

POST-CABINET PRESS CONFERENCE: MONDAY, 29 JULY 2019

Acting PM: Good afternoon. As you're aware, the Prime Minister is in Tokelau this week, the first prime ministerial visit to that island in 15 years. She's arrived at the first of Tokelau's three atolls, Atafu, via the HMNZS *Otago*, and has been meeting with village councillors.

The Prime Minister stopped in Samoa on her way, and in Apia she met with the Prime Minister Tuilaepa and opened the New Zealand - funded Waterfront Events Space and Clocktower Boulevard before boarding the ship.

Tomorrow afternoon, I'm travelling to Bangkok to attend the East Asia Summit Foreign Ministers' Meeting and the ASEAN regional forum, as well as having bilateral meetings with a range of my counterparts from around the Asia-Pacific region.

As you know, New Zealand's partnerships with the 10 countries of ASEAN is important and longstanding. ASEAN, which is home to around 650 million people, with a GDP of over US\$2 trillion, is New Zealand's fourth-largest trading partner. New Zealand is working with the countries of ASEAN to build connections in areas such as education, cultural and business connections, and economic development.

Kelvin Davis will be Acting Prime Minister in our absence, until the Prime Minister returns on Thursday evening. Any questions?

Media: Why were you laughing when you said that Kelvin Davis would be the Acting Prime Minister?

Acting PM: Well, somebody had mistakenly written "until my return", and I was just getting it right.

Media: Just on Tokelau, are there any options on the table or has the Government got any plans to increase any aid given to the country or how much New Zealand puts into Tokelau?

Acting PM: Well, I think that'd be appropriate for the Prime Minister there on the ground to make such an announcement, not me raining on her Pacific parade, so to speak, talking about it now.

Media: With your foreign affairs hat on, what do you think?

Acting PM: Well, I got that part. That's why I'll leave it to the Prime Minister in the three islands she's visiting.

Media: Is there anything specific on your agenda for ASEAN?

Acting PM: Well, yes, we need to enhance our engagement in ASEAN; up our trading profile, so to speak; expand into the work that we are doing with them; and ensuring we go on building their trust and affection that we've established over decades.

Media: You've just been in Washington DC. Is there anything which you bring from those meetings to that meeting which you can talk to us about?

Acting PM: No.

Media: The Human Rights Commissioner's criticised the royal commission for not including the Muslim community in its inquiry. Is that concerning for you?

Acting PM: Well, look, I think the commissioner's made it very clear that they've got a lot of work to do. They're still in a preparatory stage. They intend to reach out to all areas of the community. They know, as in the case of the Muslim families, that many are still grieving, and then we'll be more able to be of assistance to the commission as time goes by. So I think these are early days, at this point in time. And before we could take one

so-called representative's views, why don't we hear from the full community there that that is what their view is as well?

Media: At Ihumātao, the protestors have requested negotiations with Fletcher's, the Crown represented by the Prime Minister, and for construction to be halted in the meantime and for those negotiations to go in good faith. Is that a fair request?

Acting PM: Well, it's their request, but over the weekend, you would've seen the Hon Peeni Henare very, very adroitly and wisely set out the parameters of the Government's engagement, of the history in part of this area. You will all know the legal cases that have been involved. But at the end of the day, it'll come down to this, and it will always in Māoridom come down to this: who's been keeping that land warm over the centuries, all the way to 2019? That, in the end, will be what guides the system in this country and, indeed, Māori understanding and tikanga as well, not just a view of a whole lot of outsiders.

Media: Sole representatives are saying that they want proof of that agreement on Friday in the form of a written letter that construction will halt. Is the Government or Fletcher or both going to provide that for them?

Acting PM: I believe such a statement is a statement of bad faith, where the Prime Minister's concerned. She gave her word, and she's entitled to be believed.

Media: They've also invited the Prime Minister to visit Ihumātao —

Acting PM: Well, that's up to the Prime Minister. When she returns, you can ask her about that. I can't off the record—or on the record—make a judgment or decision for her now.

Media: Will Kelvin Davis be attending as Acting Prime Minister at any point over this week?

Acting PM: Well, he's there for those critical two days here in Parliament where he's required to be here. The Prime Minister being away and myself being away—you would surely expect him to be here on Tuesday afternoon, Wednesday, and Thursday before the Prime Minister returns.

Media: So there'll be no Prime Minister or Acting Prime Minister representation at Ihumātao this week, at least up until Thursday night?

Acting PM: Well, look, I just can't rule it out, but all logic would say, and all the responsibilities that Ministers have, including Mr Davis has, would require him to be here.

Media: They've asked for written confirmation of that offer. Will that written confirmation be provided?

