māramatanga is aware of this. This policy seminar is an attempt at building linkages, building relationships.

Research & Policy Seminar Series

Consultative relationships: community voice

Turnbull House, Wellington

18 February 2005

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Dr Paul Reynolds, Ngā Pae o te Māramatanga
Charmaine Ross, National Health Committee
Professor Linda Smith, Co-Director, Ngā Pae o te Māramatanga
Suzanne Snively, Price Waterhouse Cooper
Margaret Wilkie, MAI i Poneke Coordinator, notes
Jeremy Wood, Justice Department, Director of Crime Prevention Unit
Aphra Green, Ministry of Health Strategic Policy on Ethics & Innovation
Mahinarangi, Ministry of Education
Tuiloga, The Family Commission

Some personal reflections upon the policy process[8]

Dr Charles Royal[9]

Thank you for inviting me to speak today.

The goal of these seminars is to enable exchange and dialogue to take place between Māori researchers and the policy makers. Our seminar today is entitled *Consultative Relationships: Community Voice* and we have been asked to think about community engagement and consultation. This seminar seeks to address ways in which to improve consultation methods so that community voices might find appropriate articulation and expression in policy making. I would like to offer some thoughts on this topic by discussing my own experiences as a researcher of mātaurangā Māori who finds himself working part-time for the Ministry of Research, Science and Technology. I hope these thoughts are helpful.

The intersection between the research community and research policy making is a issue of ongoing interest to the Ministry and so the Ministry welcomes this initiative by Ngā Pae o te Māramatanga to convene these seminars and to enable this kind of dialogue to take place.

The correspondence or dialogue between research and policy does not always achieve the quality of communication that we would like. There are numerous reasons as to why this is so including the fact that research and policy making are fundamentally different activities. Whilst both exist in an ongoing relationship with one another, their relationship is not always comfortable as there are some key differences between these two spheres of activity.

In research, one is focused upon certain questions and is committed to understanding those questions and fashioning responses to them. Most research is dedicated to discovering a truth or truths about the matter at hand and there is a degree of 'separating out' the human day to day concerns in our pursuit of the answers we seek. That is to say, as researchers, we wish to remain focused upon the questions we

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[8] A paper delivered to a seminar entitled 'Consultative Relationships: Community Voice'. Convened by Ngā Pae o te Māramatanga: National Institute of Research Excellence for Māori Development and Advancement, Turnbull House, Wellington 18 February 2005.

[9] Dr Charles Royal is an independent researcher, writer and musician. His research interests lies with mātauranga Māori and indigenous knowledge. He is also a Senior Advisor at the Ministry of Research, Science and Technology. His iwi affiliations are Ngāti Raukawa, Ngāti Tamaterā and Ngā Puhi.

have posed for our research and generally do not entertain intervention by various contextual matters and certainly not to compromise the quality of the research process.

Policy making on the other hand, and policy making in central government particularly, is not so 'clean' in this sense, for a good deal of policy making is influenced by what is politically sustainable, what is acceptable in the prevailing climate of taste, preference and understanding. The passions and concerns of the contemporary political atmosphere has a good deal to say about what should or should not become policy and, as we know, the political atmosphere, the contemporary orthodoxy given daily expression by our elected representatives, is the product of a vast and complex intersection of impressions, knowledge, assertions and understandings. The 'truths' that the research community might present to policy makers is but one consideration. As important as research is, it is but one consideration in the minds of policy makers.

For policy is ultimately about regulating and/or influencing human behaviour whereas research is concerned with the study of phenomena—including human behaviour. Policy makers understand that they are trying to influence certain things in human societies, communities, institutions, groups, businesses and so on, whereas research is about coming to an understanding of these things, and more as well. Policy is about *action*—setting the parameters and conditions for the field of activity always in the present and future. Although policy development includes consideration of the past, it's purpose is to make things actual, tangible and real in the present and the future.

Research, on the other hand, maintains a substantial interest in understanding what has been, what has occurred, what has taken place, so that one might understand what is occurring in the present. On occasion, research also speaks about what might take place—research can include a predictive dimension[10]—but research moves onto different ground when it wants to talk about the future. Policy on the other hand always wants to say what should happen, how it should happen and so on. Research does not pre-empt outcomes whereas a policy is inadequate when it is vague about outcomes.
And so we see that research and policy possess different but complementary tasks in human culture.

Moving From Research To Policy

My personal journey, of the past two years, has included a degree of coming to understand how this all works—for my background is in research not in policy making. In my role as an advisor at the Ministry of Research, Science and Technology, I have come to see a little more about how the policy process works and I would like to share some of my impressions with you.

[10] Science, for example, seeks to develop 'laws' which are statements about what will occur when the same conditions are repeated in every circumstance.

Early on, one of the key challenges that I faced was how to write a decent policy proposal document. It is not as easy as it sounds. Policy makers want to 'cut to the chase'. They want to know, either:

- Is there a decision here that you are asking me to make?
- Do you want money?
- If you want money, tell me why, but if you can't explain why in 25 words, forget it.
- What are the risks?

This may sound a little rude and crude; however, it does show that a good deal of the policy process is about *action.* What are you asking me to do? What are you wanting to take place?

Coming from a research background this was, at times, a little disconcerting—for on many occasions, researchers are to tell stories, to set the scene as it were, to warm ourselves up to the subject before getting to the heart of the matter. Policy makers, on the other hand, want to get to the point as soon as possible. Central government works on such tight time frames that the punch line can't come soon enough. But time constraints aren't the only reason. Policy making—viewed from my limited experience—is a constantly moving, changing, writhing process and it's milestones are typically *decisions*. If one is not making a decision, time is marked by the space between decisions. This is how history is played out in the policy making game.

Hence, if we are considering the interface between research and policy, there is a substantial issue relating to the kind of language and communication required for the two spheres of activity. There is a language appropriate to research, another for policy and yet another for the intersection between the two and coming to an understanding of this is part of the challenge before us.

Changing the Story

My comments may suggest that storytelling has no role to play in policy making or that there is no political dimension in research activity. Of course, both of these views are wrong. Let me talk a little about storytelling in policy.

A particular challenge I have faced in my brief time at the Ministry is my attempt to introduce a new story around the Māori dimension within the New Zealand nation and, hence, what might be appropriately considered within central Government. 'Need' remains the prevailing orthodoxy within Government in relation to Māori issues. That is, Government generally argues that addressing distinctive needs is the rationale behind distinctive and targeted 'Māori' interventions in policy settings and funding mechanisms. This rationale has become even more explicit since Dr Brash's first speech at Ōrewa.

My story, however, is to say that:

- the Māori world not only represents obligations, needs and intractable problems for Government

But also:

- we are making actual contributions in a range of pursuit's and fields of activity
- we also possess creative potential as well and that our creative potential represents opportunities for our nation

So my story concerning the relationship between Government and Māori goes something like this:

Addressing the Deficit

- Māori do indeed have certain distinctive needs and the Government is obliged to do something to address these needs in order that Māori may participate fully in our nation alongside our fellow New Zealanders (Certain distinctive needs arise in the area of Māori health, and the Health Research Council, for example, is funding research to address Māori health needs. Similar activities in education, and so on.)
- Certain claims are now before the Waitangi Tribunal and in due course these need to be addressed as well. (Various mechanisms are in place to address these matters.)

Actual Contribution

- Māori communities, organisations and individuals are also making actual contributions in a variety of fields and spheres of activity.

Creative Potential

- The Māori world also possesses 'creative and innovation potential'. We are more than just a people with a bunch of needs and a *kete* of grievances. We have much more to contribute to our nation. This creative potential resides in two areas:
    - The creative potential of Māori people
    - The creative potential of Māori knowledge

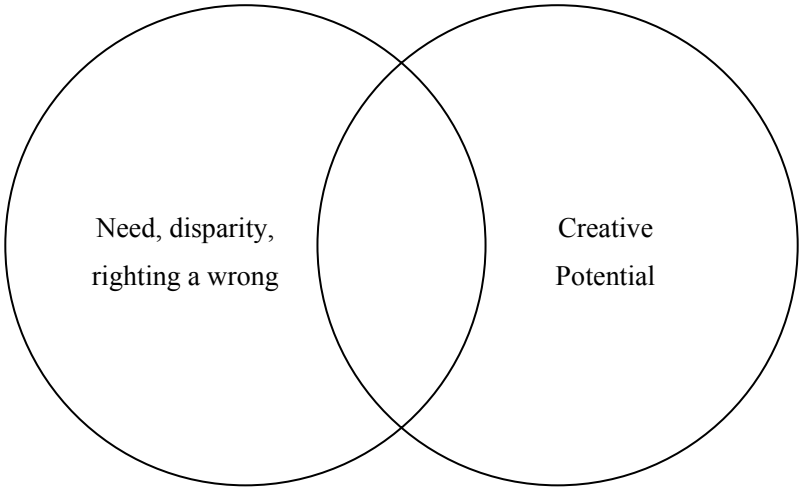
Whilst the creative potential of Māori people and the creative potential of Māori knowledge are intimately connected, again they are different things—and require different kinds of approaches. For example, the worldview, values and behaviours of contemporary Māori people include a complex intersection of experiences, knowledges and preoccupations. Māori people today possess both traditional Māori knowedge—mātaurangā Māori—but also a host of whole other kinds of knowledge typical of life in a 21st century democracy operating a market economy. Hence, policies designed to incentivise the creative potential of Māori people needs to be sensitive to where Māori are *actually at*—their needs, issues, their actual circumstances, their diverse realities.

