

House of Representatives

Supplementary Order Paper

Wednesday, 25 September 2019

End of Life Choice Bill

Proposed amendment to SOP No 259

Harete Hipango, in Committee, to move the following amendment:

Clause 27B

After *clause 27A* (page 25), insert:

27B Duties in relation to Treaty of Waitangi (te Tiriti o Waitangi)

- (1) Any organisation that is accorded a duty or responsibility under this Act (a **responsible organisation**) must perform those duties or responsibilities in a manner that recognises and provides a practical commitment to the principles of the Treaty of Waitangi (te Tiriti o Waitangi).
- (2) The performance of duties or responsibilities in accordance with **subsection (1)** includes that a responsible organisation must—
 - (a) adopt and deliver policies and practices that have the objective of reducing disparities by setting measurable outcomes for Māori who seek services under this Act:
 - (b) adopt and deliver policies, practices, and services that have regard to tikanga Māori and the values and responsibilities of whanaungatanga related to whānau, hapū, and iwi:
 - (c) develop strategic partnerships with iwi and Māori organisations, including iwi authorities, in order to—
 - (i) provide opportunities to, and invite innovative proposals from, those organisations to improve outcomes for Māori who seek services under this Act:

- (ii) set expectations and targets to improve outcomes for Māori who come to the attention of the responsible organisation:
 - (iii) enable the robust, regular, and genuine exchange of information between the responsible organisation and Māori:
 - (iv) provide, and regularly review, guidance to persons discharging functions under this Act to support cultural competency as a best-practice feature of the responsible organisation.
- (3) One or more iwi or Māori organisations may invite the responsible organisation to enter into a strategic partnership under **subsection (2)(c)**.
 - (4) The responsible organisation must report to the public at least once a year on the measures taken in performing its duties and responsibilities in relation to improving outcomes for Māori under this Act.
 - (5) A copy of each report under **subsection (4)** must be published on an Internet site maintained by the responsible organisation.

Explanatory note

This Supplementary Order Paper amends Supplementary Order Paper No 259 amending the End of Life Choice Bill. It requires that organisations directly and indirectly involved in the provision of assisted dying services do so in a manner consistent with the Treaty of Waitangi (te Tiriti o Waitangi).

The adverse health outcomes already suffered by Māori are deeply troubling, both in the context of the status of tangata whenua as a partner to the Treaty of Waitangi (te Tiriti o Waitangi) and because of overrepresentation that would be troubling in relation to any ethnic group.

Statistics in relation to various different health outcomes affecting Māori—for example, the incidence of cancer and other terminal illnesses—suggest strongly that Māori will be disproportionately affected by the availability of a regime of euthanasia and assisted suicide. Accordingly, the pressure that may be imposed on any person to seek assisted dying will be disproportionately higher for Māori.

The Bill currently makes no recognition of such factors.