

Review of Te Tiriti Bicultural Advisory Committee of the New Zealand Association of Psychotherapists

Review Committee Members:

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Introduction

The following is a review of the New Zealand Association of Psychotherapists' (NZAP) Te Tiriti Bicultural Advisory Committee (TTBAC). This review itself has a lengthy history. The first attempt at this review arose as early as 2016 but the initial Review Committee did not complete the task. A new Review Committee was formed but the Chair of this Review Committee resigned in August 2018. After several further false starts, in late 2019 John O'Connor (Chair) and Margaret Poutu Morice formed a new Review Committee to undertake this review. The following outlines the review and its outcomes.

Purpose and focus of the review.

This review has a narrow focus: to review the purpose, structure, and function of The TTBAC of NZAP. Whilst there are clear connections between this and the broader project of building bicultural Te Tiriti based partnership in the governance and practice of psychotherapy in Aotearoa New Zealand, particularly in relation to NZAP, the specific focus of this review is in relation to the TTBAC. You will note that in this review we consider literature and ideas that explore the above broader project, but only insofar as they inform the review and its recommendations in relation to the TTBAC.

Process of the review

In 2020 the review commenced, with three Zoom hui. The first was a hui with current members of TTBAC. The second was a hui open to all members of NZAP. The third was a follow up hui with members of TTBAC. Representatives of Waka Oranga also attended the TTBAC consultation hui. In each of these hui participants had the opportunity to reflect upon and give their thoughts concerning the following:

1. The role and function of TTBAC within NZAP.
2. How TTBAC is currently resourced.
3. The current structure of TTBAC.
4. The relationship of TTBAC to the NZAP membership.
5. The relationship of TTBAC to NZAP Council.
6. The relationship of TTBAC to Waka Oranga.

The consultation hui took the form of open, free associative discussions. This form was intended, and we believe was successful, in enabling creative, open, and thoughtful responses to the above. In addition, written submissions were invited. We received one written submission. (See Appendix 1).

Following this, research was undertaken by the review team, both regarding the history of the TTBAC, and its purpose and undertakings over the last 20 years (approximately) within NZAP, as well as research exploring the development of biculturalism within organisations and particularly within health organisations more broadly in Aotearoa New Zealand.

The review below and the recommendations which follow are the outcome of the above endeavours.

History of the TTBAC within NZAP

In 1994, at the Annual General Meeting of the New Zealand Association of Psychotherapists, the following notice of motion was moved, "That the constitution be amended to include in the objects, the clause: "To ensure that psychotherapy in Aotearoa New Zealand is conducted in accordance with the articles contained in the Treaty of Waitangi". This motion was amended and passed at the 1995 Annual General Meeting to read, "That the constitution be amended to include in the objects, the following clause: "To explore ways in which psychotherapy may be guided by the articles and spirit of the Treaty of Waitangi." The motion was passed unanimously but was slow to be enacted (Carson, Farrell, & Manning, 1996, p. 71; and see page 19 of this report for further details regarding the eventual enactment of this amendment).

The unanimous passing of the motion, and the failure to have this motion enacted promptly, reflects, we suggest, the considerable and often painful tensions and divisions in relation to bicultural principles underpinning clinical psychotherapeutic practice and governance in Aotearoa New Zealand. This tension is also reflected in the history of the TTBAC and its formation within NZAP.

History preceding the formation of TTBAC within NZAP.

"... the west has a "primal need" ... to control how and when Māori will manifest as this or that, including as a wanting entity ... [that the west] has ... canonically guessed Māori in advanced as either needing or wanting something in particular, or generally being needing and wanting." (Mika and Stewart, 2016, p 305).

"...their [the Māori] minds appear like a rich soil that has never been cultivated, and only want the proper means of improvement to render them fit to rank with civilised nations. I knew that they were cannibals – that they were a savage race, full of superstition, and wholly under the power and influence of the prince of darkness – and that there was only one remedy which could effectually free them from their cruel spiritual bondage and misery and that was the gospel of the crucified saviour." (Reverend Samuel Marsden, 1814/1815)

1986

Whilst the commencement point for articulating the history of any phenomena is arbitrary, as there is always a history prior to the commencement point that is chosen, for the purposes of this review, given the limited nature of its scope, we choose as our starting point NZAP Council's decision at

the 1986 AGM to adopt the following proposal, "The Association should encourage awareness of cultural differences and that this should be reflected in the training of members." (Manchester & Manchester, 1996, p. 86)

A paper presented at the 1986 Annual Conference in Christchurch, was entitled "Understanding the Māori". The title of this paper, perhaps gestures to Mika and Stewart's (2016) painful observation that the west has continually been compelled to construct "the Māori" as a "needing and wanting entity" (p. 305). Manchester & Manchester (1996) noted that at the 1988 morning public symposium on the topic "Knowledge and Knowing in Psychotherapy", one of the contributors was a representative of Ngāti Kahungunu, an early reference to a conference presentation from one of Aotearoa New Zealand's indigenous people.

In 1993, the President of the Association commented, "At last we have both Māori and Pākehā cultures acknowledged in our title", the title now including Te Roopuu Whakaora Hinengaro. (Manchester & Manchester, 1996, p. 101). Manchester & Manchester noted that in 1994, "Consideration was given to a recommendation to put before the 1994 AGM that, "The Constitution be amended to include in the objects the following clause: "To ensure that psychotherapy in Aotearoa New Zealand is conducted in accordance with the articles contained in the Treaty of Waitangi." Council committed itself at this meeting to a one-day workshop in 1994 to consider Treaty of Waitangi issues. At the 1994 May Council meeting, "Haare Williams joined the meeting for a period for informal discussion of ways in which Council and the Association could move towards an increased bicultural awareness and commitment. Haare suggested that progress might best be achieved through activity generated in each of the regions." (p. 104)

At the 1994 AGM it was resolved that the Constitution be amended to include the following clause in the objects of the Association, "To explore ways in which psychotherapy may be guided by the articles and spirit of the Treaty of Waitangi." In the discussion of the foregoing resolution, concern was raised about "keeping the integrity of NZAP by not committing itself merely to words but to a path." One member spoke of the possibility of relinquishing the Māori title of the Association until biculturalism had become more of a reality for the Association. Reference was made to discussions with Haare Williams who had consulted with Council in the Kaumātua role and who had proposed a workshop for NZAP at Whaiora Marae in 1995. (Manchester & Manchester, 1996, p. 105).

Manchester & Manchester (1996) noted this that following this hui in 1995, "There was lengthy discussion of the hui ... It was agreed that NZAP would bring together a group in Auckland to develop ways of proceeding towards a bicultural partnership" (p. 105).

In the April 1996 newsletter an article about establishing relationship with tangata whenua described how such a relationship had been developed by the Nelson branch, both in respect of the 1996 Annual Conference and in terms of the ongoing activity of the branch. In March 1997 newsletter, there was a report from the President announcing that Haare Williams had agreed to serve as Pae Arahi, a "bridge", for the Association, and to form a runanga to provide the necessary support and assistance in developing a bicultural vision and strategic plan. At the 1998 Conference, the Nelson branch proposed that a member of Council be delegated responsibility for bicultural developments and reports to the membership. (Manchester & Manchester, 1996, p. 15). Council did not take up the suggestion but asserted that biculturalism was the responsibility of the entire Council.

At the October 1996 Council meeting, it was agreed that bicultural issues would become a standing item on the Council agenda and at the AGM. The September newsletter carried an

article by Haare Williams on NZAP – The Bicultural Journey. In 2000, the holder of the Bicultural Issues portfolio on Council “called for representatives from each region to meet and address bicultural concerns and consider how NZAP could meet its Treaty obligations.” In June 2000, it was agreed that the first meeting of these representatives would be at the time of the next conference and the working group was allocated a budget for travel and expenses for this meeting. (Manchester & Manchester, 1996, p. 22).

This appears from our research to be the first time a committee, now known as TTBAC, was formally endorsed on behalf of the Association to consider bicultural issues. Carson, Farrell & Manning (2006), noted that, “The bicultural working party that had been initiated ... met for the first time just before the Wellington conference and was formally established with ... the first Chairperson. ... The working party set up its own email contact list and debated bicultural issues among themselves. Each newsletter during the year had an article relevant to the understanding of bicultural/Treaty issues – the text of the two versions of the Treaty of Waitangi, in English a “bicultural continuum”, and the list of “legislative violations of the Treaty” (p. 24).

