

POST-CABINET PRESS CONFERENCE: TUESDAY, 2 FEBRUARY 2016

PM: OK. Good afternoon. So, as you're aware, Ngāpuhi have met today to discuss whether or not I will be welcome at Te Tii Marae on Friday. My office has received a call from Titewhai Harawira, inviting me to the official welcoming on the lower marae. However, I understand that the marae trustees are meeting this evening to agree on their position.

Before I became Prime Minister I made a commitment to attend celebrations in Waitangi each year, providing I'm welcome, and I have honoured that so far. I attend a number of events at Waitangi each year, including the Iwi Leaders Forum, Beating Retreat, and the dawn service. It's my strong preference to attend all of them. But I understand that tikanga states that Te Tii Marae is the gateway to Waitangi and the Treaty grounds. Therefore, if I'm not welcome or not permitted to speak at the lower marae, I have no intention of gatecrashing events at Waitangi. If that is the case, I would celebrate New Zealand's national day in another part of the country.

As you know, Thursday is a significant day for New Zealand with the signing of the Trans-Pacific Partnership agreement in Auckland. The TPP is our biggest free-trade deal. Successive Governments have worked to get free-trade deals with countries like the United States, Japan, and Canada for around about 25 years. We now have some TPP opponents, including Labour, resorting to deliberately misleading New Zealanders.

TPP will create significant new trade and investment opportunities for New Zealand and it makes it easier for Kiwi companies to do business overseas. That means more jobs and higher incomes for New Zealanders. I'm proud of the work our Government has done to get this deal over the line following the groundwork laid by the previous Government under Helen Clark and Phil Goff. As a country we will never get wealthy, build a strong, growing economy, and create jobs by selling products solely to ourselves. Trade is in our lifeblood. Take fish away from Nelson, kiwifruit away from the Bay of Plenty, and wine from Marlborough, and see what happens to the regional and national economy.

The TPP gives our exporters access to 800 million customers in 11 countries across Asia and the Pacific. It is estimated that it will add \$2.7 billion to the New Zealand economy by 2030, but I think that that is conservative. The China free-trade agreement, for example, has exceeded all expectations. Trade between our two countries has doubled to \$20 billion since the agreement was signed in 2008. Our kiwifruit and wine growers are also reaping the benefit of the Korean FTA. You will have seen last week that our wine exports reached a record \$1.5 billion in 2015, up 14 percent on 2014. The TPP will boost these exports even further.

As with all free-trade agreements, we've made some concessions, but overall the agreement is overwhelmingly beneficial to New Zealand. Medicines will not cost any more, and the Pharmac model will not change. Opponents claim we'll give away our sovereignty. That's completely wrong. The TPP has almost identical provisions as the China FTA and the Korean FTA to ensure that Governments are open and transparent and to allow affected people to make submissions on proposed laws. TPP countries will not be able to dictate New Zealand law. TPP also includes a specific provision preserving the Treaty of Waitangi, and nothing in TPP will prevent the Crown from meeting its obligations to Māori.

New Zealand's future lies in being open and connected with the rest of the world. Withdrawing from TPP would put our exporters at a serious disadvantage and cost New Zealanders jobs. This is about doing what's right for New Zealanders by supporting an agreement that will bring prosperity, jobs, and higher incomes for your kids and mine.

In terms of my activities this week, I'm in Wellington tomorrow for our all-day caucus, in Auckland on Thursday, and Friday and the weekend are TBC, so to speak.

Media: So why is it so important for you to speak on the marae? Why will you not go if you can't speak?

PM: Well, tikanga is that you go to the lower marae as the gateway to Waitangi. I have always had the opportunity to go and do that, either as Leader of the Opposition, actually, or as Prime Minister, and I think it's pretty clear, you know, that we either go there and carry on and do the things that we've been able to do in the past, in which case we'll go up and we'll be part of the celebrations, or we don't. We don't gatecrash events. I don't gatecrash people's houses. I don't gatecrash their social functions, and I'm not gatecrashing something if Ngāpuhi don't want me at the lower marae.

Media: Do you still want to go, given it's very clear how divided Ngāpuhi are about your attendance?

PM: Well, I made a commitment to go, and I intend to honour that commitment, providing I can carry that commitment out, which is the opportunity to be there and put the Government's position.

