

[19/01/2024]

File Ref: OIA 47900

Tēnā koe [REDACTED]

### Official Information Act request

Thank you for your information request dated 3 November 2023. You asked for the following information:

*"I am interested in your section 81 reports. For your latest report until June 2022, please provide information about your internal decision making about the approach you took to this report.*

*Please also provide copies of all information about your interactions with Te Arawhiti and the Ministry of Justice about this report and its content."*

On 30 November 2023 we wrote to you to advise of an extension to the time available to respond, to enable time for consultation.

Your request has been considered in accordance with the Official Information Act 1982 (the Act).

In response to the first part of your request, please see the below information that details the process taken, including decisions on content, to develop the Section 81 2021/22 Report.

### The Section 81 Report

The Section 81 Report is an annual report covering the reporting period of 1 July – 30 June. It is required under Section 8(i) of the Treaty of Waitangi Act 1975:

*"The Minister of Māori Affairs<sup>1</sup> shall in each year prepare and lay before the House of Representatives a report on the progress being made in the implementation of recommendations made to the Crown by the Tribunal."*

The development of the Section 81 Report is led by Te Puni Kōkiri, with input provided by various Crown agencies regarding their progress on addressing recommendations from the Waitangi Tribunal (*their updates*).

The report has updates for 36 Waitangi Tribunal reports (five released within 1 July 2021 and 30 June 2022).

---

<sup>1</sup> Now 'Minister for Māori Development'.

## **Approach taken to develop the Section 8I Report 2021/22**

The approach taken to develop the Section 8I Report 2021/22 was largely the same approach taken in previous years. The below outline is placed in order of the contents of the Section 8I Report 2021/22.

### *Development of the foreword, abbreviations, and introduction*

The foreword was developed and approved by Te Puni Kōkiri. The abbreviations and introduction are standardised text (*from previous Section 8I Reports*) that were updated to reflect the contents of the Section 8I 2021/22 Report.

### *Development of the feature presentation*

The feature presentation for the Section 8I Report 2021/22 consisted of three pieces:

1. A Hauora Journey: Fundamental Reform of Primary Health Care for iwi Māori and Aotearoa (the Hauora Journey).
2. Wai 262: Ko Aotearoa Tēnei Update (the Wai 262 update).
3. The “kaupapa approach” being implemented by the Waitangi Tribunal to address kaupapa inquiries (the kaupapa approach).

We considered a range of topics for the feature presentation. The three topics above were selected to highlight kaupapa of critical importance and changes occurring in the public sector.

- The Hauora Journey topic was selected to enable a discussion on Māori health inequities and the initiatives being implemented to address these.
- The Wai 262 update was originally developed to be part of the agency update table (*process outlined below*). Upon receiving the updates, we decided that it should be included as part of the feature presentation due to the deep dive that it took into the kaupapa and the whole of government response being implemented.
- The kaupapa approach piece was selected to provide an overview and update on the approach being implemented as this is relevant to the content of Section 8I Reports and the Waitangi Tribunal Report process.

The Hauora Journey and kaupapa inquiry pieces were written by an external writer, in consultation with the relevant external agencies.

### *Preparing the summaries of new Waitangi Tribunal Reports*

In the reporting period 1 July 2021 – 30 June 2022, five new Waitangi Tribunal Reports (Tribunal Reports) were released. These new Tribunal Reports were summarised by Te Puni Kōkiri and added to the ‘agency update table’ (*the table agencies add their updates to*).

The agency update table was provided to the Waitangi Tribunal for their review of the Tribunal Report summaries.

### *Agency input/consultation*

Agencies are required to provide an update on their progress on addressing recommendations from the Waitangi Tribunal and to assign their update with a ‘status’ (*In Progress, Ongoing, Partially Settled, or Settled*).

Agencies updates were reviewed internally as they were received, and any feedback/changes were provided to agencies to amend/approve.

The agency update table was also provided to Crown Law for review. Their feedback was provided to the relevant agencies to review and amend/approve.

*Ministerial consultation*

Ministerial consultation on the final draft report was also undertaken with the Minister for Māori Development as well as Ministers whose agencies had provided updates in the Section 8I 2021/22 Report. No feedback was provided by any Ministers.

*Publication and presenting*

The Section 8I Report was presented to the House of Representatives by the Minister for Māori Development on 06<sup>th</sup> September 2023.

In response to the second part of your request, for “...copies of all information about your interactions with Te Arawhiti and the Ministry of Justice about this report and its content”, 18 documents have been identified in scope of this part of your request. The documents and my decisions with regard to the release of the information are set out in the table attached as Appendix A.

Some information has been withheld in accordance with the Act on the following grounds:

- Section 9(2)(a) – *in order to protect the privacy of natural persons.*

In making the decision to withhold information, we have considered the public interest considerations in section 9(1) of the Act and do not believe they outweigh the privacy interests to release the information.

A small number of redactions have been marked as “out of scope”. These “out of scope” redactions relate to information that is not in scope of your request.

I trust my response satisfies your request.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Please note that Te Puni Kōkiri publishes some of its OIA responses on its website, after the response is sent to the requester. The responses published are those that are considered to have a high level of public interest. We will not publish your name, address or contact details.

If you wish to discuss any aspect of your request with us, including this decision, please feel free to contact us at [uia@tpk.govt.nz](mailto:uia@tpk.govt.nz).

Ngā mihi



Tamati Olsen

Hautū , Te Puni Kaupapa Here | Acting Deputy Secretary, Policy Partnerships

Appendix A – Documents: OIA request from [REDACTED] dated 3 November 2023

Item	Date	Document description	Decision
1.	31 August 2022	<i>Email correspondence between Te Puni Kōkiri and Ministry of Justice (Waitangi Tribunal Unit)</i>  Subject: Waitangi Tribunal Claims Update (Section 8I Report)	Released with certain information withheld under section 9(2)(a)
2.	16 September 2022	<i>Email correspondence between Te Puni Kōkiri, Te Arawhiti, and Ministry of Justice</i>  Subject: Section 8I Report – July 1 2021 – June 30 2022	Released with certain information withheld under section 9(2)(a)
3.	21 September 2022	<i>Email correspondence between Te Puni Kōkiri and Te Arawhiti (P1)</i>  Subject: Section 8I Report – July 1 2021 – June 30 2022	Released with certain information withheld under section 9(2)(a)
4.	31 October 2022	<i>Email correspondence between Te Puni Kōkiri and Ministry of Justice (Waitangi Tribunal Unit)</i>  Subject: Section 8I Summaries for your Review	Released with certain information withheld under section 9(2)(a)
		Attachment 1 Draft Section 8I table Oct 2022.docx (31/10/2022, 8.43am)	Released as Document 4, Attachment 3
		Attachment 2 Comments Draft Section 8I table Oct 2022_suggested edits.docx (4/11/2022, 11.25am)	Released as Document 4, Attachment 3