Acting PM: Well, again, I say I think that is an act of mistrust in a person who they were trying to repose trust in. So they should make up their mind. And I do not believe that'll be the stance anyway of the kaumātua or the leadership of that area.

Media: Do you have any sympathy for the views of the protestors that it was confiscated land and it should be returned?

Acting PM: Well, let's hear the facts first, before we rush to judgment here. You will have looked at all the court cases in various past requests to a court, even all the way to the United Nations. You'll have seen all those court cases. Not one of them was a case to do with ownership. Why are we hearing it in 2019? That's a question which any examination on this issue will want to ask itself.

Media: Is the Government taking the mana whenua seriously—because they feel they're not being treated with respect?

Acting PM: Well, that's the one group we are going to take seriously. Mana whenua are the people with authority, and we're going to look at these issues, and you're

going to talk about Māori tikanga and Māori culture and Māori lore—l-o-r-e—where it comes to land ownership. That is the number one group we're going to talk to. Yes.

Media: What do you think about the Government buying the land off Fletcher's?

Acting PM: Well, I think all those requests and statements are far too early to even contemplate. Let's get the facts out there so everyone knows what the truth is before we rush to judgment and make all sorts of speculative statements that may not be occasioned by the facts for us to follow.

Media: Wasn't the report of the Māori affairs select committee—that surely set out all the facts, didn't it?

Acting PM: With the greatest respect, if you think the Māori affairs select committee—I'm not pouring cold water on their work, but if you regard them as being some judicial body, I think not even any committee in the past in the Māori affairs select committee would make such a claim.

Media: Protestors will be gathering at Parliament tomorrow to call for an end to the theft of Māori babies and children by the State. What is your message to them?

Acting PM: Well, again, various political parties and various parliamentarians will have their views, as I have my view. But, if you ask me personally what my view is, let me say that three Māori children have been killed since this issue broke. I don't see many headlines about that. And that's a tragedy. The second thing is, if any of you understand Māoridom, you'll know that there is some deep disquiet with respect to the treatment of women and children in particular.

So let's not wipe our hands of this, and own up to the fact that if there's going to be a change, then there has to be a cultural renaissance in Māoridom itself as to its internal responsibilities to help fix this issue. The taxpayer, in good faith, is putting up a lot of money. There are a lot of generally motivated and hard-working social workers. All sorts of people are being put in the gun, so to speak, by this criticism as though it's some sort of insensitive system where no one cares. That could not be further from the truth. And, if you go and ask Māori elders around this country as to whether they support some of the views that have been put out there as being a judgment on the system itself, they will say it's unfair—from the Māori Women's Welfare League to many localised groups, particularly in provincial New Zealand.

Media: So do you believe the system is fit for purpose as it is?

Acting PM: No I don't. But it's a system we inherited and a system we've got to keep on working to improve. But having said that, let's not have this massive condemnation of a lot of people doing the very best they can for our society in very, very difficult and sometimes dangerous circumstances.

Media: So do you think Oranga Tamariki have been unfairly maligned?

Acting PM: We've all got our views with respect to Oranga Tamariki when it started, and I said so back then. But this is what we inherited, and our job is to fix up its problems and improve it. But all I'm saying to the media in this country is before they repeat the statements of some people complaining about the social welfare system and assistance put around these families, have a good hard look at how difficult it is and what massive problems we're dealing with.

Media: Some have referred to both Oranga Tamariki and the Ihumātao issue as having the potential to be a new foreshore and seabed moment. What are your thoughts on that? Is the Government concerned about where this may head, this discontent?

Acting PM: Well, if you want to recall the old foreshore and seabed moment, every maritime tribe or iwi in this country signed up to the deal that the Labour Party did under Helen Clark and Cullen, of which we were part. Every maritime iwi did. The Māori Party from 2005 and 2008 went silent, but did a deal with the National Party that should

they get in after 2008, they would change the law, and with a compliant John Key and a man called Finlayson, that's precisely what happened. Now they've got 3,500 claims already as a consequence of that short-sighted behaviour. So if it's a foreshore and seabed moment, then you'd expect them to go quiet on the matter because that's what happened last time.

Media: You were in the US quite recently. Can you give us any sort of update around any sort of trade deal that you might have talked about with the US officials over there?

Acting PM: Well, I talked to Vice-President Pence. I talked to Secretary of State Mike Pompeo. I talked to Ambassador Bolton, and the leading man in Trump's office, his office organiser. Things were very, very positive about looking at New Zealand with new eyes and with a new sense of obligation, so I came away very encouraged.

Media: Why is it more optimistic now? What's changed since the last time that you were there?

Acting PM: The sheer understanding of the realities that we have to deal with out here in the Pacific, and the theatre, which goes all the way to Hawaii, all the way to Japan, and here, and accompanying recent events at the same time.