Policies designed to incentivise the creative potential of mātaurangā Māori is something different again. This is about a body of knowledge which, of course, typically resides in Māori people but not exclusively so. A good deal of traditional knowledge has been codified primarily through the use of

literacy but also through latter technologies such as sound and video tape. Digital technologies are now being used to codify and record aspects of mātaurangā Māori. Today, a substantial amount of traditional iwi knowledge can be found in manuscripts held in public collections and in many instances this exceeds what is known orally within an iwi. Hence, policies designed to incentivise the creative potential of mātaurangā Māori need to make sense and be cognisant of the recent history of this body of knowledge.

In order for us to come to an understanding of what all this creative potential might be, I believe we have to change our way of thinking about the Māori world *vis-à-vis* the entire nation. By changing our thinking, I mean a number of things, including:

- We have to become more attentive, attuned and accurate in our *description and understanding* of activities taking place in the Māori world. For example, 'Māori' is, to use Edward Said's term, a 'reductive formula'[11] in that it does not speak to the sheer diversity of worldview, values, experience, behaviours etc, that are now exhibited in human beings of Māori descent. I think we need to evolve a new language to describe the great treasure trove of things that we currently label 'the Māori world'—a new language of creative potential.
- We need to draw a distinction between policies that are designed to address a need, disparity or to right a past wrong and those policies designed to incentivise creative potential. Although they clearly intersect, they are fundamentally different activities.



- The creative potential of Māori people and Māori knowledge is a national asset, a New Zealand asset. Whilst Māori naturally wish to contribute to their own communities, the creative potential of Māori people to contribute to Māori development is but a subset of what is possible when creative Māori individuals and communities really get cracking.

My suggestion is that the word 'Māori' has been used so often in the context of addressing needs or disparities or righting wrongs, that a new language might emerge in relation to creative potential. I am

[11] See *Orientalism* Vintage Books 1979.

not sure what this is yet, but I suggest it will have something to do with emergent thinking around indigeneity.

In presenting these ideas, I need to stress that these passages do not represent Government policy and whilst I have been advocating for them within the Ministry of Research, Science and Technology, this is not Ministry policy. Instead, these are ideas I have been exploring, however, I am pleased to find that I am not the only one thinking about these things. During my time at the Ministry, I have visited many Māori researchers and research organisations and have found that whilst obligations relating to social justice, needs and disparities still remain a concern, Māori everywhere are also talking about creative potential:

The Creative Potential of Māori People and Māori Knowledge

- Māori landowners wanting to improve the productivity of their lands through the use of unique Māori centred relationships and the use of mātaurangā Māori
- Iwi and hapū wishing to restore, protect and advance their land and sea based natural and built heritage—the desire to develop a new *Kaitiakitanga* employing traditional principles
- Māori taking certain traditional cultural expressions and innovating them within the image industries of film, television, gaming and the Internet
- Māori achievement in the arts and sport is well known

The list goes on. The purpose of this section is to advocate for creative potential and to suggest that this theme might be introduced into Government policies. However, in doing so, I would like to point out that in evolving policies of relevance of Māori, this will not mean merely changing the title of a 'needs' policy to one concerning 'creative potential' but retaining all the old assumptions about who 'Māori' are, what their concerns might be and so on. My thought is that an entirely new kind of policy language needs to be fashioned which:

- is accurate in it's description of the diversity that now exists within the population of individuals of Māori descent;
- is intelligent to the creative opportunities that might exist within mātaurangā Māori and Māori communities
- understands that policies designed to incentivise advances in mātaurangā Māori are about knowledge whereas those concerning Māori communities are policies about people (of course, they do intersect)

As an indicator of the kind of change of thinking that might be required, we may need to address the effectiveness of the word 'Māori' itself in research and policy. In my view, it is losing it's ability to describe the actual diversity which currently exists in the 'Māori' world. Further, it may be ineffective for future possibilities. Much research discussion needs to take place in relation to this point.

Community Relationships

So what might all this mean for community relationships and consultation? I am keen to see a change in the psychology of the relationships between the Government and Māori. Too often, the nature of the relationship is automatically dominated by a sense of the 'empowered' and the 'disempowered'. Now on many occasions, this is exactly the case, however, on some occasions this is not so. Sometimes Māori are adding value to a Government enterprise rather than the other way around. I would like to balance up the relationship in an appropriate way.

Whatarangi Winiata uses the phrase "mana enhancing" to describe envisaged activities when two parties come together in a relationship. I suggest, as Whatarangi does, that the Treaty partners need to be working in "mana enhancing" ways. This means that we Māori need to alter our view of ourselves when we interact with the Government. Too many times we go to the Government 'cap in hand' and allow a failed funding proposal to inhibit our activities. At times we spend too much energy critiquing the Government and thus allow it's presence to grow and undermine our own sense of ourselves. My view is that we should be entering relationships as partners, not as the impoverished seeking resources and, particularly, approval. We need to come to a sense of peace and self knowing about ourselves – that is to say, we need to continue to exist in an experience of our own mana.

Similarly, Government too needs to change it's view of Māori communities. As I have said, we are replete with creative potential, as all New Zealand communities are, and we require the architecture of Government policy to speak to this reality. Too often 'Māori', as a concept or even a brand, is packaged and associated with grievance, need, disparities and the like. Whilst difficulties do remain in Māori communities—and I do not wish to trivialise or diminish these difficulties at all—we are more that just these things.

Effective consultation, communication and connection between Government and Māori communities requires a good deal of work and a reasonable amount of common sense. Three areas of particular importance are:

- **Communication:** there are substantial issues pertaining to the translation of complex policy matters into concepts that are understood at a community and non-specialist level. This does not mean 'dumbing down' policy proposals or 'speaking down' to communities but rather to appreciate the complexity of communication that can occur
- **Facilitation**: facilitating community gatherings is an art form,
- **Relationship**: the nature of the relationship, understanding who the people actually are, the danger of lumping everyone together as 'Māori' when people may have local and regional concerns which may differ from a national 'Māori' perspective

Finally, in all relationships, when one is genuine and sincere, one is more likely to succeed in the relationship.

I hope these thoughts are helpful.

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Ngā Pae o te Māramatanga Research and Policy Seminar Series 1, Turnbull House Wellington, 18 February 2005

Mere Kēpa
Secretary,
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Takahiwai marae
Te Poupouwhenua

Consultative relationships: community 'voice'

Abstract

This Paper is grounded on five years reading, thinking and writing about *Language matters: The politics of teaching immigrant adolescents school English*. The principle of conduct directing that study is the politics of exile and slavery and their end. I would suggest that this notion directs consultative relationships between Māori people and government agencies.

Therefore, by way of a history-making event in the experience of Patuharakeke Trust Board, Takahiwai marae, I shall contextualise the politics in a community 'voice'. Next, I shall reflect on the job of the board in bringing forth a community 'voice' in consultation relationships, as perceived by the Secretary of the board. Finally, I shall review the notions ending the politics of exile and slavery, raised in the Paper.

No Place Like Home

In this part of the paper, I shall discuss a personal story of consultative relationships at Te Poupouwhenua (Marsden Point/Ruakaka). Throughout 2004, Patuharakeke Trust Board, Takahiwai marae was consulted by Whangarei District Council: The purpose was to organise the initial Memorandum of Understanding between the council and a Māori organisation in the District. The historical context of the Memorandum between the board and Whangarei District Council had plenty of errors to go with the trials. There are two ways of reading the history leading to the signing ceremony in November: either it is brave, far-sighted and diplomatic, or it is a desperate 'fig-leaf' rearrangement between the board and the Council with yawning gaps in cultural, political and environmental understandings. Of course, it is both. The board has been forced to encounter a brave, far-sighted and diplomatic relationship with government agencies under the Resource Management

Act because the Act is about land—tūrangawaewae. And the board can no more separate the land from the Act than we can call the council the government or vice versa, which is why the history culminating in the ceremony is riddled with those convoluted cultural, political and environmental regulations.

At the heart of tūrangawaewae is a Māori community's relationship with the land and water-based resources and taonga including kaimoana, fisheries, native birds and wildlife, the foreshore, seabed and surrounding islands, and indigenous flora and fauna. Just as important, tūrangawaewae means "home", the place Patuharakeke Hapū calls home, and there is only one! What this means is that tūrangawaewae should be recognisable, especially to those who share it, which brings me to the tūrangawaewae for the Memorandum of Understanding—Te Poupouwhenua. In the history of Patuharakeke Hapū, Te Poupouwhenua is the place of ancestral occupation and ancient battlegrounds. The long sandy beaches and turquoise ocean conceal a hotbed of death and intrigue, whose darker history has been concealed from the dominant New Zealand European/ Pākehā society and Patuharakeke Hapū, for centuries. Unlike, the experience and day-to-day lives of the hapū, Pākehā society ignores the context of the extreme discrimination faced by the people and our many experiences of dispossession by more powerful groups over history. Even the most cursory consideration of this history of discrimination and dispossession against the hapū demonstrates the degree to which we are denied the privileges/advantages enjoyed by other groups constituting the national population. That this remains a contemporary problem is demonstrated by continuing attempts to dispossess us of our land, resources and taonga by corporate and moneyed élites, and by severe and widespread pressures from the Resource Management Act, for political and cultural assimilation and economic alienation.