Media: Prime Minister, did Tītewhai Harawira—did she call you. Is that right?

PM: She called my adviser, yeah.

Media: And so she is speaking on behalf of who, do you think? Is she speaking on behalf of the people at the hui?

PM: Well, I've sort of been following the ping-pong of the tweets so, look, honestly I'm not exactly sure. Maybe she's just speaking for the Harawira family, but in the end, anyway, she rang my office and said, look, we'd be invited, she'd be escorting me on, she'll look forward to seeing me on Friday.

Media: So who do you want the invite to actually come from? Do you know who is—

PM: Well, technically what happens is the responsibility for the invite rests actually with the marae custodians or wardens, so they're the ones that actually make the call, and that's because they have responsibility for the day. So, in the end, it's the marae trustees that issue the welcome.

Media: So if the marae trustees say to you "Come.", you will go?

PM: Yep. And if they say "Don't.", I won't.

Media: The marae trustees say that they don't want you to talk about politics; they want you to come and commemorate Waitangi Day, and they don't want [*Inaudible*] on to the marae. Would you be happy to go and talk about Waitangi and not talk about politics?

PM: Well, we don't go there particularly looking to debate, you know, politics per se, I suppose. We do go as part of the responsibilities and the ongoing responsibilities, as I see it, to honour the Treaty, which is, you know, a living document. I mean, that is the ongoing discussion between, you know, Māori and the Crown. And so, as the Crown's lead representative, if you like, in this regard, you know, I go along and discuss the issues of the day. I mean, when you say "Don't discuss politics.", what would that mean? Would that mean we don't discuss education, we don't discuss health, we don't discuss, you know, the review of Child, Youth and Family—I mean, where does that all begin and end?

And, anyway, you and I both know that there are protesters in probably quite large numbers heading for the lower marae. So what would that mean? Would that mean I would go on and then completely ignore what they were saying, or, in fact, not rebut the obvious things that they are getting wrong and misleading people over? I just don't see how that's that practical.

Media: One of the were the options put on the table today in terms of the conditions for you going was that you spent, say, an hour in the tent actually clarifying and discussing the TPP with local Māori up there. Is that something that you would consider doing?

PM: We go to the lower marae. We follow the well-trodden path over the past. We go and we speak about the issues of the day, and then I give a formalised, obviously, breakfast speech the next morning. We're not intending to change that.

Media: I understood there was going to be a meeting with iwi forum leaders up there at the same time with Ministers. Will other Ministers be going to that?

PM: My understanding is yes. And it'd be my intention to go as well as inviting them there.

Media: So you'd go—yeah, but if don't go to Waitangi, you won't go to the iwi leaders meeting?

PM: No, I'd just meet them another time. I meet them half a dozen times a year.

Media: And if you don't go on to Te Tii, I assume you wouldn't have—none of your Ministers would go on at any point either.

PM: Well, we'd need to confirm all that—I don't know. I mean, in principle, as I said, the way the custom's explained to us, at least, is that you go to the lower marae as the gateway to going on to do all of the other things, so I can't 100 percent say that. In the end the decision, it is not really—in a way you're asking me about what I'm doing. It's not actually about me. I'm not the one saying, you know, I won't go; I'm simply saying I go because I'm invited to go, and if they choose not to invite me, I'm not going to throw my toys outside, stamp my feet, and sort of somehow protest about that. You know, like any other event around New Zealand, I go if people invite me to go, and if they don't invite me, I don't go.

Media: But they're not the custodians of the Treaty ground—I mean, why wouldn't you go to the dawn service?

PM: Well, because the tikanga of it is that you go through the gateway, which is the lower marae.

Media: Well, that's not how Helen Clark—I mean, you know, after all the shambles that happened there when she was Prime Minister —

PM: But she never went to the dawn service.

Media: Yes, she did.

PM: No, she didn't. She didn't like it. She said she wasn't a morning person. She never used to go. When I was the Leader of the Opposition, she was never there.

Media: She went to the upper Treaty—

PM: Well, OK. So she didn't go to the lower marae, she didn't go to the dawn service, she occasionally went to the breakfast she held, and didn't give a speech. I don't know—whatever.

Media: So would you consider it an insult if you were invited but you weren't able to speak?

