

PO Box 50-271
PORIRUA

18 April 2008

Attention: Helena Catt
Chief Executive Officer
Te Kaitiaki Take Kowhiri/The Electoral Commission
PO Box 3050
WELLINGTON

Tēnā tātou katoa i ngā tini āhuatanga

**Submission to the Electoral Commission on the Allocation of
Broadcasting Time and Funds for the 2008 General Election**

1. This submission is presented on behalf of the Maori Party, a registered political party which considers itself eligible for an allocation of broadcasting time and money for the purposes of broadcasting election programmes at the 2008 General Election.
2. It is our intention to prove to the Commission that the Maori Party fulfils all criteria outlined in section 75 (2) of the Broadcasting Act 1989 and is therefore qualified to receive an allocation of both time and money.
3. This submission focuses on those matters which will assist the Commission to make its decision regarding (a) an allocation of free time for the Maori Party to broadcast its opening and closing address on TVNZ and RNZ, and (b) an allocation of money to meet production and broadcasting costs of election programmes during the election period.
4. The Broadcasting Act outlines the criteria which the Electoral Commission must have regard to when allocating money and time to political parties. These are our responses to the matters raised in the legislation.

5. ***'The number of persons who voted at the immediately preceding general election for the Maori Party and for candidates belonging to the Maori Party.*** The Maori Party is a relatively young party, formed on the 23rd May 2004. On 15 October 2004 the Maori Party was approved as a registered party; and contested the general election for the first time in 2005. In the final count, the Maori Party received 48, 263 party votes (or 2.1% of the total vote). It should be noted that in winning four seats in the 2005 election, we are the only party that can lay claim to the fact that we have quadrupled our number of MPs. The following successful results reflect the 2005 votes.
- Te Tai Tokerau: Hone Harawira (9965 votes, with a majority of 3613)
 - Tamaki Makaurau: Dr Pita Sharples (10024 votes, with a majority of 2127)
 - Waiariki: Te Ururoa Flavell (10392 votes, with a majority of 2871)
 - Te Tai Hauauru: Tariana Turia (10922 votes, with a majority of 5113)
6. As a total across the seven Maori electorate seats, the Maori Party received 62, 994 votes (48.72% of the total votes cast in the Maori electorate seats). In the remaining Maori electorate seats, the Maori Party was the second highest candidate in all three seats. Monte Ohia received 6512 votes in Te Tai Tonga; Atareta Poananga received 7570 votes in Ikaroa Rawhiti; and Angeline Greensill received 7609 votes in Tainui. In 2005, the Maori Party also contested seats in 35 general electorate seats, earning 12082 candidate votes.
7. The Maori Party currently has four Members of Parliament, Tariana Turia, Member of Parliament for Te Tai Hauauru; Dr Pita Sharples, Member of Parliament for Tamaki Makaurau; Te Ururoa Flavell; Member of Parliament for Waiariki and Hone Harawira, Member of Parliament for Te Tai Tokerau.
8. The Maori Party has a diverse membership of 23215 members nationally (note statutory declaration attached). We are a new and rapidly growing

party whose results are likely to exceed figures projected from current polls.

9. The polls confirm that there is growing support in the Maori electorates (See Appendix one for details of consistent polling information from UMR, Colman Brunton and Roy Morgan). The Marae digipoll of February 2008 produces the following predictions (with a margin of error for each seat of 10.3%).

- Te Tai Hauauru : 69% (Maori Party) to 22% (Labour). 100% probability of Maori Party lead.
- Waiariki : 60% (Maori Party) to 25% (Labour). 100% probability of Maori Party lead.
- Te Tai Tokerau : 58% (Maori Party) to 22% (Labour). 100% probability of Maori Party lead.
- Tamaki Makaurau : 53% (Maori Party) to 27% (Labour). 99.9% probability of Maori Party lead.
- Ikaroa Rawhiti : 54% (Maori Party) to 31% (Labour). 99.4% probability of Maori Party lead.
- Te Tai Tonga : 50% (Maori Party) to 33% (Labour). 96.8% probability of Maori Party lead.
- Hauraki Waikato 45% (Maori Party) to 37% (Labour). 80.6% probability of Maori Party lead.

10. Of the 1003 Maori voters surveyed between 7 – 27 February 2008; (inclusive of 665 voters registered on the Maori Roll) 56% of those polled preferred the Maori Party for their electorate candidates (with next highest being 28% for Labour).

Factors of special consideration for the Maori Party

11. Political commentator Therese Arseneau, has provided a fascinating analysis of how smaller parties are positioned in Election 2008 which bears close reading (11 April 2008). In her paper, Arseneau refers to an Otago University study by Chris Rudd and Scott Connew which found newspaper coverage of the smaller parties during the 2005 election

campaign was, overwhelmingly, focused on the political 'game' rather than on substantive policy issues. That study, Arseneau explains, revealed that out of a total of 212 stories dealing with the smaller parties, 19% were about policy. The other 81% were about the game or strategy: who is winning, who will cross the threshold, who is the preferred coalition partner.

12. Such an analysis points out the unfair advantage (which we acknowledge is a creation of a media with an FPP and presidential election type mindset) that the larger parties hold, in receiving the great bulk of media attention on policy in the lead up to the Election campaign. In the interests of equity that such a disproportionate allocation of time for the larger parties to present their policy arguments makes a strong case for giving the smaller parties a more substantial allocation of time in the opening and closing addresses, in order that the voting audience has access to a more balanced presentation of information, equally applied across all parties.
13. The other interesting observation made by Arseneau is that the recent *Herald Digipoll* of 30 March 2008, concluded that if their scenario was to be enacted, the Maori Party would be the only other political party likely to win more than one seat. We would suggest that this places us in a position of considerable strength, which could be appropriately recognized in the allocation of opening and closing addresses.
14. Throughout the political history of this country, and despite the agreements made in Te Tiriti o Waitangi, the Maori voice has been marginalised from the broadcasting opportunities accorded major political parties in election campaigns. Without special attention, the impact of tikanga Maori will be reduced to a minor role in the 'state of the nation'. This is a particular concern for us as the only **independent Maori political** voice in the Parliament.