		Attachment 3 Section 8I Draft Summary Table.pdf (4/11/2022, 12.57pm) Note: Excerpt provided in accordance with section 16(1)(a) of the Act.	Released in full
5.	7 November 2022	<i>Email correspondence between Te Puni Kōkiri and Te Arawhiti</i> Subject: Section 8I Report 2021_2022 – Updates Required	Released with certain information withheld under section 9(2)(a)
		Attachment 1 07 11 2022 Section 8I Draft Summary Table.docx (07/11/2022, 8.45am)	Released as Document 4, Attachment 3
		Attachment 2 31 10 2022 Index of reports (3).xlsx (07/11/2022, 8.45am)	Released in full
6.	18 November 2022	<i>Email correspondence between Te Puni Kōkiri and Te Arawhiti</i> Subject: Section 8I – WAI 814	Released with certain information withheld under section 9(2)(a)
		Attachment 1 2022 1109 Section 8I Draft Summary Table.docx (22/11/2022, 9.57am)	Released as Document 4, Attachment 3
		Attachment 2 2022 1109 Section 8I Draft Summary Table.docx (07/12/2022, 11.07am)	Released as Document 4, Attachment 3
		Attachment 3 2022 1109 Section 8I Draft Summary Table - Te Arawhiti V2.docx (07/12/2022, 11.49am)	Released as Document 4, Attachment 3
		Attachment 4 2022 1109 Section 8I Draft Summary Table.docx (16/12/2022, 12.45pm)	Released as Document 4, Attachment 3
		Attachment 5 REVIEW Te Arawhiti Section 8I 03 2023.docx (21/03/2021, 3.59pm)	Released as Document 4, Attachment 3
		Attachment 6 REVIEW Te Arawhiti Section 8I 03 2023.docx (28/03/2023, 4.47pm)	Released as Document 4, Attachment 3

		Attachment 7 MP REVIEW Te Arawhiti Section 8I 03 2023.docx (11/04/2023, 9.03am)	Released as Document 4, Attachment 3
		Attachment 8 MP REVIEW Te Arawhiti Section 8I 03 2023.docx (18/04/2023, 6.25pm)	Released as Document 4, Attachment 3
		Attachment 9 Section 8I Te Arawhiti Review 27042023.docx (27/04/2023, 1.27pm)	Released as Document 4, Attachment 3
		Attachment 10 Section 8I Te Arawhiti Review 27042023.docx (03/05/2023, 3.22pm)	Released as Document 4, Attachment 3
		Attachment 11 Section 8I Te Arawhiti Review 27042023 - ML Edits.docx (04/05/2023, 12.02pm)	Released as Document 4, Attachment 3
		Attachment 12 2023 07 25 Te Arawhiti Section 8I Report 2021 - CL Review.docx (25/07/2023, 3.11pm)	Released as Document 4, Attachment 3
		Attachment 13 2023 07 27 Te Arawhiti Section 8I Report 2021 - TA comms post-CLO Review.docx (27/07/2022, 11.02am)	Released as Document 4, Attachment 3
7.	22 November 2022	<i>Email correspondence between Te Puni Kōkiri and Te Arawhiti</i>	Released with certain information withheld under section 9(2)(a)
		Subject: Section 8I Responses	
		Attachment 1 - Copy of Index of reports 07 11 2022	Released as Document 5, Attachment 2
		Attachment 2 - 31 10 2022 Draft Summary Table	Released as Document 4, Attachment 3
8.	24 November 2022	<i>Email correspondence between Te Puni Kōkiri and Ministry of Justice</i> Subject: Ministry of Justice RE Section 8I – Wai 2870	Released with certain information withheld under section 9(2)(a)

		Attachment 1 Department of Corrections Section 8i update 2021-22 Wai 2870.docx (24/11/2022, 2.03pm)	Released as Document 4, Attachment 3
		Attachment 2 Department of Corrections Section 8i update 2021-22 Wai 2870.docx (28/11/2022, 7.32am)	Released as Document 4, Attachment 3
		Attachment 3 Ministry of Justice Section 8i update 2021-22 Wai 2870 v2.docx (13/12/2022, 11.46am)	Released as Document 4, Attachment 3
		Attachment 4 Ministry of Justice Section 8i update 2021-22 Wai 2870.docx (12/12/2022, 4.56pm)	Released as Document 4, Attachment 3
		Attachment 5 Wai 2870 for MoJ - Corrections Review 27042023.docx (27/04/2022, 1.27pm)	Released in full
9.	24 November 2022	<i>Email correspondence between Te Puni Kōkiri and Ministry of Justice (Waitangi Tribunal Unit)</i> Subject: Section 8I – WAI 2870	Released with certain information withheld under section 9(2)(a)
		Attachment 1 Department of Corrections Section 8i update 2021-22 Wai 2870.docx (24/11/2022, 2.03pm)	Released as Document 8, Attachment 5
10.	5 January 2023	<i>Email correspondence between Te Puni Kōkiri and Ministry of Justice (Waitangi Tribunal Unit)</i> Subject: Section 8I – Wai 45	Released with certain information withheld under section 9(2)(a)
		Note: Attachment 1 2022 Final Section 8I Report 2021.pdf (05/01/2023, 10.51am)	Released in full as Document 4, Attachment 3