Since these first meetings TTBAC has been involved in a huge range of activities and events. Of particular note was its first contribution to a Conference in 2002, and a meeting in 2003 at Te Kai Waha Marae in the Hokianga in August, in which the Committee produced three guiding principles:

1. The Treaty is the guiding document and central focus of our work. It is a bilateral agreement between two autonomous groups outlining how they might coexist.
2. Our first concern is to nurture and establish real relationships with Māori.
3. It is the responsibility of each individual, group and Committee within NZAP to become educated on cross-cultural and Treaty matters and form their own partnerships and relationships with Māori. (Carson, Farrell, & Manning, 2006, p. 33)

The Committee put forward a recommendation to Council for change of its name to the “NZAP Advisory Committee on Te Tiriti” and after debate, in 2004, Council agreed to rename the Bicultural Committee as “The NZAP Advisory Committee on Te Tiriti o Waitangi and Bicultural Issues”. It has subsequently come to be known as the Te Tiriti and Bicultural Advisory Committee (TTBAC). (Carson, Farrell, & Manning, 2006, p. 35)

Since this time, the Committee has engaged in a wide range of tasks, most notably:

1. It has been involved in consulting with conference organisers for many of NZAP’s annual conferences - significantly those held in Napier in 2007, Waitangi in 2008, Wellington 2012 and Orakei Marae in 2013.
2. For a period in the mid-2000s, it held a range of pre-conference workshops on Te Tiriti and its implications for psychotherapy, aimed at educating the membership on these issues.
3. It organised the hui at Whaiora in November 2006, specifically inviting Māori who were or were interested in becoming members of NZAP. Out of this hui some of the seeds which gave birth to Waka Oranga were sown and the creation of a Māori pathway to full membership of NZAP was asserted, thus giving rise to what is now He Ara Māori ACP

psychotherapy training pathway (see further details regarding this hui on page 20 of this report).

4. It has advised Council in relation bicultural matters.
5. It has encouraged and facilitated educational events at branch level regarding Te Tiriti and bicultural matters in relation to psychotherapy.

It is notable that TTBC has been continually active and productive throughout the period 2000 to 2018 when the first attempts at this review commenced. The wide range of its activities perhaps reflect the breadth of the purposes which have at times been articulated for the Committee and they also reflect the tensions in relation to biculturalism in Aotearoa New Zealand, and in relation to psychotherapy, that we suggest underpin the formation of the Committee and its ongoing productivity over the past 20 years.

Psychotherapy and biculturalism in Aotearoa New Zealand

Whilst the scope of this review is limited to reviewing the work, structure, and purpose of TTBC, to do this justice, we believe it important to consider some of the wider history and literature out of which the need for this committee grew. Specifically, we outline below history in relation to psychotherapy and biculturalism in Aotearoa New Zealand.

We suggest that the emergence and continued development of TTBC reflects very painful tensions and divisions in relation to bicultural principles and practice in governance of psychotherapy in Aotearoa New Zealand. This discord is reflected in a range of academic research and writing in recent decades, notably from Māori who have trained in psychotherapy. Woodard (2008) writes of the psychic impact of colonisation on indigenous Māori and describes three consequences. One, the loss of land and consequent alienation of the indigenous from their sense of self, given the intimate and interconnected sense of self in relationship to land that Māori experience. Two, the need to dehumanise the indigenous other demanded by the violence of the colonial project. And three, that not only were these dehumanising projections offered by the white colonists, but that the “Māori other” in the colonial situation has to look into the white man’s eyes to find himself (Fanon, 1982). As Dalal (2002) notes, “...but instead of himself he finds the white man’s perception of himself; in effect he is torn asunder and becomes an object unto himself” (p. 97). Woodard (2008) argues that the essentialising tendency of European informed psychotherapeutic perspectives and the tendency to ignore historical and social context in the development of personal subjectivity risks avoiding the significance of this social context (see also Woodard & O’Connor, 2019). He commented,

Colonial ideologies are mirrored and maintained by positive psychotherapies that split and privilege the internal over the external, the individual over the group and biological over societal (Dalal, 2002; Durie, 2001; Ericson, 1964; Fanon, 1983). The psychoanalytic models value depth over surface and the external world is simply seen as the manifest expression of what is real: the latent content of the psyche. The cause of dysfunction is sought within biology and individual development, emphasising the process of projection and neglecting introjection (Dalal, 2002; Durie, 2001; Elias, 1994; Kleinman, 1998; Wolstein, 1977) (p. 58).

Similarly, Hall (2015) suggests that whilst “... psychotherapy compliments the philosophical underpinnings of Kaupapa Māori, in that the core tenants of both doctrines are founded upon whakapapa, whānau, and essentially, relationships. However, divergent ideas exist within this

discourse where Kaupapa Māori approaches are founded upon collective principles while in general psychotherapy is more inclined towards the individual experience” (p. 80).

Writers such as Waldergrave (2003) and Durie (1998b, 2001, 2007) have argued that it is incumbent upon New Zealand therapists to address the social, cultural, and historical reality in therapeutic practice when working cross-culturally with Māori. Thus, Margaret Poutu Morice (2003), and Jo Reidy (2014) argue for a psychotherapy informed by indigenous Māori relational principles when working cross-culturally with Māori in Aotearoa New Zealand. Dalal (2002) also argues for a psychotherapy in which socio-political history is at the forefront,

...a psychoanalysis stripped of history is bound to read events in internalist ways. If the history is removed, then one is forced to look for causes of events in the here and now. And if the only things in the field of view are those of a black and his anger then one is bound to look for the cause of the anger in the black, if only because there is nowhere else to look. Thus, internalism is a consequence of viewing individuals as closed, a-historical systems. (p. 211).

Nevertheless Dalal (2012) has more recently suggested that ‘political correctness’ insists upon “uncritical cultural humility and avoids genuine engagement with otherness” (p.42). Dalal (2013) instead encourages us to develop a secure sense of our cultural selves in order to be open to otherness. He asserts that it is incumbent upon an ethical practitioner to engage in what he describes as the “conflictual ethical conversation” (p. 171), in which the practitioner is always willing to assert their ethical position in relation to cultural difference, even if this means challenging the indigenous other who may appear to be marginalised by the perceived dominance of the non-Māori therapist. In asserting this position Dalal suggests that the liberal psychotherapist is often captured by the notion of the “superior virtue of the oppressed” (p.168), and this leads to a kind of thought paralysis in which the psychotherapist of non-Māori heritage in Aotearoa New Zealand feels constrained and unable to assert their ethical perspective, even when encountering cultural difference in the Māori therapist or client, that is profoundly in conflict with their own ethical perspective. Dalal (2013) comments that,

This [ethical conversation] entails deep engagement and therefore necessarily, conflict. I think this kind of conflict of values and desires, if entered into sincerely and authentically (whilst being ever mindful of the power differentials between the protagonists), is ultimately beneficial for all concerned. ... These moments of tension and conflict which although difficult are inspiring, as it was through these that we stood a chance of being together in a new, as yet unthought way. It is working with and through exactly this kind of tension and difficulty that I construe as conflictual ethical conversation, a continual journey with no place of ultimate arrival (p. 171).

On the one hand Dalal (2002) offers perspectives on notions of race and racialisation, ideas about the colour coded unconscious, the black id and white super ego, in which the disowned darkness of the European person’s motivations in countries like Aotearoa New Zealand project into the dark other our disowned shadow. And on the other hand, Dalal (2012, 2013) writes of the problems of the liberal emancipatory project in which the shame and guilt of these projective dynamics lead the liberal European to idealise and eulogise the wounded dark other, and in so doing to lose the capacity to think. He advocates for the value of the conflictual ethical conversation in which the European other continues to find his own mind in response to the dark person’s pain.

Fay (2013) vigorously critiques Dalal’s ideas, suggesting that the notion of such an ethical conversation disavows the power imbalance between the two parties in the conversation, the

European other resourced by the cultural capital stolen through the colonial process, indigenous Māori wisdom subjugated to second class status. Fay asserts,

There is, for example, no ethical virtue in the decision to ignore Māori protocol on the Marae, to sit rather than to stand, to decline to sing waiata etc. This is not "upholding" Pākehā values, it is merely the expression of a personal preference which, taken in context, represents a failure of empathy (p. 175) ... This is an individualistic and self-centred viewpoint founded on ignorance and/or a wilful refusal to see and acknowledge just how unlevel the social playing field really is. The myth of the level playing field does not conform to social reality. I believe that as psychotherapists we should simply acknowledge the privileged status of the suffering of the oppressed and not confuse it with the fallacy of the superior virtue of the oppressed. Oppression produces suffering. While the suffering is not virtuous, it is indeed in need of our attention and care (p. 176).

Fay (2013) challenges that our ethical duty is to place our empathic responsiveness with the distress of Māori so often decimated by European privilege, and to responsively engage in the social justice project of supporting the indigenous Māori voice which demands the restoration of tino rangatiratanga (Māori sovereignty), over Māori resources and all things impacting upon Māori. (Similarly, writers such as Durie (1998b) have emphasised the value of the principle of biculturalism in guiding therapeutic cross-cultural work). In advocating this stance Fay gestures towards a more radical psychotherapy, something he explores more broadly in his 2008 article considering the different political positions psychotherapy can potentially inhabit. For some non-Māori therapists, perhaps fewer, an alternative response arises in the idealisation of the Māori "other" as the spiritual ones, to whom we must pay guilty respect, whilst unconsciously demanding that they reward us for our guilty submission, by tending to the pain of our guilt.

