

21 October 2021

**Rt Hon Trevor Mallard
Speaker of the House
Parliament**

Tēnā koe Mr Speaker

Please consider this an official complaint on behalf of Te Pāti Māori about your conduct as the presiding officer in Question Time today.

I refer to Standing Order 390 – content of questions. This standing order does not prevent the use of assertions in questions. Members from all parties often ask questions with assertions in them, and do not have them ruled out of order. For example, many members ask questions like “does he/she agree with xxx opinion/assertion”. As I pointed out in the House today, Minister Hipkins asked a question with an assertion directly after Rawiri’s and you did not rule that out of order.

I note your Speaker’s Ruling from 2018 which states Members cannot rely on unsubstantiated assertions to hang a question off. However you allowed Minister Hipkins to do just that without providing any authentication or making any attempts to substantiate it, he didn’t even refer to a specific person, statement or action.

We do not believe it is appropriate for you as Speaker to determine what is a fact and what is an assertion, it is not possible for any one person to be able to objectively judge that in the moment unless you were to require authentication for supplementary questions. I am certain that the assertion that I used in my question is just as much of a fact as the assertion used by the Minister. You seemed confident in seeing the assertions of Mr Pem Bird as facts because you had seen media articles. Clearly you haven’t seen media articles which prove the PM has consistently ignored the advice of Māori health experts, but I assure you they exist. If you are going to continue to apply this rule the only fair and consistent way of doing so would be to require that supplementary questions are authenticated as the presiding officer could not, and should not, be expected to be across every detail of every issue in every moment.

Putting aside the relevant Standing Orders and Speaker's Rulings, your response to my point of order was grossly inappropriate and unbecoming of your position as Speaker. The Minister, in making his assertion, had not given any names nor tried to associate any names with any political parties. How did you know the Minister was referring to Mr Pem Bird? There have been other "Māori leaders" who have been discouraging vaccinations. Therefore, we can't see this as anything other than a direct attack on both Mr Pem Bird and Te Pāti Māori coordinated between yourself and the Minister. Even if you hadn't coordinated with the Minister, you inserted yourself into the political debate with the effect of supporting the government's narrative and undermining Te Pāti Māori's narrative, in response to the Minister's *unsubstantiated assertion*. You used parliamentary privilege to make assertions about Mr Pem Bird's actions and failed to uphold the impartiality of your role because you associated a member of the public with a political party for the purpose of making a political point with negative political connotations.

We expect a retraction of your comments and a public apology to both Mr Pem Bird and Te Pāti Māori.

Nāku nei,



Rawiri Waititi
Kaiārahi Takirua
Te Pāti Māori