11.	19 May 2023	<p><i>Email correspondence between Te Puni Kōkiri and Te Arawhiti</i></p> <p>Subject: Fwd_ACTION_Seeking endorsement – Section 8i Treaty of Waitangi reporting</p> <p>Note: The Attachment to this email is out of scope of your request.</p>	Released with certain information withheld under section 9(2)(a)
12.	16 June 2023	<p><i>Email correspondence between Te Puni Kōkiri and Te Arawhiti</i></p> <p>Subject: Te Pae Tawhiti DCE Agenda Pack – 21 Pipiri_IN-CONFIDENCE</p> <p>Note: The Attachment to this email is out of scope of your request.</p>	Released with certain information withheld under section 9(2)(a)
13.	20 June 2023	<p><i>Email correspondence between Te Puni Kōkiri and Te Arawhiti</i></p> <p>Subject: Information request from Te Puni Kōkiri – Te Haeata</p>	Released with certain information withheld under section 9(2)(a)
14.	30 June 2023	<p><i>Email correspondence between Te Puni Kōkiri and Ministry of Justice (Waitangi Tribunal Unit)</i></p> <p>Subject: Draft email for the Waitangi Tribunal</p>	Released with certain information withheld under section 9(2)(a)
15.	4 July 2023	<p><i>Email correspondence between Te Puni Kōkiri and Ministry of Justice (Waitangi Tribunal Unit)</i></p> <p>Subject: Supplementary piece for your Section 8i Report</p>	Released with certain information withheld under section 9(2)(a)
		<p>Note: Attachment 1: Draft email for the Waitangi Tribunal</p>	Released with certain information withheld under section 9(2)(a)
16.	4 July 2023	<p><i>Email correspondence between Te Puni Kōkiri and Ministry of Justice (Waitangi Tribunal Unit)</i></p> <p>Subject: Supplementary piece for your Section 8i Report 1</p>	Released with certain information withheld under section 9(2)(a)

		Note: Attachment 1 (attached to email of 04/07/2023, 4.20pm) is out of scope of your request.	
		Attachment 2 2023 07 04 Kaupapa Inquiries Piece.docx (4.20pm)	Released in full
		Attachment 3 2023 07 04 Kaupapa Inquiries Piece Waitangi Trib Uni.docx (06/07/2023, 10.44am)	Released in full
		Attachment 4 2023 07 04 Section 8I 2021-22 Draft 2 Feature Narrative (004) Wait Trib Unit.docx (06/07/2023, 10.44am)	Released in full
17.	4 July 2023	<p><i>Email correspondence between Te Puni Kōkiri and Ministry of Justice (Waitangi Tribunal Unit)</i></p> <p>Subject: Supplementary piece for your Section 8i Report 2</p> <p>Note: Attachment 2 (attached to email of 04/07/2023, 4.20pm) and 6 (attached to email of 06/07/2023, 2.11pm) are out of scope of your request.</p>	Released with certain information withheld under section 9(2)(a)
		Attachment 1 2023 07 04 Kaupapa Inquiries Piece.docx (04/07/2023, 4.20pm)	Released as Document 16, Attachment 2
		Attachment 3 2023 07 04 Kaupapa Inquiries Piece Waitangi Trib Uni.docx (06/07/2023, 10.44am)	Released as Document 16, Attachment 3
		Attachment 4 2023 07 04 Section 8I 2021-22 Draft 2 Feature Narrative (004) Wait Trib Unit.docx (06/07/2023, 10.44am)	Released as Document 16, Attachment 4
		Attachment 5 2023 06 07 Kaupapa Inquiries Piece Draft - Section 8I.docx (06/07/2023, 2.11pm)	Released as Document 16, Attachment 2
18.	6 September 2023	<p><i>Email correspondence between Te Puni Kōkiri and Te Arawhiti</i></p> <p>Subject: Section 8I Report 2022 – link to final report</p>	Released with certain information withheld under section 9(2)(a)

		<p>Attachment 1 Section 8I Report 2022</p> <p>Available on Te Puni Kōkiri's website at: <a href="http://www.tpk.govt.nz/en/o-matou-mohiotanga/crownmaori-relations/the-section-8i-report-2022">www.tpk.govt.nz/en/o-matou-mohiotanga/crownmaori-relations/the-section-8i-report-2022</a></p>	<p>Refused in full under section 18(d)</p>
--	--	--	--

**From:** [Maddy Lambert](#)  
**To:** [Edmonds, Sandra](#)  
**Subject:** RE: Waitangi Tribunal Claims Update (Section 8I Report)  
**Date:** Wednesday, 31 August 2022 1:20:00 pm  
**Attachments:** [Out of Scope](#)

Kia ora Sandra,

Thank you for this – I'll be in contact in the next couple of weeks regarding the recommendations for these reports.

Ngā mihi nui,

Maddy

---

**From:** Edmonds, Sandra <[REDACTED]@justice.govt.nz>  
**Sent:** Wednesday, 31 August 2022 12:47 pm  
**To:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Subject:** RE: Waitangi Tribunal Claims Update (Section 8I Report)

Kia ora Maddy,

In addition to the two reports you have listed, the other reports released in the period Jul 21 – Jun 22 were:

- Wai 814 The Mangatū Remedies report 2021 (*released September 2021*)
- Wai 2522 The Report on the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (*released November 2021*)
- Wai 1750 The Priority Report on the Whakatōhea Settlement Process (*released December 2021*)
- Wai 2575 *Hauoura* report. This is the final report on Stage One of the Health Services and Outcomes Kaupapa Inquiry which was initially released in 2019 but had an additional final chapter added. This was released in December 2021.

Please let me know if you require any further information

Ngā mihi, nā

Sandra Edmonds



**Sandra Edmonds**

Deputy Director | Waitangi Tribunal | Te Rōpū Whakamana  
i te Tiriti o Waitangi

**DDI:** [REDACTED] | **EXTN:** [REDACTED] | **M:** [REDACTED]  
134 8390

Fujitsu Tower | 141 The Terrace | DX SX11237 | Wellington  
[www.justice.govt.nz](http://www.justice.govt.nz)

🌱 Whakaarotia a Papatūānuku i mua i tō tānga i te imēra nei.

---

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Sent:** Wednesday 31 August 2022 11:37 am  
**To:** Edmonds, Sandra <[REDACTED]@justice.govt.nz>  
**Subject:** Waitangi Tribunal Claims Update (Section 8I Report)

Kia ora Sandra,

I am an advisor from Te Puni Kōkiri and will be taking over the Section 8I report for the 1 July 2021-30 June 2022 period.

We are starting to get the ball rolling and I just wanted to check in with the list of the new reports for this period.

Currently we have:

- Wai 2521 Motiti report
- Wai 2575 Haumarū Covid 19 report

Please let me know if there are any others we need to add to this list.