Lambrecht (2017) explores these clinical tensions as he writes about his experience as a "German, white South African, Pākehā male" (p. 130), working in a Māori mental health service, and the many pitfalls and possibilities such a bicultural context offers for him as a clinician, and for the service's patients. He offers an exploration of his own utilisation of psychoanalytic and indigenous Māori perspectives on the nature of psyche within this context and considers both the challenges and opportunities of his own experience of "otherness" in which he challenges himself and "systems to consider the darker aspects of political and cultural dominance and to take personal responsibility for this" (p. 130). (For an exploration of similar tensions and challenges by an Aotearoa New Zealand born Pākehā clinician, see O'Connor, 2020).

Indigenous Perspectives Regarding Psychotherapy in Aotearoa New Zealand

Over the decades since the formal organisation of psychotherapy in Aotearoa New Zealand in 1947 with the inception of the New Zealand Association Psychotherapists, the practice of psychotherapy has altered, primarily in keeping with changes in the conceptualisation of psychotherapy that have originated in overseas contexts. A general theme has been the greater emphasis on the significance and nature of the relationship between patient and therapist, within the psychotherapeutic context, how relational possibilities and "new relational experiences" make possible new ways of being for the patient in psychotherapy (for example, Stern, D. N., 2004; Stern, D., 2009). Alongside such conceptualisations have been challenges from indigenous Māori psychotherapists regarding the nature of psychotherapy practice. Morice (2003), proposes a conceptualisation of psychotherapy which she frames as "Towards a Māori Psychotherapy", underpinned by six relational principles originating from an indigenous perspective which includes wairuatanga, kaitiakitanga, rangatiratanga, manākitanga, kotahitanga, and whanaungatanga.

Morice & Woodard (2011) argue that “the need for a Māori psychotherapy is relatively obvious to anyone who is Māori. The purpose of a Māori Psychotherapy is no different from the purpose of a Pākehā psychotherapy for Pākehā or Tauīwi. However as long as psychotherapy remains mono-cultural, it will remain unable to meet the needs and aspirations of Māori practitioners and Māori clients” (p. 15, cited in Hall, 2015, p.80). Reidy (2014) proposes a conceptualisation of psychotherapy focused on the indigenous concept of mana, whilst Fleming (2016) argues that the European psychotherapeutic concept of attachment, which focuses on primary, early and specifically maternal attachments by the infant, is far too narrow, and that an understanding of attachment to the non-human world as informed by indigenous Māori perspectives on attachment and psyche is essential to the practice of psychotherapy in the Aotearoa New Zealand context. Similarly, Hall (2015), notes similarities and differences between Māori and Western attachment perspectives through her exploration of the concept of Tuhonotanga, in which “for Māori, attachments are fostered through a dynamic whakapapa system” (p. 132), including attachment to the collective in which the spiritual domain is central (p. 132). Hall (2012, 2015) also explores the concepts of porangi, wairangi, haurangi, and kaurangi, as an “indigenous framework for understanding health from an ecological perspective” (2015, p. 74). This literature and the debates that underpin it have crucial significance for the practice of psychotherapy given that understandings of the nature of psyche are central to and inform how therapists might position themselves in relation to a patient.

There is some literature which begins to consider, or gestures towards, the discourses that might underpin these debates. Tudor (2018) provides a recent critical examination of psychotherapy generally, and notes “... most histories of psychotherapy tend to overlook the fact that it is based on progressive thinking and that it has always had critical and radical theorists and practitioners” (p. 65). With this in mind he notes that whilst it is difficult to be definitively specific, the phrase “indigenous psychotherapy” has probably been utilised only relatively recently, citing Torrey (1970) as a possible beginning point for the utilisation of this phrase, whilst noting that the practice itself may well have a much longer history (p. 76, footnote 116). Tudor notes the many influences on psychotherapy theory and practice, and highlights “four main (critical) strands of predominantly Western intellectual thought” (p. 122) that have particularly influenced conceptualisations of psychotherapy (Enlightenment, Romanticism, modernism, and postmodernism). He also notes (p. 251) examples of indigenous Māori resistance within the Aotearoa New Zealand context to the dominance of Western psychotherapy perspectives (Morice 2003; Morice et al., 2017).

Connell (2008) in more broadly exploring the production of knowledge within social sciences articulates what she describes as a Northern bias in the production of this knowledge. She argues, as Tudor notes, for theories arising from and specific to a Southern perspective in countries like Aotearoa New Zealand, that might “present and represent experiences from the periphery and, therefore, that reclaim erased wisdom, knowledge and experience (Tudor, p. 132). Woodard (2014) argues that the Tohunga Suppression Act is a painful example of an attempt to maintain the dominance of Western perspectives and approaches to psyche and to disable indigenous knowledge and practice. Thus, Morice et al., (2017) argue that “through the lens of Te Tiriti, Māori psychotherapy would be actively encouraged to develop itself, both as a modern, westernised approach to care for the psyche or soul, and as a contemporary indigenous social healthcare practice rooted in traditional Māori values, worldview and healing practices.” (p. 26).

Summary

The concept of biculturalism as a founding principle underpinning engagement between Māori and non-Māori in the New Zealand context has gained considerable impetus following the work of the Waitangi Tribunal, exploring claims made by indigenous Māori iwi under the 1975 Treaty

of Waitangi Act, and subsequent 1985 amendment to the Treaty of Waitangi Act. In recent decades, the call for bicultural engagement in New Zealand has gained significant momentum (Abott & Durie, 1987; Crocket, 2013; Durie 1995, 1998b, 2001; Royal Commission on Social Policy, 1988). Indeed, the concept of biculturalism has come to influence professional practice in a diverse range of disciplines within the New Zealand context, including those within education, psychology, history, law, medicine, and psychotherapy (see for example Came & McCreanor, 2015; Crocket, 2013; Durie, 1998b, 2001; Hindmarsh, 2000).

The practice of psychotherapy within the Aotearoa New Zealand context has largely been constructed by conceptualisations of the nature of psyche drawn from traditions of psychotherapeutic thinking, philosophy, and psychological understanding that have their origins in Europe (Bowden, 2001; Burns, 2008; Durie, 1998b, 2007; Hall 2015; Hall et al., 2012; Morice, 2003). However, since the time of European contact in Aotearoa New Zealand, resistance to the imposition of European perspectives regarding the nature of psyche has been considerable and consistent. Indeed, reflecting on this in her recent book 'Tears of Rangi: Experiments across worlds' (2017), Anne Salmond puts forward the thesis that "...like biodiversity, cosmo-diversity (in the sense of multiple "worlds"), may be a force for adaption and survival. ... In order to find more adaptive ways of being exchanges across different realities may be helpful, allowing new forms of order to emerge" (p. 3).

Particularly within the psychotherapy context in Aotearoa New Zealand, the meaning and implications of Aotearoa New Zealand's colonial historical context, including the signing in 1840 of Te Tiriti o Waitangi (the Treaty of Waitangi), and prior to this the 1835 Declaration of Independence, and its ongoing influence on cultural and constitutional arrangements in relation to Aotearoa New Zealand, have been the topic of much discussion, debate and discord amongst psychotherapists in recent decades. A number of psychotherapists have argued that from an indigenous perspective, the nature of psyche that has informed perspectives on psychotherapy within the New Zealand context is at odds with, or disavowing of, indigenous perspectives which offer very different understandings of the nature of psyche, (See for example, Bowden, 2001, 2018; Durie, 1998b, 2001, 2007; Fay, 2013; Fleming, 2016; Fleming & O'Connor, J. (2019); Hall, 2012, 2015; Hall et al. 2012; Morice, 2003; Morice & Woodard, 2011; Reidy, 2014; Woodard, 2008).

The tensions underlying these debates have been considerable and led to wide ranging discussions, both oral and written, exploring these tensions, and reflecting on the history of the practice of psychotherapy in this country. Underlying this debate, has been a broader debate in public health about the need to incorporate indigenous perspectives on health and wellbeing, given the failure of perspectives and practices informed by non-indigenous conceptualisations about the nature of psyche to address the needs of indigenous Māori in health settings in this country. For example, Durie (2001) outlines the very significant disparities in health outcomes for Māori compared with non-Māori and specifically the much greater prevalence and severity of perceived mental illnesses (For connections between the impact of colonial dispossession and health outcomes for Māori see also Durie, 1998a, 1998b; Robson & Harris, 2007; Robson & Reid, 2001; Taonui, 2011, 2012).

