



ANZCA
FPM

*Te Whare Tohu o
Te Hau Whakaora*

11 May 2026

Prime Minister and Cabinet

By email: ministers@parliament.govt.nz

Tēnā koutou

Proposed changes to Te Tiriti o Waitangi principles

Te Whare Tohu o Te Hau Whakaora | The Australian and New Zealand College of Anaesthetists (ANZCA), which includes the Faculty of Pain Medicine (FPM) and Chapter of Perioperative Medicine, wishes to express its strong opposition to proposed changes to legislation weakening provisions giving effect to Te Tiriti o Waitangi principles. We understand that, without consultation, changes to “Treaty clauses” will affect the majority of the 23 pieces of legislation which were reviewed; this would effectively displace the substantial body of constitutional law that has established Te Tiriti of Waitangi as the legal and social foundation of Aotearoa New Zealand – a taonga.

ANZCA is the professional organisation responsible for postgraduate training programs of anaesthetists and specialist pain medicine physicians, and for setting the standards of clinical practice throughout Australia and Aotearoa New Zealand. Our collective membership comprises around 10,000 fellows and trainees in anaesthesia and pain medicine, with a small but increasing number of indigenous fellows and trainees, the result of the college’s investment in active strategies to address health inequity¹. The Tiriti o Waitangi principles provide a firm platform for positive action for Māori in Aotearoa, while Australia’s widely adopted RAP Framework guides our strategic commitment to Aboriginal and Torres Strait Islander peoples. The College also recognises the special relationship between the Pacific peoples of New Zealand, Australia, and the Pacific.

Last year ANZCA, along with most professional organisations in the health sector, strongly opposed proposed changes to Te Tiriti principles in the Regulatory Standards Bill, Medicines Amendment Bill, and Healthy Futures (Pae Ora) Amendments bill, amongst others. The rationale was rooted in decades of consistent evidence linking persistent health inequalities with systemic discrimination that must be addressed through systemic change to maximise health and productivity. Evidence is what has driven the advances in medicine and healthcare to secure the longer, healthier lives we currently enjoy; and the evidence is unequivocal that the partnership implicit in the Tiriti principles is essential to drive the structural changes needed to improve equitable outcomes and cost-effective healthcare.

The proposed legislation further entrenches colonisation by reinforcing top-down decision-making and limiting Māori self-determination. In health care, these same colonial structures contribute to inequitable outcomes for tāngata whenua. This directly conflicts with the ANZCA Perioperative Care Framework, which identifies shared decision-making as foundational to safe, equitable perioperative care. When Māori voices, values, and authority are marginalised, true shared decision-making is impossible — and inequities persist.

The college urges you to reconsider introducing unnecessary changes to Te Tiriti o Waitangi principles, which have been widely and repeatedly rejected for good reason. Such changes are out

¹ See ANZCA’s [Te Tiriti Action Plan 2025-2028](#) and [Reconciliation Action Plan \(RAP\) 2025-2027](#).

of step with current international thinking and evidence-based actions and will cause irreparable harm not only to the health of New Zealanders, but also to Aotearoa's international reputation. We urge you to consider the report published by the UN committee for the convention on the elimination of all forms of racial discrimination (CERD) six months ago which:

“noted with concern that, although the Treaty of Waitangi has long been recognized as the foundational framework governing the relationship between the Crown and Māori, recent initiatives to reinterpret the Treaty are being pursued without the free, prior and informed consent or meaningful engagement of Māori, risking the attenuation of Treaty principles, undermining reconciliation, entrenching historical and systemic discrimination, restricting Māori customary rights and weakening Māori self-determination.”

We join CERD in asking you to uphold the longstanding:

“...commitment to the Treaty of Waitangi as a constitutional framework for equal participation and partnership, counter misinformation and divisive narratives about the Treaty, ensure that any review of relevant frameworks is carried out in full consultation and partnership with Māori and in line with free, prior and informed consent.”²

Nāku noa, nā



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cc: Prime Minister, Christopher Luxon; Deputy Prime Minister, David Seymour; Minister of foreign affairs, Winston Peters; Minister of Justice, Paul Goldsmith

² [United Nations UN Committee on the Elimination of Racial Discrimination publishes findings on Burundi, Guatemala, Maldives, New Zealand, Sweden and Tunisia | OHCHR December 2025.](#) Geneva.

Minister of Regional Development, Shane Jones.