Thank you,  
Ngā mihi nui,  
Maddy

The views expressed in this email and any accompanying attachments do not necessarily reflect those of Te Puni Kokiri. Te Puni Kokiri does not accept any responsibility whatsoever for any loss or damage that may result from reliance on or the use of the information contained in this email or any accompanying attachments.

This email together with any accompanying attachments may be confidential and subject to legal privilege. It may be read, copied and used only by the intended recipient(s). If you have received this message in error, please notify the sender immediately by return email, telephone or facsimile and delete this message. You may not copy, disclose or use the contents in any way. Thank you.

RELEASED UNDER THE  
OFFICIAL INFORMATION ACT



From: Maddy Lambert  
To: Out of Scope

tony.fisher@justice.govt.nz; Out of Scope

Le Rau Clarke; 9(2)(a)@tpk.govt.nz; Jim Rochford; Choyce Maere; Choyce Maere; Lois Searle; Anu Turvey@tearawhiti.govt.nz; Katherine Leask@tearawhiti.govt.nz; Alexandria Mellows@tearawhiti.govt.nz; Eddie.Crawshaw@tearawhiti.govt.nz; Out of Scope

Subject: Section 8I Report - July 1 2021 - June 30 2022  
Date: Friday, 16 September 2022 2:45:00 pm

Kia ora koutou,

My name is Maddy Lambert, and I will be working with you this year to collate your responses for the Section 8I Report (*reporting period of July 1 2021 – June 30 2022*).

This email is to give you a heads up that I expect to contact you for your agency updates in the next two weeks, and that once contacted, there is a three-week period for responses to be returned.

Here is the link to the previous Section 8I Report (1 July 2020 – 30 June 2021) if you are unfamiliar with the report: <https://www.tpk.govt.nz/en/o-matou-mohiotanga/crownmaori-relations/waitangi-tribunal-claims-update>

Please note, no updates need to be given until I send the template in the coming weeks.

I look forward to working with you all – please don't hesitate to contact me if you have any questions, and please let me know if there are any additional emails to add from your agency. Have a great weekend.

Ngā mihi,  
Maddy

This email is to give you a heads up that I expect to contact you for your agency updates in the next two weeks.

and that once contacted, there is a three-week period for responses to be returned.

Here is the link to the previous Section 8I Report (1 July 2020 – 30 June 2021) if you are unfamiliar with the report:

<https://www.tpk.govt.nz/en/o-matou-mohiotanga/crownmaori-relations/waitangi-tribunal-claims-update>

Please note, no updates need to be given until I send the template in the coming weeks.

I look forward to working with you all – please don't hesitate to contact me if you have any questions, and please let me know if there are any additional emails to add from your agency.

Have a great weekend.

Ngā mihi,

Maddy

The views expressed in this email and any accompanying attachments do not necessarily reflect those of Te Puni Kokiri. Te Puni Kokiri does not accept any responsibility whatsoever for any loss or damage that may result from reliance on or the use of the information contained in this email or any accompanying attachments.

This email together with any accompanying attachments may be confidential and subject to legal privilege. It may be read, copied and used only by the intended recipient(s). If you have received this message in error, please notify the sender immediately by return email, telephone or facsimile and delete this message. You may not copy, disclose or use the contents in any way. Thank you.

RELEASED UNDER THE  
OFFICIAL INFORMATION ACT

**From:** [Maddy Lambert](#)  
**To:** [Edmonds, Sandra](#)  
**Subject:** RE: Section 81 Summaries for your Review  
**Date:** Friday, 4 November 2022 12:57:00 pm  
**Attachments:** [31\\_10\\_2022 Draft Summary Table.docx](#)  
Out of Scope

Kia ora Sandra,

Thank you for your review – I really appreciate the time taken and thought given to the changes. Attached is an amended version with your changes incorporated – I will send it to wider agencies for their updates.

Kia pai tō rā.

Ngā mihi nui,

Maddy

**From:** Edmonds, Sandra <9(2)(a)>@justice.govt.nz>

**Sent:** Friday, 4 November 2022 11:25 am

**To:** Maddy Lambert <9(2)(a)>@tpk.govt.nz>

**Subject:** RE: Section 81 Summaries for your Review

Kia ora Maddy,

Please find **attached** tracked changed suggested edits to summaries of the new reports and one suggested update to the 'He Pāharakeke, he Rito Whakakīkinga Whāruarua: Oranga Tamariki Urgent Inquiry' summary.

Please let me know if you have any further pātai

Kia pai te mutunga wiki.

Ngā mihi, nā

Sandra Edmonds



**Sandra Edmonds**

Deputy Director | Waitangi Tribunal | Te Rōpū Whakamana i te Tiriti o Waitangi

DDI: 9(2)(a) | EXTN: 9(2)(a) | M: 9(2)(a)

Fujitsu Tower | 141 The Terrace | DX SX11237 | Wellington

[www.justice.govt.nz](http://www.justice.govt.nz)

🌱 Whakaarotia a Papatūānuku i mua i tō tānga i te Īmē a ne

**From:** Maddy Lambert <9(2)(a)>@tpk.govt.nz>

**Sent:** Wednesday, 2 November 2022 10:36 am

**To:** Edmonds, Sandra <9(2)(a)>@justice.govt.nz>

**Subject:** RE: Section 81 Summaries for your Review

Mōrena Sandra,

Great, thank you so much. Look forward to hearing from you – reach out if you need anything or have any questions in the meantime.

Ngā mihi nui,

Maddy

**From:** Edmonds, Sandra <9(2)(a)>@justice.govt.nz>

**Sent:** Wednesday, 2 November 2022 9:46 am

**To:** Maddy Lambert <9(2)(a)>@tpk.govt.nz>

**Subject:** RE: Section 81 Summaries for your Review

Mōrena Maddy,

Thank you for your email and no inconvenience has been caused.

We are reviewing this now and aiming to have feedback and comments back to you by the end of the week.

Me koe hoki, kia pai te wiki.

Ngā mihi, nā



Sandra

**Sandra Edmonds**

Deputy Director | Waitangi Tribunal | Te Rōpū Whakamana i te Tiriti o Waitangi

DDI: 9(2)(a) | EXTN: 9(2)(a) | M: 9(2)(a)

Fujitsu Tower | 141 The Terrace | DX SX11237 | Wellington

[www.justice.govt.nz](http://www.justice.govt.nz)

Whakaarotia a Papatūānuku i mua i tō tānga i te imēra nei.