15. The Maori Party offers a unique opportunity to demonstrate balance between the two signatories to Te Tiriti o Waitangi through the medium of Maori television and iwi radio.
16. There must be provision in the Election 2008 broadcasting allocation to accommodate specific provision for the Maori channel, to ensure messages are conveyed in the context of Maori values and thinking. The Maori Party will be the only party that can readily relate to tangata whenua as an **independent Maori political voice**, and in this way appropriate broadcasting allocation will enable the expression of rangatiratanga along with the kawanatanga partner.
17. The commitment to expressing our message through te reo rangatira, an official language of Aotearoa, will bring with it significant cost and timing issues that will not be a priority for other parties. To deliver in te reo is an expectation from tangata whenua that the Maori Party must adhere to. The limited times allocated (as outlined in point 25) are but one problem. We are also faced with more challenging production costs compared to other parties in terms of meeting the additional costs of bilingual production. And yet we note that part of the criteria as set out in the Act is *'to provide a fair opportunity to each Party'*.
18. Our commitment as a party to kaupapa tuku iho makes it particularly important that we speak our messages in both te reo Maori and English. The High Court decision of 1991 confirmed the view that the Crown accepts that *"the principles of the Treaty impose a continuing obligation on the Crown to take such active steps as are reasonable to assist in the preservation of the Māori language by the use of both radio and television broadcasting"*. The Privy Council recognized that there is no more important taonga than the reo, and it is necessary that the Crown must do what it can, when it can, to honour this commitment to tangata whenua. The current broadcasting allocation process is a prime opportunity for such commitment to be demonstrated.

19. **Following the 2006 Maori Electoral option**, there are over 385,977 people who have identified themselves as Maori who are now enrolled to vote. Of these eligible Maori voters, the majority will be voting in Maori electorates. Between the end of the last Māori option in 2001 and the end of the current Māori option on 2 August 2006, registrations on the Māori roll increased from 188,487 to reach 244,121. The number of people on the General roll who declared that they were of Māori descent is 178,139.

20. **There is also a number of Maori and other New Zealanders who have yet to enrol to vote.** All the reports tell us that young Maori are the least likely to vote. Yet these same reports say that young Maori are interested in politics, they have a sound knowledge of political processes and a high level of interest – but they do not take part. The Maori Party is uniquely placed to be able to engage young Maori in the political process, and to increase the historically low turnout. It is a case of particular occurrence where the Maori Party is able to have an influence on increasing the democratic participation of Maori, better than any other party. The Māori descent population as reported in the census has increased from 671,293 at the time of the 2001 Census to 721,431 at the time of the 2006 Census.

21. Evidence from Veronica Tawhai and Christine Cheyne [*Maori Engagement with Local Government: knowledge, experiences and recommendations*] concludes that Maori are often not well placed to consider party policy manifestos in political contexts (eg local candidate meetings) which makes an even stronger argument for ensuring television and radio party political broadcasting can be used to reach that group, and thereby attract them into the democratic process. We believe that whilst the onus is on the nation to increase Maori participation in the democratic process, there are ways that the Maori Party can achieve this goals in that we appeal to this particular constituency.

22. The number of Maori who have entered into a relationship with a person from whakapapa other than Maori is also steadily growing. While in 2001

there were 62, 298 Maori in this category, in 2006, the numbers had grown to 73, 767. These people, and their children and grandchildren, will have a vested interest in hearing a strong and independent Maori voice.

23. As the only Maori party standing, this year it is imperative that the Maori party be given an opportunity to convince the growing Maori population, and other New Zealanders to participate in the electoral process. It can do this by being given ample time to open and close its campaign on National television and radio.

24. For years Labour and National have been accorded the most time to convey their political messages to the nation. Given the change to MMP and the fact that all parties in Parliament apart from the Government are considered the opposition, rather than continuing to allocate time or funding according to whether a party is the government, we seek that the commission support allocation according to need for all parties who have fulfilled criteria as outlined in the Act. With the Maori Party predicted to be one of only three parties in Parliament with more than one member, the Maori Party should have equal importance to the two larger parties in the make up of the next Government.

25. With only 72 minutes to be allocated for opening addresses, perhaps an overall increase in time should be considered to avoid the marginalization of tikanga Maori. With only thirty minutes allocated for a closing address of all parties, the Maori party will be hard pressed to complete its address according to Maori tikanga, particularly when addressing the Maori people, within such a limited time. However if this is all the time that is to be allocated then the party would expect consideration of the cultural context in the allocations to be an area that the Commission will take into account.

26. Finally, with the significant number of votes received in 2005, both in candidate and party votes, and with the success achieved in winning four seats, alongside our ever increasing membership, the Maori Party has considerable confidence in our capacity to achieve our long term electoral

strategy, to be a key player in the New Zealand Parliament. We anticipate that the 2008 Broadcasting Allocations will reflect the steady progress the party has achieved across the New Zealand political arena.

27. In conclusion, we look forward to addressing you on the 29th April 2008 at 9am to discuss our submission and clarify matters if required. Our submission will be presented by myself, and Richard Orzecki. We look forward to participating in what we know will be a fair and consistent process for all applicants.

Heoi ano

Professor Whatarangi Winiata
President, Maori Party

Maori Party Polling 2005-08