Media: What are those realities that you're talking about?

Acting PM: Those are realities that any half-awake journalist would have been paying attention to for the last few years.

Media: OK, humour me. Like, what are the—

Acting PM: I'm not here to humour you, I'm not here to educate you; I'm here to answer your questions and to say that for the first time for a long time, a number of countries are realising how we must all refresh and reset our views to secure economically and socially the security of our part of the world, the biggest blue continent, as we call it, worldwide.

Media: How close are we to a trade deal with the US, then?

Acting PM: Well, I can't tell you the date, but a whole lot closer than we once were.

Media: Can we cut to the chase, about this activity that's been going on for these years—are you talking about China?

Acting PM: No, you can write your articles in *Politik* and speculate without making your inquiry of me before you write those articles, Mr Harman, but we're talking about the theatre with our eyes wide open as we announced in Australia at the Lowy Institute, well over a year ago, what we were facing and how we intended to respond to it, and I'm delighted to say that a whole lot of countries have seen what we've seen and are joining us, ensuring that our values, our belief in freedom and security in our part of the world, has defenders and prosecutors with respect to our cause. That's how simple it is.

Media: Have you talked about problems working with China on aid projects in the Pacific around the, you know, requirements to bring in labour. As you said, you want to keep it open to everyone. So what are your issues in that space?

Acting PM: I didn't talk about having problems working with China. I talked about how we worked with China with respect to programmes where we, hopefully, are prosecuting our shared values, but there have been some projects which, alas, have gone wrong. I inherited all those projects, and we're trying to fix them up.

Media: The National Party announced its cancer plan over the weekend, including a cancer agency. When the Government announces its, finally, will it include a cancer agency?

Acting PM: Well, the present members of this Government had the nearest thing to a cancer agency, which was abolished by the National Party in 2015. I tell you that we

regret that the misery and sadness of some people have been, to quote the famous Greek saying, “As flies to wanton boys, are we to the gods;”—they use us for their politics, and that’s what’s happening here. It’s very, very sad. You’ve got Herceptin which National brought in, as you well know, before the 2008 election. Then you’ve got that skin cancer drug. Just those two costs \$50 million a year. There goes the National Party’s promise at the weekend. And then you’ve got all the infrastructure and a whole lot of other things that go with it: oncologists, nurses, and physician people nationwide for fair treatment, regardless of geographic spread—no consideration of that whatsoever.

And can I just remind you, when we talked about having a cancer agency in July 2017, this is what Mr Steven Joyce said: “It’s a waste of money to spend \$10 million on an agency.” I don’t know where he got that figure from. He said a new agency wouldn’t solve anything. And then, Mr English said, “It’s marketing. It’s just another bureaucracy.” It didn’t stop there, of course. Mr Coleman said in 2017: “It wasn’t the Government’s job to choose which medicines we get.” And then, by 2015, recall Mr Coleman said at that time, being the Minister of Health, presumably in consultation with his colleagues—at that time he said the agency was no longer needed. So if you think that their statements on the weekend have any integrity, you go right ahead. But I think it’s shameless that people’s misery, woe, and death are being used in this way. And we’ll make an announcement within a matter of weeks to show that we regard this matter deadly seriously.

Media: And that will include reinstatement of the New Zealand cancer control council—

Acting PM: You’ll just have to wait for the announcement, but you know we’ve been working on it, and there’s a clear indication that the National Party decided that they were going to stump up with some guesswork over the weekend. They made an announcement, and with the greatest respect, do any of you know what it means? How many people? Where? When? What drugs? Not a word of detail whatsoever.

Media: You give an impassioned speech about the history of the cancer agency in New Zealand. So will that be a part—Labour campaigned on its own; I don’t know where New Zealand First was, but will that be part of the Government’s cancer plan?

Acting PM: I can say long before Labour’s announcement in 2017, I was working privately and for a long time on exceptional rare drugs required for these cases. There are not many in our society, but the costs are massive, and there but for the grace go you and I. We’ve been working on this for a long, long time and we’re still going to work on it. So in that context, of course we support the idea of a serious refocus with respect to cancer. But the Government has been working on it for months now, and was only a matter of weeks away from making its announcement when the National Party at its conference thought that they would make that statement—enough money to cover just two drugs.

Media: So you’re pooh-poohing the idea of a fund like the one that—

Acting PM: No, no, no, where did you get that idea from? What I’m saying is the Government’s going to treat this matter seriously and will come up with our plans—the dimensions of our plans—how wide they spread and who they will concern and what our plan is for the structure and people to put around the cancer remedial delivery that we’re putting together. Can I just say, you know, I think Pharmac’s about 4.2 of our health Budget. Now, in some countries it’s twice that, and so the big issue that we’ve got to concern ourselves with is what can we afford? How can we get the best return for our dollar? But it’s rather sad that some of the statements that the National Party have made also would compromise any negotiation on the cost of drugs, which I regard as a demonstration of their lack of commercial common sense.