**From:** Maddy Lambert <9(2)(a)@tpk.govt.nz>**Sent:** Monday, 31 October 2022 8:43 am**To:** Edmonds, Sandra <9(2)(a)@justice.govt.nz>**Subject:** Section 8I Summaries for your Review

Mōrena Sandra,

I hope you had a great weekend!

My apologies for the unexpected delay, I hope this did not cause any inconvenience for you.

Attached to this email are the draft summaries for the Section 8I 2021/2022 Report. The summaries with green highlights are the new reports (the first six) and the rest are continued from the previous year's report (these have not been changed). Please let me know any feedback or comments you have by the end of the week if possible. Also, if you could please let me know your thoughts on the assigned agencies for the new reports, that would be appreciated.

Thank you – looking forward to receiving your review.

Have a great week.

Noho ora mai,

Ngā mihi,

Maddy

The views expressed in this email and any accompanying attachments do not necessarily reflect those of Te Puni Kokiri. Te Puni Kokiri does not accept any responsibility whatsoever for any loss or damage that may result from reliance on or the use of the information contained in this email or any accompanying attachments.

This email together with any accompanying attachments may be confidential and subject to legal privilege. It may be read, copied and used only by the intended recipient(s). If you have received this message in error, please notify the sender immediately by return email, telephone or facsimile and delete this message. You may not copy, disclose or use the contents in any way. Thank you.

The views expressed in this email and any accompanying attachments do not necessarily reflect those of Te Puni Kokiri. Te Puni Kokiri does not accept any responsibility whatsoever for any loss or damage that may result from reliance on or the use of the information contained in this email or any accompanying attachments.

This email together with any accompanying attachments may be confidential and subject to legal privilege. It may be read, copied and used only by the intended recipient(s). If you have received this message in error, please notify the sender immediately by return email, telephone or facsimile and delete this message. You may not copy, disclose or use the contents in any way. Thank you.

### Section 8I from 1 July 2021 to 30 June 2022

It is time to develop The Section 8I Report - A report on the progress made on implementation of Waitangi Tribunal recommendations for the Crown.

Please could you update the progress of your department against the Waitangi Tribunal recommendations in the table below by November 22<sup>nd</sup> 2022.

1. Add to the status column what was achieved from 1 July 2021 to 30 June 2022
2. Include the status – In Progress/ Ongoing/ Partially settled/ Settled (see definitions below)
3. Use the index document to find the page number of your report
4. You can refer to last year's report (below) and add what has been achieved since that time

<https://www.tpk.govt.nz/en/o-matou-mohiotanga/crownmaori-relations/waitangi-tribunal-claims-update>

Note:

**In progress** = report relates to claims currently under active negotiation or subject to work currently being undertaken by government.

**Ongoing** = indicates that the Tribunal is still hearing claims related to the inquiry.

**Partially settled** = indicates that a settlement has been reached with respect to some, but not all, claims inquired into by the Tribunal in the report. However, the settlement of any outstanding claims is not currently under active consideration by the Crown.

**Settled** = indicates that a settlement has been reached with a particular claimant group, even where particular recommendations do not immediately appear to have been addressed in the context of that settlement.



Tribunal Report	Wai Number	Year	Recommendations	Status Update 1 July 2021 to 30 June 2022	Relevant agency
The Mangatū Remedies Report	814	2021	<p>The Mangatū Remedies Report concerns remedy applications filed by groups affected by Crown Te Tiriti breaches in the Tūranga (Poverty Bay) district. These breaches were earlier identified in the Tribunal's 2004 Tūranga inquiry and included the Crown's acquisition of parts of the land now comprising the Mangatū Crown Forest. At that time, the Tribunal made no recommendations, giving rise to the remedies applications.</p> <p>In the 2021 Remedies Report, the Tribunal found significant economic, spiritual, and cultural prejudice and breaches of article 2 of Te Tiriti</p>		<p>Out of scope</p> <p>Te Arawhiti</p>
			<p>through the actions of the Crown and the loss of the Mangatū land. It said this prejudice and breaches have resulted in severe socio-economic consequences for the claimant community, as well as disrupting claimants cultural and spiritual connection with the land.</p> <p>The Tribunal made an interim binding recommendation that the Mangatū Crown Forest licensed land be returned to Māori ownership under section 8HB of the Treaty of Waitangi Act 1975. Additionally, the Tribunal recommended the claimants receive the entirety of the compensation available under clause 3, schedule 1 of the Crown Forest Assets Act 1989.</p> <p>The Tribunal also recommended that the Crown issue a joint historical report and Crown apology and negotiate additional redress with the claimant groups; the report also includes some general non-binding recommendations.</p>		

Tribunal Report	Wai Number	Year	Recommendations	Status Update 1 July 2021 to 30 June 2022	Relevant agency
The Priority Report on the Whakatōhea Settlement Process	1750	2022	Following the release of the Wai 2662 Whakatōhea Mandate Inquiry Report, the Crown offered a 'parallel process approach' to Whakatōhea. The parallel process approach entails the Waitangi Tribunal's historical inquiry occurring alongside and after settlement negotiations. However, the Waitangi Tribunal would be unable to make any historical recommendations, and the offer was conditional on the Whakatōhea Pre-Settlement Claims Trust		Te Arawhiti
			<p>(the Trust) amending the withdrawal mechanism. The Wai 1750 Report inquired into the parallel process offer, withdrawal mechanism issues, and the role of hapū during ratification.</p> <p>The Tribunal found various breaches of active protection, partnership, and hapū rangatiratanga (some of which prejudiced Whakatōhea) through the parallel process approach, its conditions, the withdrawal mechanism, and the ratification process.</p> <p>The Tribunal also found aspects that were not in breach of Te Tiriti, and areas where potential future Te Tiriti breaches could be avoided by mitigating action.</p> <p>The Tribunal recommended:</p> <ul style="list-style-type: none"> <li>• To remove prejudice, the Crown make initialling the Deed of Settlement conditional on amendments to the withdrawal mechanism and adequate time be provided following these amendments</li> <li>• The Crown ensure hui-ā-hapū after the initialling of the Deed of Settlement and before the ratification hui and hapū postal vote</li> </ul> <p>The Tribunal suggested to avoid further Te Tiriti breaches, the Crown amend the funding policy, ensure suitable funding is given, and ensure the rangatiratanga of hapū that have decided to withdraw are actively protected.</p>		