The above literature is but a sample illustrating the contested space which is central to the work of TTBAC. The tensions, debates, and difficulties which Dalal (2012) argues lead to "thought paralysis" in clinicians and NZAP members. It is within these tensions, that TTBAC formed and continues in its work within NZAP, and we suggest, it is these tensions, that have made the work of TTBAC so often extremely challenging.

Current Structure and Purpose of TTBC

The purpose and structure of TTBC is outlined in the memorandum of understanding between NZAP and TTBC. The contents of the current version of this memorandum appear below:

Memorandum of Understanding between NZAP Council and the National Advisory Committee on Te Tiriti and Bicultural Issues

1. Purposes and Roles of the Committee

To provide advice and guidance to Council and the association on issues regarding biculturalism and the implications and responsibilities of the Treaty of Waitangi, for members and the association.

To provide guidance and support to NZAP conference organising committees on how they will address the relationship with Tangata Whenua, and Treaty obligations generally, in organising the annual NZAP conference.

To assist and support national and local branch bicultural initiatives (including distribution of funding, the budget for which is provided to the committee by Council).

To enhance the participation of Māori in the association, and access for Māori to the resources of the association.

To work with Waka Oranga to support Māori whanaungatanga in NZAP
To provide liaison and support to Māori within NZAP.

To provide guidance on all NZAP documentation in relation to biculturalism and the obligations of the Treaty of Waitangi

2. The committee will report on its work to the Council and the AGM

3. Membership

Membership decisions are made by the committee and ratified by Council. The following principles are to be observed, though they may be varied for reasons such as willingness, ability, experience, availability and financial resources:

- a. Membership of the committee should comprise a maximum of 10 members.
- b. The committee should represent the regions. Committee members should be supported by their regional branches.
- c. The committee will include members chosen by Waka Oranga and there will be consultation over the number.
- d. Māori members of the committee may be nominated by Waka Oranga or by branches, with an aspiration to have equal representation of Māori and Pākehā/Tauīwi.
(the existing committee members would then select from those nominated based in part on ensuring a good geographical spread).

4. Convenor

The Convenor will be appointed by Council and will be one of the elected members of Council.

(Note: despite this memorandum stating that the convenor of TTBAC will be a NZAP Council member, this is not currently the case. This anomaly will be considered later in this review).

Summary of feedback received during consultation hui

With the above history and tensions in mind, we embarked upon the consultation hui described earlier. The following is a summary of information gathered from the Review Committee hui with TTBAC members and NZAP members. We have not separated out the responses of TTBAC and NZAP members, but rather combined these responses under various themes. The feedback we received is summarised as follows under these themes:

Summary of Review Comments

1. The role and function of TTBAC within NZAP.

Being part of TTBAC wonderful-warm and supportive.

Put on website dedicated link with history regarding biculturalism in New Zealand, history from 1840. Knowledge might help with Pākehā fear.

Possible to have very constructive and conscious conversation with individual colleagues and in the TTBAC group.

Find NZAP a very racist organisation.

TTBAC attempts different ways to wake up the membership, but experiences resistance, fear, power and righteousness.

Saw Donny's presentation of her medicine wheel as one that allowed people to get beyond their defences and open up more. People started to reveal themselves. Very powerful.

Understand that shaming people is difficult, but sometimes behaviour is shameful.

Frustration with scant requirement in PBANZ and NZAP for ongoing cultural competency. Emphasis is on professional development, but scant requirement for bi-cultural competency.

Registration should require a level of competency to work with Māori. A commitment to Te Tiriti, means understanding the tangata whenua of this land.

If Ngati Whatua were in relationship with NZAP what would that mean for competency requirements?

Focus on the local level has always been a feature of TTBAC. And that branches become involved with local Māori.

2007 conference. Actively engaged with Māori at the local level. Very fraught moments and a clash of cultures but ripples were created for a long time.

Need cultural audits on cultural competency. Need a more wholehearted understanding of Te Tiriti. How do we embrace TTBC and mātauranga Māori.

TTBC are a precious seat to hold NZAP on the bi-cultural journey. Has an important function. Needs not to be an isolated pocket of engagement. Meaningful engagement with Te Tiriti means meaningful engagement with TTBC. As an early member of the first TTBC we set in place guidelines. Never thought that TTBC would be a permanent fixture. Important to have sensitivity to Te Tiriti in everything we did. And eventually all that we do. And develop our own relationship to Te Tiriti. However surprised that TTBC has grown so large and is such a powerful "beast". Perhaps that's too harsh.

TTBC is a precious seed. Important that it adherence to Te Tiriti is not just ticking boxes.

Consider there is an ongoing need for TTBC. The Advisory Committee enables us not to abdicate our responsibilities. We need an ongoing body giving attention to that. Giving attention to a lens of biculturalism so as not to abdicate our responsibilities. Not sure how it's morphed currently to having two representatives from each branch with one Māori and one Pākehā. Some not NZAP members.

TTBC is a vanguard which offers advice towards a revolution of true bi-cultural engagement. How do we keep this precious seed alive? A seed that says that Māori voices need to be heard, that bi-culturalism matters. Organisation is enriched by embracing differences. Helps us to face the discomfort. As occurred in the AUT training. Allows us to be uncomfortable. Engaging with kaupapa Māori.

TTBC after 25 years – offers name change remit. There is a risk of lip service. How do we take this to the next level?

To be effective we need to engage in a cultural audit of the committee and of NZAP generally. Who's responsible for this?

I support the cultural audit. From an external source. And also, being able to identify and slow down but make incremental changes. We need to look at what's next.

TTBC needs to continue. But not just report to connect.

We need spaces for conversation with TTBC.

TTBC needing to look at what is needed to happen in relation to power in the organisation. Need as broad a policy perspective as possible. For example TTBC thoughts on professional development.

Need to think about what Te Tiriti stands for. The three P's of participation, protection and partnership.

TTBC needs to take more of an advisory focus. Rather than an educative one.

It is not the responsibility of TTBC to educate about bi-culturalism.

TTBAC has important contributions to make to policy.

For example its advisory role in relation to conference planning.

Recommend that TTBAC has a liaison and consultation role really early in all conference planning.

Also has more lens on ethics, and the ACP process. Who does the evaluation of these. TTBAC may have a role in considering whether they're culturally responsive enough.

What is missing is representation. TTBAC policing biculturalism does not facilitate the difficulties we have.

What's missing in the bicultural life of the association is less policing, and more helping hand. Making a bridge to cross the river. It's a long journey.

Telling off, policing does not work.

Te Puni Kookiri offers policy advice. There is a place for TTBAC to help build a bridge. To help members think about grappling with these difficult issues. Education and advisory it's a both and not an either or.

Prior to the first Napier conference there was a hui with TTBAC on marae. Mitzi Nairn came as an advisor and academic. She suggested the following meeting for the Te Tiriti:

- In Article 1, Māori give something away (or had it taken).
- In Article 2, Māori get something back.
- In Article 3, Māori participate in how that (and everything else) is managed.
- In Article 4, Māori do that within the practices of their own culture.

This gestures to equal partnership. Each culture participates in their own way.

In this way an event, such as the Napier conference, a person is not able to say if it's a mainstream or a Māori event. If it's a place of the indigenous or European. Not convinced that TTBAC can facilitate this. **See appendix 1 written submission for more details:** (Note: the writer of the submission had concerns that some well-meaning bicultural initiatives had led to "Forums at a series of conferences and branch meetings became arenas for denunciation and criticism that alienated and frightened many members. My personal view is that such discussions are necessary, and the solution is to develop them in a robust fashion, rather than avoid them, but I fear the opposite has happened. In response to colonist fear and indigenous distress, we have tried to calm the waters, rather than engage with the storm. That does not mean we should not persevere, or that the vehicle is flawed, just that we need practice in driving").

Liaison and partnership with other organisations is what created the Napier conference. A partnership between NZAP, a Māori service organisation created a partnership, under the auspicious of Council.

These events were attractive to members. We need to make them attractive, inclusive of academics from the mainstream. And including a Māori context.

Need to have people able to review people's cultural competencies. Needs to be more cultural supervisors available.

Lack of Māori on committees.

Looking further into the future how do we enable events at which both Māori and Pākehā are comfortable? Or Pākehā are just a little uncomfortable. That model is happening in Taranaki. Events that invite people to become active citizens. Presentations by both Māori and Pākehā. For example, on the theme of manākitanga. And then meeting in small groups. Followed by the whole group discussion. Fortnightly meeting always slightly more Māori than Pākehā attend.

When we speak face to face, racism has a chance to dissolve. This can't be done by the Council. Only at branch level.

Encouragement for NZAP to engage with Te Puni Kōkiri or funding for development. And to engage with Māori academics at universities. To build these relationships.