The rapid economic development at Te Poupouwhenua over more than a decade has exposed the Resource Management Act as no more than a ruse to cover an intended 'land grab' resulting in large scale resource extraction of the seabed for sand, mining hills for rock, cutting up land for ports, roads and industry, and chopping up the foreshore to make canals for economic exclusive housing estates which have seldom benefited Patuharakeke Hapū. As a single example of exile, the focus in the Act is never on the ongoing processes of dispossession, disempowerment and systematic cultural assimilation and economic alienation. Far too often consultative relationships are dominated by debates on whether Patuharakeke Hapū is adequately similar to, and at the same time adequately different from, the dominant New Zealand European/Pākēhā society, to justify the board's claims for redress. Thus, the board has to make obvious that Patuharakeke was at a certain level of social organization—tribal society—at the time of colonial penetration, in order to demonstrate that the people had notions of property that were similar enough to the dominant society to mean Patuharakeke might be considered to have some fundamental form of land rights. At the same time, the board has to display naivety by maintaining a tradition of 'untainted change'.

Further, despite many attempts by government agencies to dismiss Patuharakeke Hapū in favour of iwi around Te Renga Parāoa (Whangarei Harbour), the 'problem' of tangata whenua will not go away. This is because the problem is not tangata whenua and how to understand us. Rather it is the existence of a particular system of empire, currently involving the expansion of predatory corporations and moneyed élites whose wealth is built on the exploitation and impoverishment of the social and environmental support systems on which *all* people depend. The recognition of the history of tangata whenua within the legal and moral system that is used to justify and give legitimacy to this process of expansion does not work. This is not because there is something illegitimate about the concept of tangata whenua, but because there is something profoundly illegitimate about a system that cannot acknowledge any values that threaten either the power relations sustained by the increasing inequality of the global market and the dominant society's belief that all cultural communities must come to resemble their own.

For Whangarei District Council to support Patuharakeke Trust Board in our attempt to identify and disentangle processes of dispossession and domination by way of the Memorandum of Understanding is to restore some measure of trust and fairness, rather than cynicism and superiority, to the historical endeavour. But to support such marginalized and dispossessed people effectively and appropriately, the board and the Council must continue to focus attention on the processes and sources of empowerment, in addition to those of disempowerment.

After Me, Take Care Of My Treasures

As suggested in the Abstract, the principle of conduct directing consultative relationships between a Māori community—Patuharakeke Trust Board and government agencies, State Owned Enterprises, Local and Regional Councils and business developers at Te Poupouwhenua is the end of exile and slavery. Looking back on my work as the Secretary, I see that job of the board in bringing forth the 'voice' of Patuharakeke Hapū is concerned invariably with a political purpose. My starting point is always a feeling of partisanship, strong views and a sense of recurrent dispossession. And the more I become conscious of my political bias, the more chance I have of acting politically without sacrificing my aesthetic and intellectual integrity. On this view, consultative relationships between Patuharakeke Trust Board and government agencies are not neutral; rather, consultation is a political act.

Let us now look at what consultative relationships have become at Takahiwai marae. The job is to reconcile whamere, whānau, hapū and government agencies. It is not easy. It raises problems of genealogy, leadership, education, language, employment, health, lack and dispossession, surplus and saturation, and longevity. Hence reconciliation raises in a new way the problem of exile and slavery. Let me give just one example of the cruder kinds of alienation that arise: As the descendants of the

First colonised people in Āotearoa, the ahi kā has been corrupted of ideas, experience and knowledge, bankrupt of skills and lacking public-spiritedness. They are afraid to act, to raise their voice. It is a question of which side they will take in a relationship with government agencies and when! In one form or another, this problem comes up again and again. Anyone who cares to understand deeply consultative relationships between a Māori community and a government demanding information from Māori by Māori will see that it is concerned with the problems of personal, cultural, political, legal, business and environmental relationships. In other words, consultative relationships for this Māori community are concerned with the belief of *after me, take care of my treasures* in order to confer a 'voice' and longevity to it's diasporic people.

This relationship between infrastructure and succession is concerned with a Māori community's 'voice' (beliefs, practices, expectations) being listened to by government agencies. It is no use trying to suppress that holistic and complex relationship. The responsibility for the board is to reconcile our ingrained likes and dislikes with the public, individualistic activities (in the sense of institutions) which this age of the Resource Management Act forces the members to share information with government agencies. In the context of the Resource Management Act, the extent of alienation, that is of being held hostage by the demand from government agencies to consult with Māori people, comes close to a kind of voluntary servitude in the politics. The same can be said about information. By the demand for rituals of blessing, Memorandum of Understanding. Cultural Impact and Assessment Reports, Cultural Induction programmes, Hearing and Court appearances the expansion of cultural production and consumption far surpasses the expansion of material production (making money to pay for generating all of this information). The government can never have too much of it. The demand is always more information, more transparency and more democracy.

The out-of-control requirement for discussion of reports already far exceeds the board members' capacity to take in the information. The board no longer even has the energy to read in detail Resource Consents Applications, let alone other peoples' reports. The board does it's best: the members scurry around blessing this site and that site, scamper from one construction site to the next, dart from the lawyers in the city to the office on the marae, but our capacity for cultural labour is stretched to the limit. What comes out of all this is another form of alienation, not due merely to lack and dispossession of intellectual and aesthetic capacity, but to surplus and saturation demand for information.

In the case of culture at the marae, the situation is serious. For the descendants of the First colonised people, culture is not a single language, the idiom and values of a particular group: Māori culture has not been stockpiled and kept for government agencies' demands in 2005. Culture is no longer a form of glory and beauty. In the age of the Resource Management Act, culture has become a signature distorted and damaged by the dispossession of land, educational and economic alienation, and cultural

marginalisation. In fact, culture at the marae can be likened to a symbolic pact, sapped of power and action. It is a side-effect of the colonisation of the body, mind and spirit and so we get problems of contradiction and truthfulness.

In this open field of disagreement anyone can produce gestures, texts, signs and meanings for the government agencies, spontaneously and indefinitely in a kind of uninterrupted movement of consultation. Anyone can stage his or her own performance, unfortunately in total indifference to others in the ahi kā and the hau kāinga, or with only a token superficial consent and in a sense this is unavoidable for how can the countless demands all be taken on by the board. The powers that be would have the board believe that in the cultural market place unlike in the commodity market place demand exceeds supply and will continue to do so for a good while yet. Cultural Reports, Cultural Inductions, Memorandum of Understanding, Resource Consents Applications, site visit's and rituals of blessings are thus part of a whole series of concrete universals, of products, of signs, of 'goods' which have achieved a kind of imaginary consensus between the board and government agencies.

Language matters: it is a way of satisfying a wish to 'voice' everything in reports and rituals, therefore both as something present (or anticipated) and already over (past). What language produces is the impression that the Resource Management Act and a Māori community's 'voice' overlap like tectonic plates; that cultural practices, whether they are traditional, religious, linguistic, collective and individual, irrational and indigenous, exist side by side. In other words, and however much the board members may resist it, the language of the dominant society is in each and every one of us and we are, each and every one of us, in some way culturally pākēhā. At the same time the board members are Patuharakeke, a concept, against which the rest of society has nothing to oppose but our real existence. In this ambiguous concept, language itself is a both a figure of exile and transformation. By way of this paradox, the board can play with words and signs to promote the intellectual and aesthetic integrity and critical charm of Patuharakeke in, for example, reports on problems of development. Language, though, does not translate the identity of Patuharakeke, the immanence of our set of values. On the contrary, language is our transformation, disavowal, challenge and distance from the Resource Management Act. To put it simply, language is our share of society.

What happens in reports and rituals, for instance, is that *resources* and *taonga* are not equivalent terms; in fact they could be considered mutually exclusive. *Resources* pertain to technologies, the market, and information. *Taonga* pertains to values and ways of taking care of ... *treasures, after me*. *Resources* are globalised for the perpetual flow of money, *taonga* on the other hand, at least in so far as it is a constituent in a set of values for Patuharakeke and tangata whenua, has no counterpart in global culture. When the board and government agencies turn our backs on this understanding, all of us exhaust ourselves in an endless no-win contest between government agencies sure of their power and sure of their good conscience, and irreducible values such as taonga. *Taonga*, unlike *resources*, is

not a word which claims to speak with a single voice for all cultures and our difference, but which, paradoxically does *not* think of itself as relative and sees itself quite ingenuously as the ideal surpassing of all the others. The board critically imagines *resources* as the specific thought of government agencies, a product that is specific to New Zealand European/Pākēhā and global society and which is as every bit as difficult to 'export' to Patuharakeke and tangata whenua as *taonga* is to 'export' to government agencies!

By Our Relationships We Make Our 'Voice' Strong

So, how might the board at Takahiwai marae bring forth the 'voice' of our diasporic community? What this means for the board is that consultation is not just generating sets of rituals; business, strategic, cultural impact and assessment reports for incorporating the cultural remnants that the members bring with them to the table, but creating a constituency that might be supportive of ending the politics of exile and slavery in the relationship with government agencies. It cannot be assumed though that the board and the collective have a strong educational experience. For some of us, education has not been a luxury of preference but one that is badly tainted by rejection in school and academic disappointment.

As a board re-thinking our intimate insights to respond to government agencies' demand for information from Māori by Māori, there is not much advice and encouragement from the home folk so we improvise, making limited resources work and learning with the other members, like-minded people within the ahi kā and hau kāinga; colleagues and friends in the city are all part of the complex process of creating a community 'voice'. Of importance in the consultative relationship is the belief that as more is learned about our ways of living in the past and in contemporary society, the obligation to work together can be taken on. Just as clearly, consultative relationships require the board to draw upon our personal sense again, to make collective experiences and understandings, intellectual and aesthetic integrity visible in ritual blessings, Cultural Reports, Hearing and Court appearances. That enable us to participate in the politics accentuating the Hapū o Patuharakeke's specific situation at Te Poupouwhenua.