Media: Just back on Ihumātao—do you think that Crown buying back the land from Fletcher would reopen a whole bunch of Treaty settlements?

Acting PM: Yes.

Media: For what reason?

Acting PM: Well, it sets a precedent, and so it opens up a whole lot of Treaty settlements. And you've got to ask yourself: is this Moutoa Gardens? Is this Bastion Point? And on the law, with detail, and the facts and the research, the answer is no.

Media: Do you see an obvious solution?

Acting PM: Yes, there is an obvious solution: get to the truth, find out the facts, and make sure that everybody knows what they are.

Media: When you talk about the truth and the facts, are you referring to the fact that Te Kawerau had a mandate and therefore they're in the right?

Acting PM: Well, no, I'm not saying they're in the right. Let's go out and find out that things have been done properly, that the people who are making their statements have the authority to speak, have the mana to speak, and not just coming out of left field and don't belong there.

Media: So what is your message, then, to the protestors who are there? I'm presuming that's who you're talking about—

Acting PM: Well, my message is that I hope that you will actively reflect my answers to the question today. If you make that the proper message, they'll get it.

Media: What more can the Government do on this issue and in the short term?

Acting PM: Well, look, it's just a matter of a few days, in fact, since this thing first broke in the way it has. There have been all sorts of media comment, but, in the end, our job is to sort this potential crisis out, and we can do that best if we go from a point of view of historic fact and not just the views of some. In some cases, as someone who's been associated with Māori land claims for a long, long time, some people have no authority to speak whatsoever. We're not going to be listening to that outsider that doesn't belong on the land. That's steeped in Māori tikanga and it's steeped in Māori land ownership, and we're not going to ignore that.

Media: Time and time again, it seems to be mandate is the issue here—the same problem with Ngāpuhi. Do you think that there needs to be a re-look at the Treaty settlement process around mandate?

Acting PM: This is not like the Ngāpuhi mandate, or lack of it. The reality is we will get a mandate from Ngāpuhi—and much sooner than people think. That's how you go about it. We were confronted, back in the Helen Clark Government—2007-2008—with a seriously recalcitrant 14 iwi settlement in the central North Island tribes, and we settled it in three months when we got the proper formula. And I believe in the case of Ngāpuhi, we can do the same again.

Media: But on Te Kawerau and the mandate—they had a mandate. Now that's being questioned, so is there a fundamental problem with the way that mandates are given through that settlement process.

Acting PM: Well, if you want to examine that, then let's examine the quality of the mandate. But you should also ask who's questioning the mandate and who has the authority to question the mandate. Well, we don't just forget the very purpose of why we're trying to keep a Māori connection in this country and just make up rules as we go along.

One last question.

Media: On the issue of Resource Management Act reform, what chances do you think there are for a significant reform, given where the various parties have got positions?

Acting PM: Well, I'm aware of Mr Parker's announcement. Of course, this is a two-tranche approach, and I think there's a chance—on the four aspects, in particular, that he focused on—a serious chance for progress. And it should be across the House or across the political divide as well, because you'll remember the National Party went 9 years doing nothing and went into the 2017 election blaming New Zealand First, that wasn't even

in their Government. So perhaps now they can put their—show some good faith and support some real reform.

Media: Does your agreement to the Cabinet paper mean that therefore New Zealand First agrees in principle to the idea of iwi participation in the planning process?

Acting PM: Well, again, I mean, this paper's gone out for discussion.

Media: No—the Cabinet paper that David Parker said you signed up on.

Acting PM: Yes, but Mr Parker's put that out to the public at this point in time, and let me say this: that we are interested in consulting with every New Zealander—country and town, whatever their background, or any group that has land ownership or entitlement to be considered under the resource management legislation.

Media: But he said you'd agreed to the paper, which includes that proposition.

Acting PM: And your point is?

Media: Doesn't that—if you agree to a proposition, surely you agree to it.

Acting PM: And your proposition problem is?

Media: Didn't you oppose it last term?

Acting PM: Oppose what?

Media: Iwi participation clauses in the RMA.

Acting PM: With the greatest of respect—and you should know this, Audrey—I was with your father in 1975 and wrote section 18 into the Town and Country Planning Act, which was Māori participation, because I realised back then, as a young lawyer, that every landowner in this country should be included. Thank you very much.

Media: What do you think of the Prime Minister being on the cover of *Vogue*? Do you think her celebrity undermines her role?

Acting PM: You were going so well on the matters that concern New Zealand. That one doesn't, right?

conclusion of press conference