Tribunal Report	Wai Number	Year	Recommendations	Status Update 1 July 2021 to 30 June 2022	Relevant agency
Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims	898	2019	<p>Parts I and II of the pre-publication version of Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims were centrally concerned with the negotiations between the Crown and leaders of Te Rohe Pōtae – especially Ngāti Maniapoto (Maniapoto) – regarding land, land laws, the extension of the North Island Main Trunk Railway into their district, and the respective spheres of Crown and Māori authority within the district. These negotiations, and the agreements that resulted, are known by Te Rohe Pōtae Māori as Te Ōhāki Tapu. This term is derived from Te Kī Tapu (the sacred word), a phrase Maniapoto leaders used to describe the conduct they sought from the Crown.</p> <p>Parts I and II also reviewed numerous other aspects of the Crown's actions in Te Rohe Pōtae before 1905. The Tribunal found the claims covered in parts I and II of the report to be well founded. In summary, the Crown chose not to give practical effect to the Treaty principle of partnership in Te Rohe Pōtae from 1840 to 1900. It failed to recognise or provide for Te Rohe Pōtae Māori tino rangatiratanga before and during the negotiations collectively described as Te Ōhāki Tapu. This failure resulted in multiple breaches of the principles of the Treaty of Waitangi, and Te Rohe Pōtae Māori have suffered significant and long-lasting prejudice as a result.</p> <p>The Tribunal therefore recommended the Crown take immediate steps to act, in conjunction with the mandated settlement group or groups, to put in place means to give effect to their rangatiratanga.</p> <p>The Tribunal said that how this can be achieved will be for the claimants and Crown to decide. However, it recommended that, at a minimum, legislation must be enacted that recognises and affirms the rangatiratanga and the rights of autonomy and self-determination of Te Rohe Pōtae Māori.</p>		<p>Te Arawhiti</p> <p>Out of scope</p>

Tribunal Report	Wai Number	Year	Recommendations	Status Update 1 July 2021 to 30 June 2022	Relevant agency
			<p>In the case of Ngāti Maniapoto, or their mandated representatives, the Tribunal recommended that legislation must take into account and give effect to Te Ōhāki Tapu, in a way that imposes an obligation on the Crown and its agencies to give effect to the right to mana whakahaere.</p> <p>In Part III of Te Rohe Pōtae Māori report the Tribunal recommended that during settlement negotiations with Te Rohe Pōtae Māori, the Crown should discuss a possible legislative mechanism (should they wish it) that will enable iwi and hapū to administer their lands, either alongside the Māori Land Court and Te Tumu Paeroa (the Māori Trustee) or as separate entities.</p> <p>The Tribunal released part IV of Te Mana Whatu Ahuru in 2019 which looked at how the rapid alienation of Māori land affected tribal authority and autonomy in the district. Part V, released in 2020, examined the effects of Crown policies and actions on health, education and te reo Māori in Te Rohe Pōtae. In Part IV of the report, the Tribunal found that the Crown failed to sustain Te Rohe Pōtae self-government in a Treaty compliant way. While Te Rohe Pōtae Māori participated in a succession of representative structures and institutions expected to provide them with at least a form of mana whakahaere, these spheres of influence were limited, and many did not prove enduring.</p> <p>The Tribunal found a number of Treaty breaches including:</p> <ul style="list-style-type: none"> <li>• The Crown's failure to ensure structures within local government enabled Te Rohe Pōtae to exercise their mana whakahaere and tino rangatiratanga</li> <li>• the compulsory taking of Māori land for public works development purposes, alienated large tracks of Māori land and</li> </ul>		

Tribunal Report	Wai Number	Year	Recommendations	Status Update 1 July 2021 to 30 June 2022	Relevant agency
			<p>Te Rohe Pōtae tribal authority. Without meaningful consultation or meeting tests of last resort, the Crown undertook the largest individual takings for public works in New Zealand history in the inquiry district during the twentieth century</p> <ul style="list-style-type: none"> <li>▪ Crown regulation of the natural environment further diminished Te Rohe Pōtae Māori tribal authority over many taonga and sites of significance, and Crown regulation and mismanagement of the natural environment likely resulted in significant damage to many of these important sites.</li> </ul> <p>Based on its findings of Treaty breach in these areas, the Tribunal made recommendations to restore or better enable Te Rohe Pōtae Māori mana whakahaere, including amending the legislative and policy frameworks associated with each area under review and by accounting for identified breaches in any Treaty settlement processes with claimants.</p> <p>In Part V of the report, the Tribunal found that breaches of the Treaty of Waitangi have led to long-term and ongoing poor health and wellbeing outcomes for many Māori in Te Rohe Pōtae.</p> <p>The Tribunal found that Crown policies relating to land contributed to the erosion of the economic and resource base that could otherwise have been drawn upon to provide for Te Rohe Pōtae Māori experiencing hardship. As a result, Māori were disadvantaged within the</p>		



Tribunal Report	Wai Number	Year	Recommendations	Status Update 1 July 2021 to 30 June 2022	Relevant agency
			<p>local economy, earned less than other population groups, had worse health and lower quality housing, migrated away from the district out of necessity, had an often-fragile hold on employment, and for many years were unable to exert social autonomy over the health and well-being of their communities, including on matters such as alcohol use and regulation.</p> <p>In the areas of education and te reo Māori the Tribunal found that the declining use of te reo Māori in the district throughout much of the twentieth century was clearly linked to the large-scale alienation of Te Rohe Pōtae land and the associated erosion of Māori mana whakahaere, customary ways of life and social organisation, as well as the spread of state-administered native and board schooling throughout the district.</p> <p>Part VI – Take a Takiwā was released in 2021 and is an inventory of all the claims in this district inquiry and of the Tribunal's claim specific findings.</p>		
The Marine and Coastal Area (Takutai Moana) Act 2011 Inquiry Stage 1 Report	2660	2020	<p>The inquiry is being held in two stages. In stage 1, the Tribunal prioritised hearing issues of Crown procedure and resources under Te Takutai Moana Act 2011 (the Act), particularly applicant funding. The Tribunal reported on stage 1 on 30 June 2020.</p> <p>The Tribunal found that aspects of the procedural and resourcing regime did fall short of Treaty compliance. Among other things, the regime failed to:</p> <ul style="list-style-type: none"> <li>• Provide cultural competency training for registry staff, to improve the experiences of Māori interacting with the High Court, both on marine and coastal matters and more generally.</li> <li>• Provide adequate and timely information about the Crown engagement pathway for applicants to seek recognition of their customary rights in the marine and coastal area</li> </ul>		Te Arawhiti