Hence, a most vital part of re-constituting consultative relationships with government agencies is for the board to bolster each other in order to come to know ourselves, name ourselves, and speak for ourselves in a process of change, rather than being perceived by government agencies for use as their voluntary servants. This suggests that there is no personal response to the constant situation of demand for information. Said in a different way, ideas that seem most capable of moving us toward a community 'voice' against alienation and of disentangling the complex conditions giving rise to the discourse, is best undertaken by a collective relationship. From this perspective, ideas ought to be organised around the ahi kā and hau kāinga that would enable the board to claim our own way of

representing and relating to the world through ritual blessings, Cultural Impact and Assessment Reports, Hearing and Court appearances. As such, consultation is a relationship that enables the members to recover a common ideal in the experience of exile without enslaving our particular idioms and language. The most challenging political responsibility for the members must be to influence our particular community to question the government demands for information that work to direct our relationship with the land and water-based resources and taonga including kaimoana, fisheries, native birds and wildlife, the foreshore, seabed and surrounding islands, and indigenous flora and fauna.

Finally, it is the board's responsibility to employ lawyers so that we can talk with government agencies and it is our responsibility to call 'home' our educated men and women, but with caution! It is an expensive, horrible, exhausting struggle, like a long bout of some painful illness. In this manner, consultative relationships between a Māori community and government agencies is an infinitesimal beginning to ending the politics of exile and slavery.

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Notes from presentation
Ngā Pae o te Māramatanga Policy Seminar Series 2
Turnbull House - 18 February 2005

Josie Keelan

Ngā mihi ki a koutou katoa.

I want to make three points in my ten minutes; those three points are around language, and the different kinds of language we use, for example the language of consultation as opposed to the language of participation. Participation is a word and a process that is being engaged more and more by government. Another one is that communities do actually have their own goals, and almost every time their goals are completely different from what our goals might be. My goal as a researcher might be at odds with what the goal of a community is, and it's about how do I find, as a researcher, the common ground between what my goal as a researcher might be and what the goal of a particular community might be. The other point that I want to make is that contracting or subcontracting organisations are not a community. Sometimes I think we get a bit confused as to what we mean by community, so it's about defining what a community is actually for us. Those are the three points that I want to make in my short presentation.

Brenda told you a little bit about the research that I'm doing, it's called *Growing Young Māori Entrepreneurs*, GYM-E (pronounced Jimmy) for short, and I like to put the GYM with a dash then the E. GYM denotes activity and the E having the connection to the world that young people know about, the Internet and those aspects of communication. In the research, I am looking at community partnerships, and that involves sub-contracting with community organisations to undertake the work, with three particular sites, here in Wellington, in Auckland and on the East Coast. Each one of them is very different, and the ways in which I engage with them are actually quite different also.

The methodology is localised and this creates some problems for me as the primary researcher, because the communities are very specific about when they would like to engage with me, and they often tell me to "go away it's not time". They are very upfront about it. In January I was told

> Well actually Josie we are not particularly interested in the fact that you have these timelines at all, because we have our own timelines, we have our own timeframes and you have got to fit in with those. The fact that you have these deadlines with your funder is your problem, it's not our problem, so you go away and deal with it.

So for me it's managing the tension between engaging with a particular community and also about engaging with my funder who only sees timelines and is not particularly interested in the relationships that you might have with particular communities.

The communities are very clear about their own particular objectives and what they want out of it, and if they feel that they are not getting that, then they will tell you to go away, and it doesn't matter how closely related you are to them, they will still tell you to go away. You might be off the same whakapapa lines but they will still tell you to go away, because they don't see you in that case as being actually of the same whakapapa line, they see you, and they see me as the researcher, and so they have no compunction therefore in telling me to go away. This might be an issue for a number of Māori who are working for public agencies or public service agencies, who assume that because of whakapapa relationships it's in fact quite easy to actually walk into a place. Those assumptions should never be made because that's not how they see you in that relationship.

The other thing I do is have a number of wānanga. A wānanga does not have to be huge people. A wānanga can actually be engagement of learning with a small number of people. A wānanga does not have to be a huge 20, 50, 30 people, you can have a wānanga with a group of about three people. It's the depth of learning that actually occurs at the point of a wānanga, when you are having that wānanga. I think that what tends to happen in our modern times, is that some of us tend to forget the purpose of a wānanga, because we equate it to the western notion of a training session. It is not a training session, it is about deep learning. So you can have a wānanga in a very small group.

Hui-a-iwi is another thing I like to engage in a lot. Understanding that a hui-a-iwi is generally about an information giving process, or an information receiving process, so it's not necessarily about deep learning. It is about understanding the processes that you are using and engaging at a particular time, and why you might actually be using them.

Another thing I am looking at is finding research assistants, which has been particularly difficult and it has been causing angst at various times in my work. Finding research assistants was actually about building research capacity with particular organisations. So a lot of my work is about actually building capacity, not so much about having numbers or meeting deadlines, which gets me into trouble of course with my funder, it constantly gets me into trouble. But as the community says to me, Josie that's for you to deal with and we don't want to know about it, go away. So I am looking at about 60 youth participants, but if I am including their whānau, that means I am actually dealing with a greater number than 60 young people.

The language I'm looking at, if you have been listening to me in the last few minutes, I am using words like engage. I am actually not consulting. Because it's about "where is my starting point?" My

starting point was actually with my idea, but I needed to be able to actually engage with communities in order to make my idea a reality. It was not about saying, "you've got to engage with me, you've got to actually do this" because they would just say go away and come back tomorrow when you have got a better idea of how you are going to talk with us. So it's about actively seeking their participation. Last night when we were talking about this Mere said: "you know sometimes you have got to go in there and beg" and sometimes we as researchers do have to beg. As Linda (Smith) has pointed out from time to time, as a researcher you are actually quite powerless in many situations. It's a matter of how do you establish a power base when you are doing the research? It's about being clear about the purpose of participation. Why is it that you are actually engaging? Why is it that I am asking people to participate in this? What do I think they will actually get out of participating with me, engaging with me? So my guiding principle in this is about transparency being transparent with the communities I am engaging with at any particular time.

The second point that I want to make is that communities have their own goals. I never make an assumption that they don't know what they are on about when I go in to actually engage with them. They do have their own things. Sometimes you go in and you have got your kaupapa, your take for the day in mind. Of course you are there with your community having a hui, and it's over there. You think "I didn't come here to do that", but that's what's on their mind on that particular day. It's a matter of finding out how does that take of theirs actually fit with you and then turning it around, and I have to do that quite a bit. It's about finding out how their take on the day, the thing most important to them at that particular time, fit's within what I actually want to achieve as a researcher. Often their goals are not our goals, so it's a matter of trying to find how to make that goal fit within whatever it is we are doing. My guiding principle here is always to work at the pace of the community. Often I will do that at my own expense. So it's also about not being afraid to look like an idiot. Sometimes it's about not being afraid to seem to be incompetent as long as you have the absolute and complete faith in your ability to get to where it is that you want to go to. Over the years having worked like that in national, international and local levels, yes I have looked like an idiot, and yes I have looked incompetent, but it's because I've always known where I want to go and what it is that I want to get or achieve. In the end I've actually come out on top. But I've been prepared to look like an idiot from time to time, and I think that's quite important too. It's not always about looking really good, and looking really flash. It's more about where is it that the community wants me to go to with this? and work towards that point. Always keeping in mind their goals rather than my own goals.

The third point is about communities. What is a community? I think sometimes that we get a bit confused about a community and a contracting or sub-contracting organisation. A contracting or sub-contracting organisation is not a community. It is a means by which to facilitate access to a community or to facilitate a management process. My guiding principle here is to engage with those organisations

in this capacity as being a facilitator for access, or as facilitator for management processes. It's been important to me to actually define the community.

When I am talking community, what is that I am actually talking about? Is it a particular sub-group within a larger group? For example is it the gay community, or the youth community? My particular work is with young people, so my first point of reference is that I am actually there for the youth community. But within the context of that youth community, there are other points of contact that I must actually make. That might be whānau, like with the schools that they go to, or the universities that they go to, or the sports club they belong to, or the other little sub group that they belong to. So it's about defining who it is, that is the community that you want to actually engage with. You need to also understand, what is it's make-up and the periphery that surrounds it.

These are the three points that I wanted to make with you.

- Language is really important when talking about engaging with communities, however that you want to do that.
- Communities' goals are quite often very different from what my goals are as a researcher, and I have to be cognisant of that whenever I am working. So often I have to adapt what it is that I am actually doing in order to fit within the context of their goals. I never make an assumption that they do not have goals, or that they do not have their own wants and needs, and look at how I can actually work with that.
- Defining what the community is that you want to work with

No reira i runga tera ahuatanga. Tena koutou, tena koutou, tena ra koutou katoa. *(translation : Therefore in closing, greetings to you all.)*

Research & Policy Seminar Series
Consultative relationships: community voice
Ministry respondent, discussion and summary: edited transcript

Dr Lynne Whitney—Ministry Respondent

18 February 2005

In the Ministry of Education, there is a real energy around understanding what students' outcomes are, and how we can really maximise those. The thinking in the Ministry is about the diversity of experiences, the diversity of values, the diversity that the students and their whānau bring to the education system, and how can we maximise those opportunities for them. The Ministry in it's way of holding the strategic intent, or statement of intent that we are obliged to as government agencies, is focussing on three things that critically underpin and critically contribute to maximising those student outcomes. One of those is effective teaching, to engage and participate and walk with teaching professionals, to understand the diversity of students' needs and the range of equity of outcomes that are wanted. One is family and community, and another is quality providers, to work with all those institutions and agencies that provide education, training and skills and competence. It is really important to understand that the Ministry does recognise the powerful nature, the diversity of the community, and the critical role that community and family play in achieving those outcomes. It recognises that it is not the Ministry's job to do that work, it is our job to work with others to facilitate those student outcomes. The professionals; family, whānau, community; and quality providers are the three legs of the stool that we use to make a difference for student outcomes.