As an association we need to be more generous and outward looking. For instance, NZAP sponsored study awards. Awards for Pākehā to study te reo etc. And for Māori to study psychotherapy. Awards can go both ways. Maybe tokenistic, but it's a start to something.

Why is there a lack of Māori psychotherapists? Psychotherapy is perceived as white and middle class.

May need to develop NZAP cultural supervisors.

Open to restructuring of the Committee to be more effective. As what we are doing is not working. The only change came at the Council level with the changing from the use of the word Treaty to the use of the word Te Tiriti. Something drastic needs to change.

2. How TTBC is currently resourced.

Request for Dropbox regarding TTBC on the website not picked up. Lack of resources put on the website as requested.

Appreciated Gabriella as a strong ally. Thorough regarding review process.

Constantly being made aware of not spending money.

TTBC needs to be supported.

3. The current structure of TTBC.

Makes sense that two representatives of each branch, in TTBC, one should be Māori and one Pākehā.

Advantages to having non NZAP Māori members in NZAP TTBAC.

Propose idea of having only Pākehā and Tauīwi in TTBAC, with the focus being on educating Pākehā and Tauīwi. Frustrated with constantly having to take responsibility for Pākehā and Tauīwi ignorance.

Current structure has worked and walked side by side with Waka Oranga.

TTBAC have done a great job. It's been creative. The question is whether the present structure as we have it is what we need now. Not sure about this.

TTBAC is a very important structure. Probably times are changing.

TTBAC and Council relationship is concerning. We need more than lip service to Te Tiriti. But to enquire and enter into enquiry regarding a Te Tiriti based relationship.

Not sure the current structure will help that meaningful dialogue and reflection regarding Te Tiriti and other matters.

TTBAC needs to continue having face to face kanohi ki kanohi.

Like to explore what happens if more than one person is responsible for Te Tiriti issues at branch level. Otherwise, it can be a lonely place to be a Te Tiriti TTBAC committee member. Difficult to draw branches into its work and operations.

TTBAC work needs to devolve down to the branches.

Good to have Māori members on TTBAC.

4. The relationship of TTBAC to the NZAP membership.

Within NZAP often sense of unease, silent withdrawal from TTBAC.

Difficult to get colleagues to remain engaged with bi-cultural relationship.

With some better education some NZAP members may be more forthcoming.

Frustration of having to tiptoe around white fragility after 200 years of land confiscation.

From the membership there is an experience of silence whenever TTBAC matters are raised.

Reflects underlying resistance, often unspoken, from NZAP membership.

But NZAP often feels oppressive and appears to go out of its way to defend white privilege.

For example one member who said they didn't need to know anything about Māori cause they did not have Māori clients.

We need to help the membership to look at the Code of Ethics and how to apply this to a bi-cultural relationship.

Cultural competency needs to be mandatory. Would be good to have a Waka Oranga or TTBAC member on all exam panels for membership to ensure someone is culturally competent and aware.

The value is missed during Covid times the opportunity of singing together and acknowledging each other.

There has been a huge change in goodwill. There is a challenge in how to enliven the branches. Either Council or TTBAC need to engage ordinary members more fully.

We don't feel that TTBAC are representative of the voices of the membership.

If branches and the TTBAC understand Te Reo Māori there would be much deeper engagement. Much deeper understanding and understand the language.

Donny's medicine wheel process very powerful. Educative and invitational, not "lecturey". Inviting our own sense of biculturalism. Not threatened.

Branch participation down in all form. Something about manākitanga and kotahitanga. TTBAC can help to support these principles.

5. The relationship of TTBAC to NZAP Council.

Difficult to get a single remit to Council. Experiencing ongoing racism from Council. For example, TTBAC time frames, the committee attempts to go through the remit process, work with Council. And yet the process seems endless.

Reports are required but no real relationship.

When four years ago wanted to nominate four ex-presidents for bi-cultural award this was blocked by Council. Council appeared to be the gate holder of who should or shouldn't be considered. This should have been left to TTBAC and Waka Oranga. An example of Council taking authority they don't actually have.

Felt that four people who had been conveners of TTBAC and then presidents should be recognised. A very good example of being overruled by a white majority.

Sent Council the summary of minutes of 2017 TTBAC hui. Was told it was too much to read and could they have a summary. Then being asked to change the wording of remits they proposed. Similarly, Council wanted to change TTBAC's recommendations regarding remit for change of NZAP's name.

Getting frustrated with delays with review, with two different groupings before this review team.

Lack of accountability from Council in relation to TTBAC.

Waka Oranga offer professional development to psychotherapists. No requirement to attend: there should be. Council should make it a requirement to attend.

Frustration with not having chair of TTBAC on Council. Having to wait for a former chair to become president.

A wish in the future for co-presidency – with a Māori and Pākehā. Then this TTBAC roopu would be valued and invited to be at the table. And mandated this way. Te Tiriti would then live in a different way.

While hope for a dual presidency there is a risk this is just a figurehead position. And that figureheads can then sell Māori down the river.

Need to support Māori on the ground, not sacrifice them to figurehead leadership positions.

Need to have some sort of presence at the Council table

Need more connection between TTBAC and Council.

It's a problem there is no formal representative on Council. This is very surprising.

Council needs to look at what are the next decisions.

Council needs ongoing dialogue with TTBAC.

Council could zoom in to TTBAC and vice versa.

Need to integrate the TTBAC perspective into the work of Council. Needs to be a portfolio for this.

There needs to be a link between the committee, Council and the branches.

Need to become more involved with Council regarding policy. Role of governance important.

And need to mobilise at the grassroots. Need representation on Council. For TTBAC.

Like to have a place on the executive. Should be automatic for convener to be a member of Council.

TTBAC educative role. Crown body PPANZ does not appear to follow and acknowledge TTBAC. Need to protect the mana of TTBAC. Lose if give over complaints process.

Good argument for TTBAC remaining active.

6. The relationship of TTBAC to Waka Oranga.

TTBAC is very important for Waka Oranga. Because this is an allied group. So without this we would be doing all the educating ourselves. Would be very concerned if TTBAC becomes threatened because then the mahi will go to Waka Oranga. It is very important to Waka Oranga

But TTBAC is a wonderful support of Waka Oranga.

Waka Oranga is a container that does not get the resources it needs.

There is too much pressure on TTBAC and Waka Oranga. We need to look at ourselves.

The kind of workshops Waka Oranga offer seem to be a good vehicle for doing things in a way that it's hard to tell if they are mainstream or a Māori event.

Mana motu hake – we are a microcosm of New Zealand. This reflected in the relationship between Waka Oranga and TTBAC. Strong allies. TTBAC is a bridge between Waka Oranga and the membership.

Without Waka Oranga being treaty partner what would this mean for Māori who are not part of that association. TTBAC offers a bridge.

TTBAC also vital for protecting interests of NZAP and Waka Oranga in relation to the board. The board invites He ARA APC training process to come under their umbrella. Where necessary in support of Waka Oranga's interest. This upholds the mana of TTBAC and Waka Oranga.

NOTE: For the full text of the one written submission we received, see appendix 1.

Summary of feedback received:

The following is a summary of key themes that arise from the feedback we received:

1. **Support for TTBAC:** Overall there was good, though not universal support for the retention of TTBAC as a committee that functions to enhance the association's commitment to bicultural partnership. However, some had concerns that TTBAC is not sufficiently well-equipped to achieve the purpose of assisting NZAP to keep Te Tiriti in focus in all NZAP's activities and deliberations.

2. **Contention over purpose and function of TTBAC:** There was contention over the way TTBAC should engage in the above function, with some favouring TTBAC having a more educative focus, and others favouring the committee having focus more on policy matters and decisions at a Council level.

3. **TTBAC are an important ally for Waka Oranga:** Waka Oranga through its representatives, communicated strong support for TTBAC and see the committee as a strong ally, particularly in educating Pākehā and Tauīwi NZAP members and working with Council to strengthen and enhance the bicultural Te Tiriti based relationship with NZAP.

4. **Difficulties in the relationship between TTBAC and Council:** There was considerable concern expressed regarding the relationship between NZAP Council and TTBAC. Both current

TTBAC members, Council members, and NZAP members expressed the need for formal representation of TTBAC on Council.

5. The need for TTBAC to avoid a superego driven critical “telling off” stance, and rather to enable invitational educative experiences: There was considerable feedback expressed that an educative approach to bicultural and Te Tiriti matters needed to avoid being a “tell off” (which some considered had led some members to become disenchanted and to leave or withdraw from NZAP) , but rather needed to open up spaces for dialogue, and differing, including contentious, perspectives.

Literature and history informing the recommendations of this review:

What is the purpose of TTBAC: a central concern?