PM: Well, I'm not going if I can't speak. I mean, you know, it's pretty simple, isn't it?

Media: But is it insulting?

PM: Well, look, in the end, they're either inviting me to go as I normally do as the Prime Minister of New Zealand, or they're not. If they're not, they're not; that's cool. But—

Media: Weren't you shouted down there recently?

PM: Sorry?

Media: Weren't you shouted down there?

PM: Yeah, but I still spoke. I still spoke; it's just that no one could hear it. But I still spoke.

Media: It's not, though, always a given that you do get to speak. They allow you to speak. You're then demanding that in their house you speak.

PM: No, it is a given; I always speak, because, again, there's a well-established custom, and you go through a variety of speakers, and there's the reply speakers and the Prime Minister, as the most senior representative of the Crown, would always speak.

Media: Speaking of Helen Clark—

PM: Yes.

Media: When Tony Abbott, you know, the Australian—

PM: Yeah. I remember him, yeah. My memory's not that hazy. I know it is some days, but it's generally not, but, yeah.

Media: When he said he would back Helen Clark, did you know that he hadn't actually consulted Julie Bishop about that?

PM: No. I mean, I didn't have any—I didn't have any discussions with Julie Bishop. I simply had discussions with Tony Abbott. And it was a relatively simple process. I mean, we thought, at the time, it was a possibility that Helen Clark was going to put her name forward, and I'd had a discussion with Tony about Helen being, you know, a very strong candidate. The New Zealand Government would back her. He said at the time: "Look, you know, if she puts her name forward, I would have thought Australia would support that." And so there was an exchange of letters. A letter came back from Tony Abbott saying that Australia would support her if she put her name forward. As it turned out, she didn't actually put her name forward. You know, Helen was well and truly aware of the letters and well and truly aware of the fact that Australia had offered that support.

What I would say, though—and this is what I said to Malcolm Turnbull when he raised the issue with me over the weekend—you know, once the change of prime ministership happened, we wouldn't consider it a binding obligation. It was a point in time that Tony Abbott as Prime Minister of Australia made, but the situation has changed now. Hopefully they would, if she puts her name forward, but that doesn't mean they will.

Media: But you wouldn't expect them to back her over Kevin Rudd, if he put his hand up?

PM: Well, in the end, I think they have to make their own call. And as he pointed out, you know, that would be under their system, taken to Cabinet, and the decision would be made.

Media: Are you planning on trying to convince him to back Helen Clark on your visit to Sydney?

PM: Well, I made—I've spoken to Malcolm because of the stories that were in *The Australian* newspaper over the weekend. As I said to him, I think Helen Clark's a very, very strong candidate. She's got all the credentials. She's, you know, extremely capable. And personally, frankly, I hope she puts her name forward and gets the job. But, you know, I'm more than happy to continue to make that case, as I would to any other leader I could talk to, if she put her name forward, because we would strongly back her campaign. But, in the end, that's ultimately a matter for Helen Clark to decide: whether she wants to put her name forward.

Media: Were you surprised when Tony Abbott offered to back Helen Clark, knowing that Kevin Rudd's name was being thrown around—

PM: Well, I don't think that was all that clear. I mean—and even now, you know, we absolutely—I can't absolutely tell you that, you know, either Kevin Rudd or Helen Clark will put their name forward. I think there's a whole lot of people looking at the situation and trying to determine what step that they take.

Media: If Clark didn't put her name forward and Rudd did, would New Zealand back Rudd?

PM: I don't know. I would have to have that discussion both in—in the first instance with the Minister of Foreign Affairs, then ultimately we'd, like the Australian system, I think, we'd take an oral item and discuss it at Cabinet.

Media: If there was still uncertainty about whether or not you were invited on, would you take the risk and go up there in case you were?

PM: Well, I don't think there will be uncertainty, because, I mean, in the end they're going to have that meeting, as I understand it, tonight, the marae trustees. So I'd imagine they'll make a call on it pretty quickly.

Media: Have you any contingency plans in place [*Inaudible*] you could celebrate Waitangi Day?

PM: No, but I mean, there'd be plenty of places. You know, there are lots of—in the past I've been to events in Auckland, events in Wellington. I could potentially go to the South Island. So there'll be plenty of other options available for me.

Media: Has anywhere else invited you?