I know the practice about consultation and I hesitate to use the word consultation. Engagement and participation have their own problems, but I prefer to use those words, they're less paternalistic. But there is variable practice within each department and across social policy agencies, with respect to engaging and working with different groups, and particularly Māori. I think we acknowledge that we have a special relationship with Māori as tangata whenua, which is different from other groups or other people that we deal with. We do of course have very broad engagement and participation processes. One of those you may well know about—in education—is the Hui Taumata, which is led by iwi but is attended by Chief Executive Officers (CEOs) and senior managers from the departments. At one level within our organisation we do engage very broadly with Māori, and working on how we can share and build knowledge together.

As a researcher, I am working within a policy agency and understanding that in order to do my job as a researcher, I have to engage with, and persuade people to become involved with that research. I am very aware that the relationships that I work with are mediating between policy and community as a researcher. It's trying to understand the different cultures that they both have, and trying to mediate them from within my own culture. So it's easy to understand that the three players of policy and community and research are imbedded in different culture, or as Charles Royal calls them, different psychologies. They have different values, within and between those different cultures, they have different goals, they have different timelines, they have different information needs, they have different priorities, and how do we negotiate the tensions and find the common ground? For example, recently people in Te Tai Tokerau asked me to go and talk with them about how they might survey their early childhood education services. As a researcher working within the Ministry, the kind of interest that the Ministry would have in surveying those services would be around the issues of participation, effective teaching, and the kind of outcomes those services are achieving. From the people that I was working with in Tai Tokerau, it was more to do with their goals of acquisition of te reo, sustained ability of language, and the importance of that moving forward, in term of iwi and hapū. So the goals were different. How do we mediate that? How do we ensure that we can work with both parties to find out how we can engage and draw those in some way disparate goals together? Or sometimes to leave one goal and to focus on another; how do we negotiate that?

In working with communities, in my case it is probably with a research team that is representing the community. It might be a tertiary institution, or it might be a hapū, in terms of full support. Take Kotahitangā Mātaurangā: a group of hapū brought together to administrate and engage on educational matters. People have different perspectives, different agendas, how do you as a researcher listen and engage with that and try and find out how you can negotiate and be inclusive about those? Or do you have to be truthful and say: "Well we've come here for this [other matter]. We can't engage and negotiate your particular goal." How do you manage that situation?

Policy makers are not drawing on only the systematic evidence that research can produce, and they are not always interested in the ranges of research methodology, the range of approaches, and within them the range of methods within which research is produced. They have ideas of what kinds of methodologies, what kind of approaches, and what kinds of methods can produce the kind of high standard of evidence that they want, and sometimes they neglect to understand that other types of approaches and methods can produce much more valid and reliable information and research. They are driven by policy. This year is classic: it is an election year, so the kinds of thinking that will be going on will be different from the kinds of thinking that will be going on in other years. We work within a cycle whereby we are in government and then we are being challenged for being in government; so we as a policy agency go with the ebbs and flows of politicians, and the kinds of information they are

wanting, because they are in their own particular cycle of interest. As has been said before, timelines are absolutely critical.

How do you match the thoroughness and the ability? You want to go in as researchers and negotiate to engage and allow people to participate, and by the time you have done that, the policy analysts want the work that you produce before you have even started the research. So how do you try and accommodate that, in the work that you do? Another thing is the scale. So often with policy you want to understand how things might operate at a national or regional level, whereas the critical interest of the iwi, the hapū, the whānau, is about what's going on locally. How do you match those two sets of interest? So there are some real challenges there. I take on board the point about managing the tensions between and finding the common ground between those three different cultures, different psychologies, and different players. And there is also the point that within those groups there are very different psychologies.

Research is one form of evidence among many, with a high compliance cost. One of the things we are looking at now is: do you always need to undertake research? Is there existing information? Is there existing intelligence? Is there existing knowledge coming up from communities so that you don't necessarily need to have research undertaken? Work in research and evaluation really complement that. Where do you need to get research and evaluate? Do you always need to think about that as a way to get information? I think that it's critical that we don't just establish relationships for the sake of a project, but that we work on establishing, maintaining, and sustaining relationships in a real way, not just a trivial way. For example one of the projects we have been involved with was to assess children that are in Māori immersion settings. To do that it's not just a case of going and asking and seeking compliance to allow us to go in and assess children in te reo, it's about working with the Ministry's already established networks with Kura Kaupapa Māori and with the kura that are not represented by that agency, to try and understand not just the Government's need to understand how those children are and what those children's outcomes are, but to try also to understand the ways in which Kura Kaupapa Māori could actually benefit from participating and engaging in that kind of work. We need to work with diverse views about methodologies and methods and work with others to understand what rigour is, because for example there are policy analysts in my organisation who believe that the only way to go forward is with randomised control trials. How can we persuade people that rigour, particularly from a community perspective, and particularly in a small country like Āotearoa/New Zealand, is not about putting people into different experimental groups, or comparison groups, and looking at outcomes? We need to work through the different interests and needs, and be genuinely interested in what people want, not superficially interested.

I think that the way you go about participating with communities is somewhat determined by the nature of the work, or research in which you are engaging. A continuum is designed to represent that. I

think there are opportunities for engagement and participation which are very limited, and I have put them at one end; and there are opportunities for engagement and participation which are very very meaningful. To some extent those are governed by our ability to negotiate, and our ability and willingness to listen. They are governed by our ability and willingness to give up control, like funding and setting the agenda, and having some control over the kinds of methodologies that are used. At one end I would say that the control by government agencies is probably at it's height, and at the far end it is at it's weakest, in fact it probably shouldn't even be there. The kind of work I am talking about at one end is where we look at statistical information, and we start to think about that information in terms of the different grouping of individuals, whether they be male or female, Māori, Pasifika, European Pākehā, or other. That's one end I think we have a real difficulty in understanding how we negotiate, what room do we have to negotiate, what does it mean to negotiate? What do Māori really believe about being grouped, like I do about being grouped into European Pākehā? What implication does that have and how do we better engage with that?

The next level is where you are still holding the control, we are going in there to talk about what we would like to achieve, and are talking about the goals that we have, and the funding that we have, and those parameters are already set and there's not much room for negotiation. I think that we are getting better at doing some of that negotiation. For example, there are surveys. We have a particular survey looking at how students perform across the curriculum at Year 4 and Year 8. The Ministry of Education wished to not only assess in te reo Māori but also in the English medium. We had over time a number of negotiations with Kura Kaupapa Māori, who said to us it is not that we don't want you to assess in Māori, we see the value of assessing in Māori, in te reo, but we don't see that assessment as being as critical at Year 4. We see ourselves being exposed to risks around Year 4, about the duration; about the lengths of times those kura kids have actually been learning te reo. We agree with you on Year 8 because it's safe, we don't feel it is legitimate to assess at Year 4. So at that point we said we recognise and value your view and we will go with that. And we don't assess at Year 4.

Also over time we have in our learnings and understandings about how we do assess. I think too with the evaluation of Te Puhitangā Mātaurangā in the Far North, it was again policy analysts who wanted to have particular views about how the partnership was going, how relationships were developing, but their views about them were much more simplistic than what was actually happening on the ground. How do you accommodate an evaluation where the ground, and the interests and the focus and the goals are shifting on a day-to-day basis in reality, when the questions that are being asked at the beginning don't change. How do you negotiate that so that you satisfy the need for information from the policy analysts but also understand the realities of the community and what they think is important?

The third is an example of the work we have been doing with Professor Russell Bishop at Waikato University around the work that we commissioned around Te Kotahitangā. It wasn't a case of saying: "Russell you take the money, you take everything, and we will be guided by you." But it was a case where we built up a relationship over time and then when we had the confidence and trust built up, we said this is what we would like to achieve will you help us to achieve that? I remember going to the marae at Waikato University and being totally roasted, being Pākehā and being a woman you know, but I just hung my head down and felt very humble. We went around the table, we sat and we ate, and my head rose again, and I remember Russell saying to me, "Lynne, the reason we like you is that you keep coming back for more." And that really meant something to me. It wasn't that I walked away from it. I tried to come back and really understand. I think we said: "This is what our information needs are, Russell. We need to know how Year 9 and 10 Māori kids are operating. What's the experience of Year 9 and 10 kids in the classroom?" He used his methodology and used what he knew of the Māori community to get to the bottom of that question. We had arguments over rigour, we had arguments over all sorts of things, but that work is starting to be influential in understanding from a Māori whānau, and a Māori students' perspective.

The fourth level is the place that we haven't got to yet with research. I think that is where true Kaupapa Māori research will operate, where we have the confidence and the trust and we get over our risk aversion to be able to engage with Māori in such a way that we hand the thing over to them to set the agenda, to have the funding, to set the questions. To answer them in their own way, and to be confident how we get that information back. I don't think we are there yet, and I think that is a risky business for government, and I think despite the fact trying to negotiate that, it's an area I found hard.