Underpinning all the history and recent feedback we have received has been considerable breadth and disagreement regarding what the purpose is or should be of TTBAC, and how this should be made manifest. Indeed, we agree with a central theme of the written submission, in which the writer invited us to consider more broadly “what the problem is that NZAP is attempting to address, via the TTBAC, and how might this problem best be addressed in the future?”

For this, we looked to literature reflecting on the challenge of bicultural partnership within organisations in Aotearoa New Zealand.

Literature on bicultural partnership within organisations and in the health sector

You will note that the writer of the written submission, in summary, poses the question “what is the problem for which TTBAC is the proposed solution?” At this point in the review document, we propose to broaden that question somewhat and attempt to reflect upon the progression of a “bicultural” focus within the organisation of NZAP and its work as an Association for psychotherapists. In particular, we note the following history:

Carson, Farrell, & Manning (2006) note, that the motion of amendment at the 1995 AGM to include, in the objects of the Constitution, “To explore ways in which psychotherapy may be guided by the articles and spirit of the Treaty of Waitangi” was passed unanimously but was slow to be enacted (p. 71). This delay perhaps reflects the tension underpinning the Association’s ongoing attempts to create bicultural partnership through the lens of Te Tiriti o Waitangi within the Association and in the practice of psychotherapy in Aotearoa New Zealand.

Nevertheless, the Association has continually taken steps, reflective of the wider political and socio-political and cultural context within which the Association operates within Aotearoa New Zealand, towards a bicultural partnership model in relation to the practice and governance of psychotherapy in Aotearoa. Eventually the above amendment was enacted and thus paragraph 3(b)(i) of the Constitution now states, “To explore ways in which psychotherapy may be guided by the articles and spirit of Te Tiriti o Waitangi.” (It appears this amendment was finally enacted in 1997).

Further, arguably one of the most significant activities undertaken by the TTBAC was the organisation of the November 2006 hui at Whaiora Marae in Otara. Carson, Farrell, & Manning

(2006) noted, “The hui ... inviting Māori who might be interested in an Association with all membership of NZAP. ... The hui was also attended by members of the Treaty Committee, Council and the Admissions Committee [and supported by members of Nga Ao e Rua]. At the hui, the possibility of a brown book – a Māori version of the well-known orange book – the NZAP Admissions Policy and Procedures – was planned ... [this is now the He Ara Māori Pathway] ... what did emerge was a Māori caucus, called Waka Oranga, that was presented to Council by Cherry Wilson and Haare Williams the following year as the runanga envisaged by Haare 10 years previously”. (pp. 76-77). (In the December 2006 NZAP newsletter, regarding this Hui, the editor commented, “a truly historic hui ... The hui brought together a Māori Caucus and representatives of NZAP’s Council, admissions, and Treaty committees... One conclusion is inescapable, the NZAP admissions procedure - the “Orange Book” - is not popular among indigenous people. A “Brown Book” is proposed. That these issues could be debated in an atmosphere of undoubted goodwill is a real achievement, and a tribute to all involved” (Carson, Farrell, & Manning, 2006, p. 44)).

Subsequently, following the Christchurch Conference in 2008, the following clause came into existence as part of the Constitution of NZAP: Clause 31(g), “... and in recognition of our Te Tiriti Partnership, that Council include two members of Waka Oranga, the Roopuu that is open to all Māori members of NZAP.” (This arrangement was first envisioned at the Hui at Whaiora Marae in 2006, in which the possibility of “an angel at my table” was poetically proffered; the possibility that Waka Oranga might have a place at the Council table. This possibility came to fruition following the constitutional changes ratified at the 2008 NZAP conference. This change has enabled Waka Oranga to have a small portion of structural authority within our association).

Tino rangatiratanga

This we suggest was a significant step in the life of the Association toward a Te Tiriti based partnership. However, a Te Tiriti based partnership necessitates equality in the sharing of resources and authority over activities and functions in relation to psychotherapy in Aotearoa New Zealand. This is clearly not what exists currently between Waka Oranga and NZAP. (We note that the movement towards such a partnership is in keeping, and has parallels, with the Aotearoa New Zealand government’s recent announcement of the establishment of a Māori health authority).

Mason Durie (1994) described a continuum of stages within which individuals might perceive themselves in relation to “Biculturalism”:

A bicultural continuum of bicultural goals.

1. Cultural skills and knowledge.
2. Better awareness of the Māori position.
3. A clearer focus on Māori issues and Māori networks.
4. Best outcomes for Māori over all activities.
5. Joint ventures within agreed upon frameworks.

He also described a continuum of possible structural bicultural arrangements within organisations:

A bicultural continuum of structural arrangements.

1. A modified mainstream institution.
2. A Māori perspective.
3. Active Māori involvement.
4. Parallel Māori institutions.
5. Independent Māori institution.

Similarly, Jenny Hindmarsh (2000) writing regarding biculturalism within the education sector, wrote also of a continuum of bicultural arrangements. Specifically, she considered liberal biculturalism and quotes Durie as perceiving that the main goal of this approach is “the introduction of a Māori perspective into the culture of the institution but as an addition to the overall culture of the organisation rather than as an integral part of its core business.” (Durie 1994 p. 7) (p. 135). She noted, “Liberal biculturalism with the goal of (unequal) partnership takes the form of bicultural symbiosis.” (p. 135). She concluded in relation to liberal biculturalism,

Essentially these liberal biculturalisms ... result in a more humanistic and “culturally sensitive” and “tolerant” form of individual, cultural and institutional racism: ... while this position often represents important first steps for Pākehā organisations and thus in this sense is not to be scoffed at, the danger is that we Pākehā remain stuck here. This may be an important first step in the recognition of the value of a culture other than our own and of the injustices which riddle the history of our country. However, it does little to alter radically the structures and relationships of power and control. (p. 136).

Hindmarsh (2000) then introduced what she described as radical biculturalism and commented, “In more radical constructs of biculturalism the focus is on developing parallel suborganisations/organisations which use different approaches and vehicles to achieve the same over capping and agreed aims (Durie 1984 p. 8)” (p. 137)

These biculturalisms, rooted in more radical ideas of limiting the spheres of Pākehā power and control (Kawanatanga) and supporting greater Māori self-determination (towards rangatiratanga) have loosened Pākehā power structures and opened up the way for new forms of dialogue and relationships. They have enabled Māori to develop organisations or sections of organisations which operate under tikanga Māori, some in Te Reo Māori. However, these forms of biculturalism stop short of honouring Māori sovereignty in the fullest sense of the word. They have not been successful at “addressing the constitutional relationship between the iwi and hapū and the Crown – between the relative authority of tino rangatiratanga and kāwanatanga (Kelsey, 1991, p. 44) (p. 137)

Hindmarsh (2000) therefore advocated Durie’s notion of “post-biculturalism” commenting:

For this reason, Durie (1994, p. 8) suggests that we focus our energies in New Zealand to develop what he terms post-biculturalism. Here the prime operative concept becomes the rangatiratanga (sovereignty) rather than “culture”. It is argued that biculturalism inevitably undermines Māori aspirations for greater self-sufficiency and determination and reduced iwi competitiveness with Pākehā state and non-Government agencies to provide service to their own people. In effect, Māori and their resources become appropriated in the interests of Pākehā, even if the goal of bicultural has been to promote Māori interests. At the most, biculturalisms have made Pākehā organisations more “Māori friendly” and “culturally sensitive and responsive” but have diminished Māori self-determination (Durie 1994 p. 9). (p. 139)

Hindmarsh provided case studies of these post-bicultural arrangements, and conceptualised these arrangements as two autonomous organisations, with an overlapping sphere describes as in the intercultural sphere within which there is dialogue. It is arguable that currently NZAP is in the early stages of developing bicultural arrangements with Māori practitioners in Aotearoa New Zealand. This is reflected in NZAP’s current constitutional arrangements in which Waka Oranga are allocated two Council places.

Possibilities for movement towards a more fully bicultural constitutional arrangement between NZAP and Waka Oranga.

To move towards a more fully “bicultural” arrangement would, we suggest, mean a constitutional arrangement between two separate but equal governing bodies, the governing body of Waka Oranga and that of NZAP, and the sharing of financial and other resources which reflect this arrangement. Such a change would be radically different from the current one and might include, for example, possibilities such as:

- 1) Regular joint meetings between Waka Oranga governance body, and NZAP Council, at which areas of mutual interest and concern would be explored within the “intercultural sphere” between the two organisations.
- 2) A sharing of financial and other resources which much more fully reflected an equal partnership relationship.
- 3) Representatives of NZAP on Waka Oranga’s governing body as either voting or non-voting members, as well as the current representatives of Waka Oranga on NZAP’s governing Council.
- 4) Co-convened conferences and other organisational events, in which both Waka Oranga and NZAP would be equally involved and equally resourced.