Tribunal Report	Wai Number	Year	Recommendations	Status Update 1 July 2021 to 30 June 2022	Relevant agency
			<ul style="list-style-type: none"> <li>• Provide adequate policies to ensure that the High Court pathway and the Crown engagement pathway operate cohesively</li> <li>• Actively and practically support efforts to resolve overlapping interests in the marine and coastal area</li> <li>• Cover 100 per cent of all reasonable costs that claimants incur in pursuing applications under the Act</li> <li>• Manage real or perceived conflicts of interest in the administration of funding</li> <li>• Provide sufficiently independent, accessible, and transparent mechanisms for the internal reviewing of funding decisions</li> <li>• Enable timely access to funding for applicants in the Crown engagement pathway</li> <li>• Fund judicial review for Crown engagement applicants and Māori third parties.</li> </ul> <p>The Tribunal found that, in these respects, Māori had been and remained significantly prejudiced. However, it said that other deficiencies in the regime had not ultimately prejudiced the claimants.</p> <p>The Tribunal urged the Crown to remedy the shortcomings identified in the report. It said that Māori would continue to be prejudiced until the Crown took steps to make the Act's supporting procedural arrangements fairer, clearer, more</p>		

Tribunal Report	Wai Number	Year	Recommendations	Status Update 1 July 2021 to 30 June 2022	Relevant agency
			cohesive, and consistent with the Crown's obligations as a Treaty partner.		
The Maniapoto Mandate Inquiry Report	2858	2019	<p>The Tribunal's overall finding was that the Crown's recognition of the Maniapoto Māori Trust Board's mandate was reasonable given the board's community support, infrastructure, and extensive involvement in previous settlements. However, it also found that aspects of the process to recognise the Trust Board's mandate were neither fair nor undertaken in good faith.</p> <p>The Tribunal did not recommend a halt to negotiations but made several practical recommendations to guide the Crown and parties towards reaching an amicable, durable, and robust settlement. These recommendations included that:</p> <ul style="list-style-type: none"> <li>the Crown provide distinct recognition in the claimant definition for Ngāti Paretāpoto, Ngāti Paia, Ngāti Paretekawa, and Ngāti Apakura having regard to their relationship with Ngāti Maniapoto</li> <li>the Crown disregard its qualification in the claimant definition that Ngāti Apakura claims are recognised only insofar as they are based on Ngāti Maniapoto whakapapa (genealogy) and instead endeavour to settle all outstanding non-Waikato-Tainui raupatu (land confiscation) and non-raupatu Ngāti Apakura claims in this settlement</li> </ul>		Te Arawhiti



Tribunal Report	Wai Number	Year	Recommendations	Status Update 1 July 2021 to 30 June 2022	Relevant agency
			<ul style="list-style-type: none"> <li>the Crown give serious consideration to the possibility of Te Ihingārangi combining in any prospective post-settlement governance entity with Ngāti Rereahu</li> <li>should the outstanding non-Waikato-Tainui raupatu and non-raupatu Ngāti Apakura claims be included in this settlement, the Crown adjust the resourcing for negotiations and the quantum for settlement</li> <li>the Crown clarify point 3 of the removal or amendment of mandate</li> <li>process, particularly the wording of '[a] quorum of 350 Maniapoto members'</li> <li>the Crown communicate to all parties to the Maniapoto Māori Trust Board's mandate, the nature of the funding available to them should they wish to proceed with the removal or amendment of the mandate process</li> <li>the Crown prioritise its Treaty relationship with Ngāti Maniapoto by having an active regard to its duty of whanaungatanga.</li> </ul>		
The Hauraki Settlement Overlapping Claims Inquiry Report	2840	2019	The Tribunal found that the claims of Ngāti Porou ki Hauraki were not well founded, but upheld the claims of Ngāi Te Rangī, Ngāti Ranginui, and Ngātiwai. It found the Crown had breached its Treaty obligations to the iwi in several ways and criticised the policies and processes guiding the Crown's actions.		Te Arawhiti Out of scope

Tribunal Report	Wai Number	Year	Recommendations	Status Update 1 July 2021 to 30 June 2022	Relevant agency
			<p>The Tribunal recommended the Crown halt progress of the legislation giving effect to the Pare Hauraki Collective settlement deed, and individual Hauraki iwi settlement deeds, until the contested redress items have been through a proper process to resolve overlapping claims.</p> <p>It also recommended that the Crown, when undertaking overlapping engagement processes during settlement negotiations, fully commits to and facilitates consultation, information-sharing, the use of tikanga-based resolution processes at appropriate times, and for the Red Book (a guide to the Treaty of Waitangi claims settlement process) to be amended accordingly.</p> <p>The Tribunal set out substantive new recommendations on the use of tikanga-based processes to resolve overlapping interests.</p>		
The Mana Ahuriri Mandate Report	2573	2019	<p>The Tribunal found flaws in both the accountability of Mana Ahuriri Trust to claimants and in keeping their mandate, and the ratification process that occurred during settlement negotiations with the Crown.</p> <p>It recommended that the Crown should proceed with the Mana Ahuriri settlement legislation with some urgency but also require Mana Ahuriri to hold an election for all nine trustee positions before the Bill was enacted.</p> <p>The Tribunal also recommended:</p> <ul style="list-style-type: none"> <li>the Crown should pay the election costs and arrange independent oversight of election information</li> </ul>		Te Arawhiti