It comes down basically to key values and key ways in which we operate together. It comes down to communication, as Mere and Josie and Charles have said. It comes down to understanding cultures, different ways that people operate; to trying to influence them in a positive and opportunistic way, rather than in a negative way. It is about sharing experiences, telling our stories, and that is a critical and very illuminating thing. It is our willingness to learn and trust and to have our ideas challenged. I would like to end by saying that for me it's about some basic human ways of operating, and values, and about listening and being open to challenge. Communication and relationships are at the heart of it.

Discussion notes from Policy Seminar participants

The kōrero has confirmed a number of things. One: that the research paradigm has a core that is quite different from the policy paradigm and often different also from the community paradigm where people are working. There is a process of extraction and we as government have a whole array of tools, of mechanisms, of processes, and most days we are probably like a tank coming down the road,

ready to raze that very community that we are talking about. I am pretty privileged to work in the strategy area and we are allowed to stand off from the whirl of the world of day-to-day policy. Our boss is pretty keen that we should always be outside of that, because otherwise we are going to be caught up in events that will prevent us from taking some distance, some long views of issues that have been around for a long time.

We should never lose sight of social justice. I do know that out of it all, I want my mokopuna to stand tall and feel good about their place in the world, I want them to have their reo, I want them to have it in a way that is able to express them in a way that is a unique person in this whole world.

We seem to have lost some of those mechanisms of a more collective way, because on a one-to-one basis it seems to be OK, but when we take it out to two, a four, a group basis, some of that stuff gets lost. I am looking from a government point of view at this stage, and I guess the overriding complexity from the Government is always the political imperative. The realities that unfold from out of that mean that we all have some notion of the values that make a difference for us, to allow us as individuals to have a range of skills and understandings that hopefully we can share forward.

Speakers highlighted that the goals of communities are not always the same as the things that drive the Government. Charles spoke about research and policy as an antithesis. The thing that struck me about both those presentations was that I wondered if there was a need to recognise difference or whether there are points of common intersection or whether we have to come up with ways of co-existence.

You didn't want to talk to cooks and cleaners. The very last thing they do on the marae, when they poroporoaki to the people is that they get up and they thank the cooks, because always what happens behind the scenes influences what happens in the debating arena. In my twelve years of work as a public servant I did have to—as a manager—realise that my wings were clipped far more as a manager, and I was unable to get near to the decision makers as easily as if I was a policy person. Sometimes researchers, policy people, cooks and cleaners have an ability to influence what carries out in the front in some way. We have a place and hopefully the time to cover.

One overall feedback to Ngā Pae o te Māramatanga is that a number of these discussions have been raised with the public service and agencies in the past. It would be very useful if there were some acknowledgement of the things we have done well, or things that may be useful learning for people in the public service. There was a time in the public service, when running around with the Tapa Whā model was the thing to do. It was moving away from the deficit model to the starting point of well being. I am unsure if I have seen anyone in public service apply that template in a meaningful way which has led me to believe the kāore anō model is not complete. Maybe Tapa Rima.

What needs to be done around mātaurangā? You were asking where the intersection is. That's where the intersection actually lies—the one thing to offer as researchers going into communities is the learning that occurs of both the community and ourselves in the process of engaging in the research—we learn heaps and they learn heaps and it's the learning that is the greatest offering that we have. Doing that process is part of building capacity. We can add to the learning that is going on in the community and they give us heaps of that in return—that's our reciprocity in many cases and the intersection is the mātaurangā that is being exchanged. Perhaps that's where the underlying thing is.

In terms of a lot of models, we hang on a model and think it's the be-all and end-all. But there are many models out there, not just one. We get a model and everyone goes: "Wow, a model!" but we actually don't buy it; everyone says it's a neat model but we don't apply it. It's applying it to be a normal part of everyday life. We are terrible practitioners on the notion of whānau, hapū, iwi—what does it mean to me as an academic? When we say whānau, what do we mean by it and how do we practise it? In actual fact we are really bad practitioners of the terms and the processes that we talk about. We have a lot of models: Tapa Whā is one, Wheke is another one; there is a multitude. One which I use quite a lot in my work constantly is I tipu e rea as a means to analyse reading, or pieces of work I am engaged in. So it is using the model in your everyday work. Unfortunately we don't do that. The point of intersection is learning—the way in which I can work and the people I am working with and engaging with me are learning. That's a major exchange point.

I believe there are two ways of making better the relationship between our Māori communities and the government agencies. One: the understanding that the Government and all who work for her understand the world as a giant clock: tick-tock, tick-tock, tick-tock, tick-tock. There are some of us in the Māori community who understand the world as a giant group of people in relationship with our own whānau, hapū, and iwi. We want to be king people, not tools, not mechanisms, not models. We want to be decision makers within our own whānau, hapū, and iwi. We also want to be decision making citizens within Āotearoa and we want to be citizens in the global society. Until a Māori community and government agencies come to an understanding that one talks of a giant clock and other group talks about people and values, we are going nowhere. It doesn't help if government agents who are Māori come home onto the marae and talks about tools and instruments, and mechanisms and models. We are not clocks, we don't tick-tock. Our heart beats; we are breathing and feeling. We know what exile is like, we know what slavery is like, we live it, and the clock doesn't stop. The discussion needs to place on how on earth are we going to stop this clock that is at least 5000 years old, and has the power of the army, and the police, and the hospital and the education system, and the legal system behind it—they just keep believing the world goes tick-tock, tick-tock. The question I put to you is how are we going to reconcile an understanding of the world inside a clock, and an understanding of the world of people in relationship with each other and heaven and earth?

The metaphor applies into real life situations where a clock really does tick, in relation to students and learning. Take PhD students where, when they enrol, a clock starts ticking and they have *X* amount of time. I supervise a number of Māori PhD students, and mentor a wider number, and oversee an even wider number, and I can tell you that we always have to work hard to stop the clock. As an eternal optimist, I believe you can stop the clock; you can slow the clock down. You can actually intervene in a process that seems almost inevitable and really try to understand the ways that we who work in systems can do that. How do we create pauses, how do you work to create readiness? There are ways in which you can know the system so well that you can stop what seems like the inevitable ticking of the clock. As a worker in university for a long time I have learnt to appreciate the words in fine print—because they are often the words that most people don't read, the instructions that can stop the clock. It is in the detail, in the culture, in the physical things of large institutions. There are ways and people who can pause things, or who can see things in advance in terms of what Charles was talking about. You can often see an agenda about to hit. One example is computer technology. Information Technology (IT) people have been talking about it in government for a long time before it arrived in classrooms and in homes. So much of the policy work, a lot of the policy discussion was seen as fantasy: that we were going to be a society that relied on technology; it was that far advanced. Because of that a lot of the key thinking was a luxury of time, thinking was done way ahead of that happening. To know systems is the way to know how to make it work for us better.

I find another model of evaluating communities: there are a number of community organisations that you go in to evaluate and you can't; they're not ready. They have got their data in a cardboard box on the floor. So even beginning to talk about evaluating them, you need to understand that you can't. There are many models for evaluating and you can be depressed by the metaphor of trying to mediate two systems or approaches: how do you do it on both sides?

For some people working in government, they don't have ways to do it or they are not able to engage in the disparities, in terms of the way different Māori communities engage with the Government. Some don't need lawyers because they are lawyers; there are disparities in how people can engage in discussion.

On that point about being ready to engage and knowing a system so you can change it: what we are trying to do in our work looking at the relationship between Intellectual Property and Mātaurangā Māori and how do we protect it. We recognise there are different levels of understanding around the concept, around the thinking and so we have created a three-stage work programme. It is new and not standard. The first stage is capacity building and we look at the capacity of not only Māori at grass roots level and organisations, but also of government officials who respond to the issues. This involves creating an interactive CD-ROM to raise awareness around Intellectual Property issues that are going to arise, and to give people at grass roots level ideas about how to go about developing their own

mātaurangā. The next stage of the process is to ask how you can turn things on their head. It took about two years to get buy-in from the department, but the Minister supported it and that is probably a reason in part why our managers got on board. The common feature for Māori within government is that we are constantly working to make changes because they believe they have a personal commitment to a kaupapa, and that's not just Māori, it can be non-Māori as well, but it's more likely to be a common feature among Māori.

To pick up on the transparency, I believe it is very important when you are involved with Māori communities and you are trying to consult. But the 'C' word is almost tapu in our Ministry. We don't use it; they are almost terrified of it. They are also terrified of the 'H' word which is "hui" so they use the word "symposium" instead. Charles Royal informed us that this originally meant a drinking festival so there is a lot of fun there. It is really important to be transparent, but when you are in a political climate, things and the goal post shift so quickly that what you said yesterday is just not relevant today. So it is important to have the bigwigs come along and talk to the community but I also agree that the people who have a better understanding of the kaupapa and a better working knowledge are better able to influence and they sometimes are the analysts and the senior analysts.

The people that are involved that have pretty good relationships with people outside and are willing to take on their comments, so that any of their processes can incorporate what people at the grass-roots have that is better, so we can flip the whole system on it's head.

How much have the agencies of the Crown actually learnt? They've been undertaking this consultation process in mixed ways as we have heard and as we know for up to 20 years now. Some Māori communities are hōhā, and there are some real frustrations out there, and so what are the seeds of learning for Ministries and for Crown agencies? Have they actually got the institutional capacity to learn, and to shift as we go along—or is it completely dependent on us having Māori as our own people working for the Crown and making it work?

