

Submission on Regulatory Standards Bill

Brainwave Trust Aotearoa

June 2025

Brainwave Trust Aotearoa

Brainwave Trust is an independent charitable organisation whose purpose is to promote the healthy development of all our tamariki/children and taiohi/adolescents.

We achieve this through education based on Western science and indigenous knowledge, particularly Mātauranga Māori. We share evidence-based knowledge about what can support or detract from the health, positive development, and wellbeing of tamariki/children and taiohi/adolescents, as well as the impacts of this across the lifespan.

We do this because of the inherent value of each tamaiti/child, and because we recognise that providing a positive start for all tamariki ultimately benefits society, in both social and economic terms.

Key principles from our knowledge pertinent to this Bill:

- Experiences that tamariki have can profoundly impact all areas of their health and development throughout their lives.
- Protective factors, for example, whānau having sufficient resources, make positive, healthy outcomes for tamariki more likely.
- Conversely, “exposure to adversity can have lasting and widespread effects on health throughout life.”¹
- What whānau/family do matters for tamariki/children. However, what happens beyond the family can help or hinder their ability to raise their tamariki well.
- What happens in our communities and our country impacts tamariki. We have a collective responsibility to ensure children and young people’s rights and needs are considered in all policy and legislation.

Brainwave Trust Aotearoa strongly opposes the Regulatory Standards Bill (RSB).

¹ O’Neill, K.(2020). Adverse Childhood Experiences: Understanding their effects.
<https://brainwave.org.nz/article/adverse-childhood-experiences-understanding-their-effects/>

Reasons for opposing the RSB include:

The process of the Bill:

- The Bill has constitutional effects but lacks the level of consultation expected when such far-reaching changes are proposed.
- A lack of meaningful consultation with Māori as a Treaty partner
- The Government has sought to rush things through, “under urgency,” contradicting the Bill’s purported aims of good law-making.
- The RSB seeks to amplify and embed libertarian values into both future and current legislation, views held by less than 9% of voters in the 2023 election. The views of a minor party should not be enshrined in the constitutional fabric of Aotearoa.

The purpose of the RSB

- The bill prioritises the interests of private property ownership over the public good and collective social responsibility, which will adversely affect the wellbeing of tamariki, taiohi, and those who care for them.
- By privileging property ownership and, particularly, commercial interests over public health, the growing inequality of New Zealand’s tamariki is likely to become further entrenched.
- This Bill would increase the negative impacts of decades of neo-liberal policies on Tangata Whenua and Tagata o le Moana communities in particular, driving disparity and inequity. These policies directly impact the lives of many tamariki in Aotearoa / New Zealand, and the most quickly growing demographic groups, Māori and Tagata o le Moana (Pacific people) under 25 years of age.
- The RSB will make it much more difficult to create legislative change to address New Zealand’s many social and health issues. The health needs of tamariki/children and taiohi/adolescents conflict with the profits of some entities, for example, companies producing and selling tobacco, alcohol, and ultra-processed foods.
- It is unnecessary, given that the World Bank put New Zealand in the [top 2% in terms of regulatory quality in 2023](#).
- Currently, legislation is tested against Te Tiriti o Waitangi, which offers protection to all as it seeks to honour relationships, intergenerational impacts, and responsibility to the environment in which we live and raise our children. The RSB is being positioned as superseding this.

- While positioned as being about efficiency and a framework for developing good legislation, the RSB seeks to undermine Te Tiriti o Waitangi and roll back many protections against racism and investment in poverty elimination.
- The proposed legislation will affect everyone in Aotearoa / NZ, but Māori in particular will continue to bear the brunt intergenerationally, due to historic and current inequities.

Summary

As Dame Whina Cooper said:

“Take care of our children, take care of what they hear, take care of what they see, take care of what they feel. For how the children grow, so will be the shape of Aotearoa.”

The RSB does nothing to promote the welfare of tamariki/children, who may suffer tremendous harm if it is enacted.

Given the risk of negative impacts on tamariki/children and taiohi/adolescents, in particular, tamariki Māori, Brainwave Trust Aotearoa strongly recommends that the Regulatory Standards Bill be terminated. Te Tiriti o Waitangi should remain a core constitutional document and reference for the implementation of any new legislation.

To conclude, Brainwave Trust Aotearoa opposes the Regulatory Standards Bill and seeks its immediate termination.

For further information, see www.brainwave.org.nz