PM: Well, I don't think they thought that that was on the table. But in the event that it was, I'm sure there'd be other offers.

Media: What does it say about New Zealand that the Prime Minister can't go on to the national marae on our national day?

PM: Well, look, in the end I'll leave other people to, sort of, judge that. I can only be judged on the commitments that I make, and I've done everything I can to honour that commitment. And I'll do everything within my power, if I'm issued an invitation, to go. You know, I still can't rule out that if there are, you know, very significant protests and I can't practically get on the marae—I mean, there are always things that are beyond my control. If that was the case, I wouldn't be able to go on either.

But, in the end, actually, my view has been that, you know, Waitangi Day and the days that precede that are very important days for New Zealand, because I always see the Treaty as the sort of foundation stone under which, you know, modern New Zealand was formed. And it is an ongoing partnership, and it is really important, I think, that for the symbolism of the fact that the Treaty was signed there, that as Prime Minister I go there. And that's why I go. I could go to other places, but I think it has a bit more significance—going to Waitangi. And, actually, in my experience, outside of what happens on the lower marae, generally it's both quite a day of sort of family celebrations and the likes.

I do worry, quite a lot actually, about the images that come out of the lower marae because I think, in the end, those images also go around the world. I think sometimes it reflects badly on our country, because we look across the Tasman, for instance, at what we see in Australia. In Australia we see signs and, you know, pictures of great celebration on their national day, and sometimes I think the wrong images are portrayed, but in the end I can't control that; all I can do is what's within my control.

Media: Will you still go if they try and control what you can or can't say on the marae?

PM: Well, I don't seriously think they're going to do that, because in the end I don't have a scripted speech, and actually I don't—I don't edit or gag their speeches. I mean, they get up and say what they like, and I get up and say what I think the Government's position is, so it's pretty straightforward.

Media: Just on TPP, do you expect any issue to be up for renegotiation in the next month or 2, either at the meeting or [*Inaudible*]

PM: I don't think so. Look, I'm aware of that there's been some media reports that Mike Froman, the US representative, has been arguing that there should be an extension from 5 to 8 years when it comes to biologics. New Zealand's position is very clear: it's 5 years. We have no intention of changing that.

Media: What's your view on Return of the Kings, the pro-rape group? Would you allow him into Australia or New Zealand?

PM: I don't think so. In my view there's a good character test, and he wouldn't meet that good character test. OK—

Media: Sorry, [*Inaudible*] is now considering raising GST. Once again you're often cited as someone who did this successfully. Any advice?

PM: Oh, you know, each country has to make its own decisions on tax policy. We did it in New Zealand because we thought it was a better mix in our tax system. So you remember at the time, obviously, we lowered personal taxes, we raised GST, and we put on new property taxes, and we thought the mix was better. We thought it was fairer for taxpayers, and I think that's proven to be the case. It also puts more integrity in our tax system. So we lowered the top personal rate to align it with the trust rate, had a more competitive company rate, and distributionally it was neutral. So, look, in the end they were the factors that we thought were important. But Australia's a different system, it's more complicated in some ways than ours, so I wouldn't—you know, I'm not the expert to comment on it. But I think it's worked in New Zealand.

Media: Did your office or any other Minister's office have any involvement in the letter from business leaders on TPP?

PM: Well, not as far as I'm aware. No.

Media: So no discussions were held with any of those business—

PM: Well, you'd have to ask other offices, but I certainly wasn't involved in anything. Not as far as I'm aware; no.

Media: You've come in for a bit of criticism on social media for using the example of a waitress to describe Labour's policy. Do you regret using that particular—

PM: No, not in the slightest. I mean, if you look at their policies, the simple point I was making was that, you know, nothing in life is free. It doesn't matter whether we get up and say, you know, doctors visits are free or they get up and say an education policy's free; it's not free. I mean, ultimately, everybody understands that taxpayers or somebody pays the bill. And—

Media: But you did say doctors visits were free—

PM: Yeah, but the point I'm saying is, everybody understands that, you know, Governments don't magic up money. When we say "free", what we mean is that you don't pay as a user for that, and so my point was simply if you look at this policy, one thing we know about tertiary education is, on average and on balance, those people who have tertiary education earn more over time. It seems—you know, given that at the moment taxpayers are already paying 70 percent of the cost of tuition for a tertiary education person, I think that that split of about 70:30 feels about right and taking more, a bigger share, if you like, off a lower income worker seems a bit odd to me.