A change in senior managers changed the culture in our organisation and it became more supportive of innovating different ideas—and it's attributed to the fact that people on the ground wanted to try something different, and they were to utilise the change in our organisation's culture to help the argument that allows us to continue on wanting to do things in a new way. I am certain if you go to other parts of the Ministry you will find areas where Māori are very unhappy with us. Given that we were trying something different, importantly we have been given the time to try something different. So far we have had limited success; it's slow, we are not going out there with big communication campaigns. We are just trying to target people we know, to spread the network so that people who are getting in touch with us are actually interested in what to do and they are more supportive in trying to help us to be successful in that area of our work.

I was interested in what Charles was saying about the creative potential thing. In the Ministry we were permitted to go ahead with this project because we are also looking at the economic potential of Māori people. There is a huge amount of creativity. We have been in touch with so many Māori people with different projects going, like looking at ways to use mātaurangā. We are not asking them to tell us about the mātaurangā, just about how they went about doing things so hopefully we can coach other people to do similar sorts of things. But we are looking at the potential for Māori to take control of their own economic development with the work they are doing. We are hoping it's a little seed that can filter out to the rest of the Ministry.

It is interesting that you comment that it is the alignment with organisational goals in areas like innovation or development, or to create a potential using Charles' term "the technology", that leads to an opportunity that is seen in consultative relationships in order to embellish and enhance those in a way that will work that is much more effective.

I am relating to the question: how have Ministries been involved or how have they changed in the way they do their consultations? I have been thinking about organisations where you think about yourself as separate from the organisation. It's like saying to someone: "Well that's my whānau but …". I think with any organisation, if you have an intention when you go into that organisation, you can help to cultivate that area of learning for them and perhaps give them an insight. And if your kaupapa is true to you then it will remain after you leave. I think that people make up organisations: the reality is a lot of what you bring will leave with you, whether you are returning home to your whānau and hapū, or back with your organisation. It is a bit of both; the organisation moves on it's own but then it's up to them.

Mere's kōrero: I really value that kind of kōrero in this kind of hui, because we don't hear it enough, so you need to open your ears, people, to a kind of a reality that so many of us know about. It's very difficult to hear that, because I am one of those people as a Māori in an organisation, who has to go home to my hapū because that's my choice. Those are the dichotomies that you have to take part in. You can feel schizophrenic at times. If more of our colleagues can understand that, understand those issues, it will help in terms of a lot of their own goals and that can turn around later to meet hapū goals.

The kōrero about Māori potential: I am going to reserve my judgement on that word because it's almost as if it's not happening now. Potential is great but there has to be another philosophy that is underpinning that acknowledges it is happening now and as ministries and government officials we need to know more about that, we need to open our eyes to it, we need to acknowledge that it is happening now and that we may not have contributed to it as much as we could have, but now is the

opportunity for all of these innovations that have come through this system for a long time. It's up to us to take off the blindfold.

It's that whole kōrero around potential: what's actual? what's real? One is allowed to be a little cynical; I have heard that word "Māori potential" discussed in a number of different government forums. While government carries on talking about "Māori potential", my fear is that the Government will harness it and then they will want to own it. So doing all those things will suddenly change what is in fact out there happening just happily. All our tīpuna from wherever they came from out of that vast Pacific Ocean here, all of that sort of stuff already exists. so we are allowed to reserve a little bit around the potential stuff and recognise that it has been there all the time and is happening now.

From the end of 2002 the number of students all over the country enrolled into degree level or better education was roughly 14,500. Of that 14,500 not even 900, maybe 885 or 886 were Māori. Not even 900 were Māori. This comes back to your question: has government improved? Do we do better in the ways that we consult? Do we do better? Well, the reality is that that translates to statistics that are quite good because that's 9 per cent and you improved from 8 per cent the year before—but you should understand that given the youthfulness of the Māori population you really need to be scoring at 11, 12, or 13 per cent to actually just keep pace. We have been asked if we have been falling that far short over the past ten years. What does that mean? It means we need to change this now. We have been consulting as a Government and as the Crown for 10 years. So what should I say is: are we doing better? Is it getting better? Do we as a Government know more, enough to make a difference? Well the big thing is that the gaps are not such a good thing; the gaps and the disparities haven't really changed. We on the Crown side have the power, we have the wherewithal and we haven't made the difference. Underpinning all that, there are more Māori in the public service, they are more aware, they are articulate, we have heaps of younger ones coming through that are mōhio. They do know and they are not going to take it lying down, but is it big enough to be able to make the change?

We are making change, the question is it fast enough? Also it is not just about us making the change; it is about people making the change.

I wonder whether you have worked out—as government agencies—how to consult better; that as you went to apply that, actually Māori had moved on from where you thought they were: you know, like an eel; you thought they were here, but all of a sudden they are over there. The thing about potential: despite the connotations you have to be careful about, I will just relate quickly my own experience when working with the Inland Revenue Department looking at consultations on the tax status of Māori trusts and incorporations. They went on a countrywide consultation, but everywhere they went there was a number of tribes who were at a hot stage of their treaty settlement process, and it wasn't exactly a crashing train because Māori were on another line, on another train—they needed help with the

consultation, they made a mistake and sent no information out beforehand. I have noticed this mistake made many times in practice.

There is a feeling out there that they know what they want to do anyway; they come to talk to us but there is a feeling that it won't make any difference anyway. It's a learning process for government. If you know what you are going to do, don't ask people; you can't consult on everything. You need to have a process which establishes the things we should be talking about; where what people say is going to make a difference. An example from the other side: I have been consulted as a ratepayer. I went along to a Ratepayers' meeting and raised a question on an issue. The reply was that it was a good point, we'll think about that. And I said "Yes, that's what you said last year.".

The whole idea of the Government consulting or attempting to talk to communities or people on the ground—what's that about in terms of the role of the Government? Why go to them? Shouldn't you know yourselves, as Māori professionals in policy, that that was once an underpinning concept of government. Now where you have highly trained specialists in the Government having to consult, it's "Shouldn't you know that, it's basic stuff?" Even if you got their words, what do you do with their words? You consult, it is typed up, the real question is: is there capacity in any government agency to interpret the words in text, not just what they hear. Or is that just a great waste of time? What's the underpinning purpose of going out to communities?

Sometimes the process of consultation makes a difference, but not always the difference which the Government wants. Something happens when people get together and act together, and sometimes it is people talking past each other. Another way to phrase it is: is there any value in it? Do we have any common goals? Does the community have the same values and goals as the Government?

Having a National Māori Advisory Group, it was naïve at first to have a full transcript of the hui made, instead of a summary. We had a spreadsheet on advice and frequency of the advice; we are reviewing this for how far we have acted on it. Sometimes the interest from the group is different from what is needed to advise the Government. There are so many ways that our work and processes have changed, and contracts have revolutionised the process. Mistakes have been uncovered because of advice given, so we have been lucky to have this advice. If we'd gone on for a year without advice—which was what we were trying to do—we would have been impoverished. We try to pay for travel and time, to offer back for what people do for us. I think we are much better able to advise the Government. The synergies from this are the advice we have for you.

We are drawing on leading Māori researchers from wānanga, universities, Colleges of Education, teacher union representatives. We have had some very angry people giving advice. They are angry because of seeing not much movement in the past 10 years. I believe we need to hear the anger and to

listen to where that can take us. This is probably because of who we targeted, and the ones we needed for advice on that project.

I wonder if some consultation is unnecessary. Now work is targeted you can try to seek the advice of groups of people for feedback on topics, so you may not need consultation with communities. But this is useful if they are experts. The Government should have some expertise in some areas, but it is useful to bounce ideas off people who will challenge your thinking, so you may not want to choose those who agree with your thinking.

Many Māori educational research theses and doctorates have not touched the public service. They are a resource we need to make more use of. Often consultation starts after you have done the work to bring the research and policy worlds together, that is a capability building exercise to start the process.

Whatever role you have got as a job—you might be director of Māori policy in a particular Ministry—but also at the same time, a lot of us don't have the experiences that you do, to be able to understand the context in which you are working. I am not Māori. So you are spending your time, as well as doing your job, actually communicating with all the time about the context in which you work, and I think because of these different tracks that we are on, the economic, financial paradigm doesn't appreciate a lot of the soul and the cultural perspective that Māori have to give to this.

I have a very strong affinity towards marae-based consultations which in my life have been far too few, but the difference in the context of those discussions, where you don't start out automatically trying to talk in shorthand, you don't start out automatically looking at what it costs, you start out from the point of view of "What are we trying to do? Where's the soul here? Why does it matter? What difference does it make to our people?". Those conversations have a huge amount of meaning and reveal more about what we are really on about as a society and where we should be. So I just wonder if there is a message here? Māori are too shy, they hide their light under a bushel, they are too shy about the things they've got that really give us strength as a society, that really make a difference.

I am working on a project. We are trying for economic development in this country using a short-term timeline, whereas most Māori and iwi have 25-year strategic plans. We need those; those are incredibly important, because the way we are thinking in Wellington right now is too short-term. So I hope that there can be an even fuller engagement between Māori and Pākehā. I can't work out how to bridge between the pressure that is always on the narrow short-term economic paradigm. I have a feeling you guys have more of the answers there, and if we can support you it would make a lot of difference both to your culture, but also to ours.

