



Therapeutics Products Bill Submission

Tae Ora Tinana

Tae Ora Tinana is the Māori Physiotherapy Association that sits in partnership with Physiotherapy New Zealand. Our roopu represents Physiotherapists (Both Māori and Non-Māori), Physiotherapy students (Both Māori and Non-Māori) and other professional allies (Both Māori and Non-Māori) to improve Māori health outcomes, promote equitable practice for Māori populations and supporting the development of a Culturally safe physiotherapy workforce for Māori in Aotearoa. This roopu and its strategic direction are managed by the Kaitiaki o Tae Ora Tinana (The executive group for Tae Ora Tinana).

Tae Ora Tinana welcome the opportunity to provide feedback, on behalf of all its members, in the form of this submission on the draft Therapeutic Products Bill that was introduced to Parliament on the 30th of November 2022 in Aotearoa. We have significant concerns about this Bill for the following reasons:

1. The lack of comprehensive consultation with Māori (especially those working in Hauora Māori) resulting in that sought not being a true representation of the diverse population and
2. The negative effect this bill will have directly on the practice of Rongoa Māori.

The content of the draft Bill indicates inadequate breadth and depth of consultation with kaimahi Māori working within Māori health , especially those working withing Rongoa Māori spaces. Rongoa Māori and its associated Mātauranga is diverse and iwi/rohe differences are present throughout its scope. To reflect this, consultation must be made with a broad representative range of kaimahi working in this area, such as those in rural areas and those who work independently from the mainstream health channels. It appears that the 'Te Kahui Rongoa' group who were consulted, were thought to represent the collective view of Rongoa Māori in its entirety. However since Rongoa Māori have never been a centralised group this consultation can not have been truly representative of Rongoa Māori. Understanding that Māori are not a homogenous group is essential to the Bill meeting Te Tiriti obligations; unfortunately the drafting of this Bill reflects a process that see Māori in the Health Workforce as homogenous.

Part 3 of the Bill Dealing with therapeutic products, the most important part of the Bill, is particularly problematic specifically to the practice of Rongoa Māori. Whilst regulation and control to ensure the publics' safety with therapeutic products is important the Bill in its current format will regulate and control a core component of Rongoa Māori which poses significant risks to the protection and restoration of Mātauranga Māori. It would additionally remove power for decisions

relating to Rongoa from whanau, hapu and iwi to the state, which is a gross breach of Te Tiriti o Waitangi obligations. Rongoa Māori is a taonga protected under Te Tiriti o Waitangi and to take the power away from whanau, hapu and iwi is in direct opposition to Te Tiriti. Aside from requiring the regulatory body to have the 'capacity and capability to give effect to the principles of the Treaty', there are no other Te Tiriti guaranteed protections. The lack of recognition of Rongoa Māori throughout the entirety of the bill must be addressed in order to avoid contentious issues for all Rongoa māori spaces in the present and in the future.

A practical threat to Rongoa Māori relates to the process of traditional remedies (natural health products/ NHP as defined in the Bill) used in Rongoa Māori needing to undergo costly and time-consuming testing and regulation, which could make it more difficult and expensive for Rongoa Māori practitioners to provide their services. This risks producing a downstream effect that negatively impacts on Māori populations.

We note that although we are unhappy with the lack of true input from Māori either as health care workers or consumers this submission acknowledges that this bill is designed to promote the safety and efficacy of natural health products, including traditional remedies, which could ultimately benefit the practice of Rongoa Māori in the long run. However, the foundational steps must be full-proof and robust through true consultation and representation of Māori to secure these benefits in their most authentic nature.

In summary, we request that this Bill not proceed further through the Parliamentary process until it is informed with adequate and appropriate consultation with Kaimahi Māori working in health spaces; such as (and specifically) with Rongoa Māori. The crown and ministries must hold themselves to the highest standards and exemplify how a Te Tiriti partnership should be enacted, to protect the taonga of Mātauranga Māori and Kaupapa Māori Praxis in health spaces. At the time of this submission, this Bill is currently not reflective of this. If this bill is continued as it currently is, there will be specific, negative impact on Rongoa Māori and Hauora Māori within Aotearoa; that will directly mirror negative impacts to the health status of Māori.

Ngā Mihi Maioha,

Ngā Kaitiaki o Tae Ora Tinana

Signed on behalf of Ngā Kaitiaki o Tae Ora Tinana

A handwritten signature in black ink, appearing to be 'Witana Petley', with a long horizontal flourish extending to the right.

Witana Petley – Tūmuaki o Tae Ora Tinana