We suggest that NZAP has, over the last 25 years along with many other organisations, been engaged in moving along the spectrum of these bicultural arrangements. We propose, aligned with the submissions received by the membership, that the role of TTBC be conceptualised as supporting NZAP in its movement towards the post-bicultural partnership concerning the governance of psychotherapy in Aotearoa, between NZAP and Waka Oranga. With this purpose in mind, we note the following approach to critical policy analysis in relation to Te Tiriti in the health sector:

Critical Te Tiriti policy analysis

Came, O’Sullivan, and McCreanor (2020) noted that following the Court of Appeal decisions arising from Māori initiated legal proceedings in relation to the New Zealand Government’s attempts at state owned asset sales in the 1980s (Haywood 1997),

... policy discourse was fundamentally changed and while the specific place that Te Tiriti assumes in public policy remains contested, the idea that at least the English version must always assume consideration is now entrenched in policy development ... for example it is explicitly acknowledged in both the New Zealand Health Strategy (Ministry of Health 2016) and the New Zealand Public Health and Disability Act 2000. Its significance to Māori health is assumed by Māori scholars including Durie (1989, 1998) Ramsden (2002), and Whitinui (2011) and Reid and Robson (2006). (p. 436).

(Subsequently Came et al (2020) noted the legal principle of *contra proferentem* means that where there is any ambiguity in a treaty it is to be interpreted "against the party drafting it (Te Puni Kookiri, 2001)" (p. 438). Thus, Te Tiriti is the document which must guide the work of TTBC.

Came et al (2020) introduced the concept of critical Te Tiriti analysis (CTA) to analyse the degree to which policy in health is in accord with the articles of Te Tiriti o Waitangi. They include in these articles both the preamble, and the articles plus a fifth principle of wairuatanga, in acknowledgements of the centrality of wairuatanga to health for Māori, and that wairuatanga was significant in the discussions on the day of the initial signing of the Treaty of Waitangi in 1840, particularly articulated by the Catholic Bishop Pompallier, and a range of Māori elders (p. 439).

The authors suggest that applying CTA means measuring health policy alongside the following indicators:

Indicator 1 (preamble) – element showing that Te Tiriti is central, and Māori are equal or lead parties in the policy processes.

Indicator 2 (A1) – mechanisms to ensure equitable Māori participation and/or leadership in setting priorities, resourcing, implementing and evaluating the policy.

Indicator 3 (A2) – evidence of Māori values influencing and holding authority in the policy processes.

Indicator 4 (A3) – evidence of Māori exercising their citizenship as Māori in the policy.

Indicator 5 (Wairuatanga) – acknowledgement of the importance of Wairua, Rongoa and Wellness in the policy. (p. 442).

The authors propose a four-stage process in the application of CTA when considering health policy.

Phase 1. Orientation – to establish if, how and why the policy makes reference to Te Tiriti, the Treaty, or the Treaty principles.

Phase 2 – close examination – examining evidence of engagement with all elements of Te Tiriti.

Phase 3 – determination.

Applying the indicators above to each aspect of policy.

Phase 4 – strengthening practice – considering how policy processes could be strengthened in relation to the CTA analysis.

Phase 5 – final word – Māori taking the final word in the assessment of the policy. (pp. 442-443)

We suggest CTA provide a lens through which TTBC might consider its work.

Recommendations

In summary we propose, in keeping with the responses from the membership and of NZAP and current members of TTBC, that TTBC remain an important aspect of the life and organisational

processes of NZAP. We consider that TTBAC has a role to play that is significant, in supporting the organisations ongoing and gradual movement towards a more post bicultural arrangement in which Tino rangatiratanga for Māori in relation to psychotherapy is at the heart.

However, we propose a significant restructuring of TTBAC:

Restructuring:

As outlined earlier, we suggest there are two primary tasks, to be undertaken in the next steps towards a more post bicultural arrangement regarding Te Tiriti, biculturalism and the governance and practice of psychotherapy in Aotearoa New Zealand.

1. Education of psychotherapists in relation to Te Tiriti and psychotherapy
2. A policy and governance focus in relation to psychotherapy.

Education

We propose that branches take the lead, in initiating educational opportunities for membership, whether these be conferences, mini conferences, workshops and the like. We propose that the educative role of TTBAC focus solely on working as cultural consultants with the organisers of these events.

We note that there was considerable feedback from the membership that super ego driven injunctions about how one "should" respond as a practitioner in relation to Te Tiriti were ineffective and off-putting. Indeed, it is arguable there has been an exodus of members from NZAP as a result of feeling controlled and demanded upon, to have a particular perspective regarding the Te Tiriti and psychotherapy. We recommend that TTBAC do not themselves provide these educational opportunities, but rather support branches to utilise experienced educators, who are able to create environments for enquiry and exploration, that is welcoming of multiple perspectives, and enabling of thoughtful dialogue, rather than demanding agreement.

We agree with the submission we received in writing, that such educational events, with the support of the TTBAC representatives, could aim to create post bicultural environments, in which truly bicultural engagement and enquiry is occurring.

Policy focus and relationship to NZAP Council

A second and separate focus, is on governance and policy development. We see this as a separate task, and beyond the scope of the current make-up of TTBAC. Engaging in this task requires close relationship with NZAP Council. For this reason, we recommend that the convener of TTBAC become a member of the NZAP Council executive, and that they along with one other member of Council, hold responsibility for consulting with Council on all policy decisions, and they do so through the lens of Te Tiriti and, in particular, assessing these decisions in relation to a movement towards a post bicultural arrangement with Waka Oranga in which Tino Rangatiratanga is central. We see that these two members of Council would have important responsibilities in maintaining close liaison with Waka Oranga, the two representatives of Waka Oranga, on Council, in service of building this arrangement.

We suggest that considering all aspects of NZAP's organisation and policy through the lens of Te Tiriti, utilising CTA, as articulated by Came, O'Sullivan, and McCreanor (2020) provides a lens through which to analyse policy and organisational structures.

Such a focus is in keeping with the New Zealand Government's recent announcement regarding the establishment of a Māori Health Authority, which in turn aligns with post-bicultural arrangements in which Tino rangatiratanga in relation to health is at the centre for Māori.

Make-up of the committee

We propose that the make-up of TTBAC remain the same. That is that two representatives from each branch represent the branch at TTBAC level. We consider it important that the branches select, support, and nominate these members for the committee. And that the maximum number on the committee remain at 10.

Resourcing of the Committee

We see this as central. The role of education, and policy analysis is extraordinarily complex. Most members of TTBAC over the past 20 years have had little to no training or experience in how to enable such educational opportunities or undertake such policy analysis. We therefore propose that rather than the annual two-day hui that TTBAC members undertake each year, that they be resourced each year to hire an experienced Te Tiriti educator, to run a two-day hui for all members of TTBAC (via Zoom if necessary to reduce costs), in which they receive ongoing personal development and education about how to enact the above tasks within their role as TTBAC members, and in particular how to avoid taking an admonishing stance, but rather to inhabit an invitational stance toward exploration of complex and multiple perspectives.

Cultural audit

Whilst it is beyond the scope of this review, we also feel supportive of some members' submissions regarding the value of a cultural audit of the association being undertaken by an independent cultural auditor.

Conclusion

Earlier in this review we quoted Mika and Stewart (2016), in which they suggest that the west has continually constructed Māori as a "wanting and needing entity" (p. 305). Underpinning this review is the belief that by contrast the principle of tino rangatiratanga needs to also underpin NZAP's relationship to Māori and psychotherapy. And that the role of Tauwiwi and NZAP Pākehā membership is to build robust partnership relationships with Māori, with our Treaty partner Waka Oranga, in which tino rangatiratanga for Māori in relation to psychotherapy is at its heart. This broader project requires active sharing of resources. It is an ongoing task that we suggest will not have an end point. The pace at which change occurs has been gradual to this point, as reflective of the slow development of bicultural perspectives over the last 25 years. We anticipate the transition to a post bicultural tino rangatiratanga based partnership within psychotherapy and in relation to NZAP and Waka Oranga, will continue to evolve. We suggest that TTBAC has a central role to play in contributing to this process, and in so doing assisting in enabling the

movement from arrangements in which Māori are continually created as “needing and wanting” in relation to NZAP, toward respectful, robust relationships that acknowledge Māori within a tino rangatiratanga based partnership with NZAP.

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Appendix 1: Written submission to TTBAC review committee.

Margaret Poutu Morice and John O'Connor
Co-Chairs, NZAP Review Committee on Te Tiriti and Bicultural Advisory Committee (TTBAC
or 'The Treaty Committee')
30 October 2020

Dear Margaret and John,

Thank you for hosting the online discussion on the review of TTBAC yesterday evening. At the end, John, you invited written submissions, and I am responding to that here.