We don't have time to consult on everything. In most situations, I find that I set out to consult, but if I think I don't have time for it, we usually end up consulting anyway. We can't afford not to consult. Linda asked why experts should consult. It is also about engagement in consultation. I was thinking that consultation is one part of relationship building but what really is embodied is that with partnership, not just one party has all the answers. It's about listening and thinking together, and so turning that step into a natural part of relationships between people seems to sit in an absolutely essential framework. It's not something we can't afford to do as an optimum; but something that is natural as part of your engagement.

On consultation, this is a formal process the government goes through: for example where to put the new Wellington hospital. Either Wellington or Porirua will get it. In this example, Porirua didn't get it but they were heard in consultation so they got new additional services over and above what they already had. Sometimes there are positive outcomes that are not what either party expected.

People talked about imperatives of particular government policy or agenda or organisation that may be driving the purpose of a consultation—or legislation; it might be statutory. I haven't heard anyone talk about what can be observed in the public service. This is where we get to the almost pointless consultations: or rather, they are not pointless; they have a point for the politicians when it is about political management or testing for risk. Often Ministers are happy with or desire consultation because they are trying to sense or get a sounding of the political waters, but other times they want to be seen to be doing the right thing. For example, the fiscal envelope consultation. We will all remember that: the decision was made; it wasn't going to change; but Te Puni Kokiri had to go out and do the consultations. And we all knew, we all complained, all the submissions came in and that was a train crash. There are other Ministers who are not too sure what is out there. If someone stands up and has something to say, they may have regard for it. So they are just testing political risk and if they need to change a policy because there is a loud outcry, if they are prepared, then they will.

In policy and research, there are notions of how policy perceives truth and how research perceives the truth. They are not always the same thing. In policy there is a political atmosphere, a set of agendas, a set of the things we will do, basically the outcome has already been set, basically we are going to have this kind of health or we are going to have NCEA. In policy the direction has been set, and basically I want you to research to support my view, essentially the direction is decided. The great extreme of that is what we have seen in fascism where the political agenda sets the research agenda.

Researchers have a real responsibility to uncover uncomfortable things, to speak truths and to do that in a rigorous manner, not just to sound off because you feel uncomfortable about something, but you have got some sound thinking behind it, some research of what is true? Research and policy sit in an uncomfortable relationship to matters of truth and matters of power. There is a very significant

dimension in the relationship between research and policy, but of course although research and policy is not being used as a synonym for government, sometimes it does happen that way. As Māori we understand the policy setting mechanisms and who is being researched. So that comment about how the Government had already decided what the fiscal envelope would be and then went out to consult, that is an example where a direction had been set already and a whole bunch of stuff had been read already in the consultation round, but it also reminded me of how policy pre-empts research sometimes.

I think that policy writers are often not very good storytellers, because often what happens is that policy makers make assumptions: this is what is going to happen, these are the outcomes that we want—but the story they don't tell is what the logic is of any one intervention. If they take this action A, and you are going to have outcome B five years in the future, what are the assumptions of what's going on in the interim? What we are trying to explore now with policy makers is more and more from community and research perspectives: what is the story about why you are intervening, and why do you expect those outcomes, what is the logic? It allows us to understand what role evidence can play in informing the likely success of that intervention, and what role communities can play in informing about the likely success of that intervention, given the way it does or does not match their own logic of how that story or programme might play out in the field and what outcomes they want to achieve. Also you must be able to see along the way whether that logic is playing out. It allows us more easily to evaluate: this is the story as it started; this is the story as it is going; and did it produce the outcomes that we wanted? And so being more transparent, being more explicit and taking a bit of a risk at being more direct about the assumptions you are making could possibly facilitate input, monitoring as it goes along with some kind of evaluation at the end, and perhaps start to open up some dialogue around: "Well, that may be your assumption of how policy may play out at the end but it is not our assumption." And it needs to be in a language and in terms that we can both understand because a lot of it is about language. So it's thinking about storytelling, thinking about the language in the stories being told and the different players who make those connections.

There is no one right way to actually do a consultation as such. There are lots of different ways to engage, as what I have to do as a researcher, the methodology I use is quite different in every instance. So there is no one way that is the best way, all we can do is that when we crash and burn, we should ask what's the learning; what have I learned from being highly successful from the methodology I'm engaged in? Probably that is the best thing I can offer. The communities have their own goals and they are very different from the goals of the researcher, to what they may mean to you as a policy analyst.

Consultation is a horrible word, I have in the past paid people to consult with them and whenever I have anything to do with them, and that's been working with young people, I see them as if they are offering me advice and I should honour that advice in a variety of ways, paying for it and also

demonstrating where it is, how the research will be honouring their voice, showing their voice. Also demonstrating where the advice received has been picked up and used: that is the most important in the end to demonstrate to people whose knowledge is used; where it's appearing. I wanted to say there is no failsafe way of consultation; we all will make mistakes but also there are times for success—looking at what worked really well and what didn't. That's a question we can take away for ourselves.

In summary

A story of Māori is actually a dangerous term to use, because it allows the Crown to think of a homogenous group that doesn't have much personality or potential and so the thought of Māori being one group is a dangerous sense for the Government or the Crown to have. Māori, if we can use that term, are a very diverse group not just because we have got different iwi extractions or groups out there, but also because we are in different states of development and different states of hōhā and different levels of preparedness to engage or to have relationships with the Crown. These range from the Ngāti Raukawa model of some years perhaps changing, through to other tribes that are perhaps engaging on many issues and are prepared to continue a close relationship with the Crown. There is that diversity among Māori and on the Crown side you have got the different states again, not just the portfolios or the silos of government and their inability to work as a cohesive organisation as a whole, but it's all things. Agencies are at different levels of engagement too; different experiences with consultation in the past have developed different systems, different ways in which it might occur. It's almost serendipitous the way in which things, this development takes place. It depends on particular people being in an organisation at a particular point in time combined with particular ministers or particular managers, and those agencies of the Crown are working within a political environment that is in a state of flux, a state of change. Even if we think we have some stability in government with this period that we are in at the moment, there actually are great changes that continue to occur. The electoral cycle in itself provides some instability, and there is a tendency for the whole system to be in a state of change anyway. So it's no wonder we end up on different trains when we try to meet up.

What we need to ask is: are there any real recipes? Are there some secrets that we can unlock from our experience to improve how we might come to bring ourselves together in the future? Well, there were some things that flowed out from this discussion, a focus on values and relationship and ongoing relationship. That is really hard when we have such changes within agencies and within the Government, and we do have changes of personnel within iwi as well. One thing I learnt about management of stakeholder relationships is that you don't talk about organisations, you talk about the actual people. You have relationships with actual people and those people will change over time and so the relationship will change over time. But if we use relationship principles to guide us, then we will work it out, and we work out that each time we want to come to relate to one another or to undertake such a thing as consultation, we must be clear about what our expectations are, and be

honest about them. And if it is about political management then just let them get on with it. If it really is about policy development and we really want input, we will design a consultation in which we interact in a different way: say there are different purposes, and there are different ways in which we might meet those needs. We have to work out what those are.

It will be really good when we lose the word consultation because it's been used as brand for a whole range of activity. I try to think what was the Māori word for consultation, what do we say in Māori when we say we are going to consult somebody? We say whakapā, and that is just making contact, we'll check them out and that's all the word consultation means in English too, we are just checking them out. It's not collaboration, it's not engagement; they are quite different concepts. So we are actually trying to use the term consultation now, we are trying to expand it's meaning and actually we should not. We should acknowledge that consultation is just one end of a spectrum of different ways in which we might relate and conduct the relationship, and I think possibly at the other end of the spectrum might be collaboration, when we are all wholeheartedly together with common goals.

The importance of that to Māori as a tikanga is not well appreciated by the Government because of the transience of the government sector; because it doesn't think about whakapapa and long-term institutions because actually most people aren't here to stay in public service. That transience, that shifting is getting more exasperated as we go on.

Ngā Pae o te Māramatanga is about research, and this is a kaupapa we could pick up and perhaps look at in the future—and look at it in a systematic way that will assist practitioners both on the Māori side as well as the Crown side. I am sure there is something useful that could be picked up in time because there is so much going on and there is so much yet to learn.

Glossary

ahi kā	the keepers of the fires; local people
Aotearoa	New Zealand
hapū	pregnant; sub-tribal kin group
hau kāinga	home village
hōhā	fed up
hui	gathering, meeting
hui-ā-iwi	tribal gathering
hui taumata	summit conference
e tipu e rea	grow, tender child
iwi	tribal kin group
kaimoana	seafood
kāore anō	not yet
kaupapa	cause
kōrero	talk
kura	school
kura kaupapa Māori	school founded on Māori language and culture
mahinga kai	places where food resources are gathered or worked
mana motuhake	special authority
mana whenua	authority over particular land area
manaakitanga	hospitality
marae	village focal area
mātauranga	education; knowledge
mōhio	knowledgeable
ngā	the (*plural form*)
papatipu rūnanga	local (village) council
poroporoaki	farewell, eulogy
rohe	district, region, area
takiwā	district, region, area
tamariki	children
tangata whenua	people of the land; indigenous
taonga	gift, treasure
tapa whā	four-sided
tapa rima	five-sided
tapu	sacred
Te Kotahitanga	Unity, Unification
te reo	the language
tikanga	customs, practices
tino rangitiratanga	sovereignty, absolute authority
tīpuna	ancestors
tūrangawaewae	rightful standing place; stamping ground
wānanga	contemplate deeply; meditate (*verb*)
whakapā	make contact
whakapapa	genealogy
whakataukī	proverb
whāmere	(nuclear) family (*transliteration*)
whānau	extended family
Wheke	Octopus