Media: But the criticism hasn't just been the standard argument about what the people are paying for students; it was also using the example of a waitress, given Amanda Bailey and the instance last year.

PM: Well, I'm not going to not talk about waitresses for the rest of the time I'm Prime Minister.

Media: But the—I mean, waitressing, you need NZQA qualifications, which—

PM: Yep. Well, you can do, but there's also plenty of people who are—are not highly skilled that will be waiting on tables. That's also true.

Media: The TPP, the Ministers, when they gather, will you speak to them? Will you be making a speech to the trade Ministers?

PM: Oh, when they come to—yes, I’m giving a speech on Thursday.

Media: What is your message to them?

PM: Well, it’ll be a welcoming message for people coming to New Zealand, but also it’ll be—you know, in my remarks I’ll just be simply talking about what we see as the historic importance of TPP: that it’s a building block, it’s come out of the Asia, or APEC, meeting, and that it’s a milestone for our countries.

Media: Do you have a plan B in case the protests at Skycity get out of hand?

PM: Well, I don’t have a plan B, but I’m not in charge of all the security for that.

Media: Do you know if there is a plan B?

PM: I don’t know. You’d have to ask them.

Media: Do you have any message for the protesters who are planning to come out on the day?

PM: Well, I think it’s really important that people just are informed about the issues, because I think, you know, if you look at some of the comments I’ve seen—you know, I saw someone was getting vox-popped about “What does TPP actually mean?”, and some of the things they were saying were just a hundred million miles away from the agreement. I think there’s a fair bit of misinformation out there.

I can’t stop that, but all I can say is if people actually look at the informed debate, the claims that are made are not true. It does exclude the Treaty, so it doesn’t have an impact there. It doesn’t affect our sovereignty—most of the provisions in there are not new. Other countries can’t write our laws—they can make a submission, but lots of people make submissions about laws the Government puts in and we don’t always listen to the submissions. It doesn’t increase our pharmaceutical costs. There’s just a lot of misinformation there.

Media: Yes, but if there is a lot of misinformation out there, doesn’t that mean that your Government have done a really bad job of selling it?

PM: No, I don’t think so. You know, we put a lot of information into the public domain. But it’s complicated—it’s 6,000 pages. The national interest assessment alone is 270.

Media: Well, why do you think Labour are opposing it?

PM: I don’t think they are. Go and ask David Shearer and Phil Goff and probably half of their caucus, who I keep hearing reporting back, you know, greater numbers of people internally in the caucus, you know, supporting TPP, but Andrew Little’s not letting them.

Media: What do you think of the fact that Andrew Little has publicly said that he will vote, and let Labour vote, for any legislation enabling the tariff reductions for TPP—so they would vote for that part?

PM: Well, he’s got a completely messed-up message. I mean, he just doesn’t understand what he’s doing, I don’t think. I mean, you can’t vote for one bit and not vote for the other bit and somehow—you can’t hold cocktail parties, you know, like they did last year, telling people they’re pro-business, and go around the country and tell people they’re pro-regional development, and then on the same hand, the very best opportunity we have to get better access for our goods and services and to make businesses stronger in New Zealand, take away that opportunity. As I said at Rātana Pā, you know, if we don’t choose to sell our goods and services into those markets that are covered by TPP, Australia will. So—

Media: But if they did vote for the tariff-enabling legislation, wouldn’t they then give themselves the chance to say: “Hey, we let kiwifruit growers and wine growers”—

PM: I don’t think that’s really going to cut it, because it doesn’t work like that. You know, it’s a free-trade agreement. There’s always, like anything in life, a bit of give and take, but you’re either voting for it or you’re voting against it.

Media: So does that mean there'll be only one bill?

PM: I can't absolutely answer that, because there's enabling legislation that comes off it, and I haven't seen that.

Media: So it's possible that Labour could vote for little bits of the TPP but not the whole thing?

PM: You'd need to ask Labour. I just—look, I'm more confused than they are, I think, about what their position is.

Media: Aren't you planning an omnibus bill?

PM: As I say, you'd have to go and have a look at it. There's enabling legislation that comes off; I haven't seen it. OK.

conclusion of press conference