As I mentioned in the discussion (having pulled over in Palmerston to do so), I would like to draw attention to the issue underlying the review, which is that *TTBAC is one of NZAP's responses to a problem that we wish collectively to solve* – of course we are never completely in accord about the details, but it is probably reasonable to suggest that, as a community, we genuinely wish to keep Te Tiriti in focus in all our activities and deliberations. TTBAC has been in existence in one form or another for the better part of a quarter-century as a means of doing this, following discussions as early as 1993 when Dr Haare Williams began giving us the benefit of his knowledge (the details can be found in our two printed histories; Carson, Farrell, & Manning, 2007; Manchester & Manchester, 1996)¹. We can, and perhaps always have, seen the project as a matter of incorporating The Treaty into the vision and purpose of the Association. This view is enshrined as the second article in our constitution (Para 3(b)i); "to explore ways in which psychotherapy may be guided by the articles and spirit of The Treaty of Waitangi"². Looking back, this seems like a way of *linguaging* a problem that, at the time, we felt we needed to address. Incorporating The Treaty in this manner was a practical step, something we could *do*, and we generally felt better for it. The nature of the problem we were, and still are today via the review, attempting to address, is not so clear.

Arguably The Treaty of Waitangi and its te reo version, Te Tiriti o Waitangi, are founding documents of this nation, acknowledging that we are two peoples, two histories, two sets of mores, two cultures, two races, neither superior to the other, co-existing in at least the hope, if not the reality, of partnership, participation, and protection. That it was ignored and denigrated for 130 years by successive settler-dominated governments and organisations at all levels of society created a system of systemic racism that is still evident. Therefore, NZAP acted properly in enshrining The Treaty (though, interestingly, not Te Tiriti) in our constitution, and in forming a committee, later renamed TTBAC, to draw attention to it in the various contexts of our activities. Over time, TTBAC became *a* solution to a problem, but in this well-meaning process, the problem

¹ Carson, R., Farrell, M., & Manning, S. (Eds.). (2007). *A History of a Decade 1997-2007*. Dunedin: NZAP.
Manchester, R., & Manchester, B. (1996). *Notes Towards a History: a chronology of the first fifty years 1947-1997*. Wellington: NZAP.

² I think this was inserted at the AGM either in 1993 (Bulls), or in 1997 (Christchurch), I am not sure which.

itself became lost. The Treaty became the answer to a problem that was never clearly articulated. Rather than attempting to create a society modelled on the treaty, an equitable partnership between two peoples, what emerged was a set of protocols, powhiri, waiata and karakia, the inclusion of indigenous perspectives and presentations.

There are a number of good examples in our history of other approaches. The formation of Waka Oranga and its representation on our governance body is an obvious instance, though it remains controversial, one of its consequences having been to focus and give voice to considerable resistance and complaint. The initiative (though perhaps not Waka Oranga itself) can be accused of having been divisive, polarising, excluding, a source of anxiety among many members. Forums at a series of conferences and branch meetings became arenas for denunciation and criticism that alienated and frightened many members. My personal view is that such discussions are necessary, and the solution is to develop them in a robust fashion, rather than avoid them, but I fear the opposite has happened. In response to colonist fear and indigenous distress, we have tried to calm the waters, rather than engage with the storm. That does not mean we should not persevere, or that the vehicle is flawed, just that we need practice in driving.

Another example began, I think, with an initiative arising from a friendship between the late Fay Danvers, acting for NZAP as chair of the Treaty Committee, and the late Anihana Daly, leader of a Hastings-based community organisation, Awhina Whānau, which saw the Treaty Committee meet first in Fay's home and then on Te Poho o Tangiianui Marae in Napier. Mitzi Nairn, director of Combined Churches of Aotearoa, a Treaty scholar and anti-racism activist, was a guest, and she gave us a 'reading' of Te Tiriti that guided us thereafter. Essentially, and from memory;

- In Article 1, Māori give something away (or had it taken).
- In Article 2, Māori get something back.
- In Article 3, Māori participate in how that (and everything else) is managed.
- In "Article 4", Māori do that within the practices of their own culture.

This of course is very simplistic, even child-like, but it does provide a way of looking at ourselves and at the issue we were trying to address by means of TTBC. The partnership between NZAP and a kaupapa Māori organisation resulted in an enormously productive, if at times uncomfortable, conference in Napier. Unfortunately, the tensions that emerged in Napier were regarded as injurious and were met, in years following, with a perceived need to heal, to reassure, to calm, rather than to explore the possibilities for development inherent in conflict. A kind of unspoken protocol developed whereby Māori outrage is met with Pākehā apology, occasionally punctuated with stories of personal trauma, but in a lop-sided dialogue. Pākehā outrage is largely reserved for private discussion rather than open forum. Nevertheless, the model of partnership between NZAP and a kaupapa Māori organisation remains one of our best attempts to address 'the problem', and was guided, implicitly, by the reading of "Article 4" as described by Mitzi Nairn. So, the problem becomes clearer – can we operate in a manner that allows both peoples – but particularly Māori, under the principle of protection – to do whatever we are doing within the practices of their own culture?

According to a post on the website, "Critical Legal Thinking", in England, the conservative Government is reported to have announced on 20 October that the Government "stands

unequivocally against critical race theory (CRT)” and that teachers promoting ideas like ‘white privilege’ or “partisan political views such as defunding the police without offering a balanced treatment of opposing views” will be breaking the law³. According to the website, CRT, beginning with the work of Kimberlé Crenshaw and Derrick Bell in the 1980s, introduced an important critique that insisted racism be seen as structural and as endemic in almost all areas of society, politics and law. Today, the Guardian published a piece on police ‘spy’ operations targeting black justice groups⁴. It may seem outrageous that we might expect such actions from our government, but it is only 13 years ago that the police raided Ruatoki and Taneatua, and the “dawn raids” ostensibly looking for Pacific Island nations “overstayers” are still painful in living memory. Māori are much more likely to be stopped by police, searched, charged, convicted and imprisoned – and imprisoned for longer – than people of European or Asian heritage. 51% of people in our prisons are Māori, compared with around 20% of population. We rank fifth among 37 OECD countries for relative numbers of people in prison, a figure which is considered to be directly related to inequality in society⁵. Inequality and racism are a part of our society, operating as discursive influences in every mainstream agency and organisation, in our households and among those we hold dear. Sometimes it is a quietly held opinion, sometimes it is violation and arrest. NZAP is no exception, despite the wave of well-meaning reassurance that tends to accompany our deliberations. Our vigilance must not only concern the police and government. Racist discourse affects all of us. Auditing the way racism operates in NZAP, as opposed to trying to eliminate it, must be one of our aims.

In my work, I teach on a programme which is a brain-child of the late Paraire Huata, called Te Taketake Level 7 Diploma in Addictions Counselling. Designed and delivered initially by a PTE called the Moana House Training Institute, and now administered by Otago Polytechnic, it operates under the same *tīkinga* as its parent, the Moana House therapeutic community. It is *wānanga*-based, held within indigenous protocol⁶ and delivers both western and indigenous models. Taurira are taught Paraire’s Powhiri Poutama model alongside learning to write a formulation and diagnose using DSM-5. When we were negotiating with NZQA to have it registered on the Framework, they classified us as “*kaupapa Māori*”, separate from mainstream courses. We did not ask for this. It was just that NZQA could not conceive the model as pertaining to mainstream courses (which says a lot about NZQA). Paraire had given us a model of biculturalism that works wonderfully. About 69% of taurira are Māori or Pacifica. One of our problems is that NZAP seems irredeemably white, middle-class, capitalist, and *nice* in a rather white way. So that is another aspect to the problem.

³ <https://criticallegalthinking.com/2020/10/28/our-favourite-critical-race-theory-introduction/>

⁴ https://www.theguardian.com/uk-news/2020/oct/28/police-spying-inquiry-examine-targeting-black-justice-groups?utm_term=a8f7e94d6ee9ca8bb02d684d7bc78575&utm_campaign=GuardianTodayUK&utm_source=esp&utm_medium=Email&CMP=GTUK_email

⁵ Reiman, J. H. (2007). *The rich get richer and the poor get prison: ideology, class, and criminal justice* (Eighth edition. ed.). Boston: Pearson/Allyn & Bacon.

⁶ This protocol is known as *Te Heke Tikanga*, authored by Takarangi Metekingi and myself.

Taking this wide view, the task of your review becomes to ask, not what should become of the Treaty Committee, but;

- What is the problem we want(ed) to address? Is it clearly defined?
 - The audit of systemic racism might be part of it.
 - Partnership, within NZAP and with others, might be part of it.
 - Setting up conditions that attract a strong Māori caucus might be part of it.
- Is what we are doing, including TTBC, satisfying the original aim?
- Is this partnership? What does that look like?
- What are the best means toward these ends?

I hope there might be something in this rant that is useful to you in your task.

Love and Peace,
30.10.2020