Tribunal Report	Wai Number	Year	Recommendations	Status Update 1 July 2021 to 30 June 2022	Relevant agency
			<ul style="list-style-type: none"> <li>improvements to the mandate monitoring process to avoid similar problems in the future (legal review of constitution and mandate, monitoring accountability, governance training and funding enrolment of mandated members, more equitable facilitation arrangements).</li> </ul>		
The Muriwhenua Land Report	45	1997	<p>This report covers seven claims in Muriwhenua, the country's most northerly district. The Tribunal concluded that the Muriwhenua claims were well-founded.</p> <p>The claims relate to:</p> <ul style="list-style-type: none"> <li>the disposal of the pre-Treaty transaction land by grant or the presumptive acquisition of the scrip lands and surplus</li> <li>land purchases by the Government</li> <li>impacts in terms of land tenure reform and disempowerment.</li> </ul>		Waitangi Tribunal
The Taranaki Report: Kaupapa Tuatahi	143	1996	<p>The Taranaki Report - Kaupapa Tuatahi dealt with 21 claims relating to issues including the Crown's purchase of land in Taranaki, the Taranaki land wars, the confiscation of 1.2 million acres of land under the New Zealand Settlements Act 1863, the Crown's invasion, and destruction of Parihaka in 1881, and the placement of reserves under the administration of the Public Trustee. The Tribunal described the history of Crown actions in Taranaki as "the antithesis to that envisaged by the Treaty of Waitangi" and found that the Taranaki claims could be the largest in the country. The Tribunal</p>		Te Arawhiti

Tribunal Report	Wai Number	Year	Recommendations	Status Update 1 July 2021 to 30 June 2022	Relevant agency
			recommended reparations that reflected not only the scale of land loss, but the destruction of Taranaki society and culture, economic destabilisation, personal injury, and the denial of rights over generations.		
Te Whanganui a Tara me ōna Takiwā Report on the Wellington District	145	2003	<p>The Tribunal's main finding was that the Crown seriously breached the Treaty in the Port Nicholson block causing prejudice to Te Atiawa, Ngāti Toa, Ngāti Tama, Ngāti Rangatahi, Taranaki and Ngāti Ruanui.</p> <p>The Tribunal recommended that, given the relative complexities of the issues and the interrelationships of these groups affected by a number of Treaty breaches, the parties should clarify matters of representation and enter negotiations with the Crown.</p>		Te Arawhiti
The Mohaka ki Ahuriri Report	201	2004	<p>The Tribunal identified serious breaches of the Treaty and recommended that the Crown and claimants should negotiate for the settlement of these claims accordingly.</p> <p>With respect to Ngāti Pāhauwera, the Tribunal recommended that the Crown take steps to negotiate a settlement of the Mōhaka River Claim. The Tribunal also recommended that in consultation with Ngāti Pāhauwera, the Crown continue to explore policy initiatives on how to turn the patchwork of small, multiply held fragments of land, such as those remnant holdings of Ngāti Pāhauwera, into a useable land base.</p>		Te Arawhiti Out of scope
Te Raupatu o Tauranga	215	2004	The Tribunal found that the Crown was not justified in taking military action against Tauranga		Te Arawhiti

Tribunal Report	Wai Number	Year	Recommendations	Status Update 1 July 2021 to 30 June 2022	Relevant agency
<p>Moana: Report on the Tauranga Confiscation Claims (2004)</p> <p>Tauranga Moana, 1886-2006: Report on the Post-Raupatu Claims Vol 1 &amp; 2 (2010)</p>		2010	<p>Māori in the 1860s. Tauranga Māori suffered considerable prejudice as a result of breaches of the principles of the Treaty arising from the Crown's confiscation, return and purchase of Māori land in the Tauranga district before 1886.</p> <p>The Tribunal recommended that the Crown move quickly to settle the Tauranga claims with generous redress.</p>		
Wairarapa ki Tararua Report	863	2010	<p>The Tribunal recommended that:</p> <ul style="list-style-type: none"> <li>the current public works regime be changed to give effect to the Treaty of Waitangi, through amending the Public Works Act 1981 and amendments to Section 134 of Te Ture Whenua Māori Act 1993 and Section 342 and Schedule 10 of the Local Government Act 1974</li> <li>the bed of the Wairarapa Moana be returned</li> <li>Te Reo Māori be better supported in the area</li> <li>the Local Government Act 2002, Resource Management Act 1991, Historic Places Act 1993, and the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 and other relevant legislation be amended to provide Māori the level of input that recognises their status as a Treaty partner.</li> </ul>		<p>Te Arawhiti</p> <p>Out of scope</p>



Tribunal Report	Wai Number	Year	Recommendations	Status Update 1 July 2021 to 30 June 2022	Relevant agency
He Whiritaunoka: Whanganui Land Report	903	2015	<p>The He Whiritaunoka: Whanganui Land Report identified a large number of Treaty breaches by the Crown, relating to issues including the Crown's military conduct between 1846 and 1848, its purchase of the Whanganui Block in 1848 and the Waimarino Block in 1887, the operation of the native land laws, the acquisition of Whanganui lands for scenic reserves, and the development of native townships. The Tribunal described the serious economic, social, and cultural damage that these breaches caused the iwi of Whanganui and recommended that the Crown take this serious prejudice into account when it negotiated Treaty settlements.</p>		Te Arawhiti
Te Kāhui Maunga: The National Park District	1130	2012	<p>The Tribunal noted that the Treaty principles of dealing fairly and with utmost good faith have been breached, that substantial restitution is due, and that the quantum should be settled by prompt negotiation.</p> <p>The Tribunal recommended that the Crown undertake further research on the Ōkahukura 8M2 acquisition to ascertain whether compensation was ever paid to the owners.</p> <p>The Tribunal recommended an expression of recognition and respect for the spiritual regard that the claimants express for Tongariro as a special maunga (mountain), in the form of joint management of the Tongariro National Park by the Crown and the former owners. It should be taken out of DOC control and managed jointly by a statutory authority of both Crown and Ngā iwi o Te Kāhui Maunga representation. Title should also be held jointly between these two groups, in a new form of 'Treaty of Waitangi title'.</p>		Te Arawhiti

Tribunal Report	Wai Number	Year	Recommendations	Status Update 1 July 2021 to 30 June 2022	Relevant agency
			<p>The land used for quarrying and metal extraction should not only be returned but be made clear and safe: returned in a usable condition at no cost to the former owners or their successors. The Tribunal further recommended that there be compensation for the damage and destruction caused to the land and ancestral remains. Finally, the Tribunal recommended that waterways of Te Kāhui Maunga, including Lake Rotoaira, should be monitored, and the Crown should fund this research.</p>		
He Maunga Rongo: Report on Central North Island Claims	1200	2007	<p>This report describes the Tribunal's inquiry into approximately 120 claims from three districts: Rotorua, Taupō and Kaingaroa.</p> <p>The Tribunal found that substantial redress was necessary. It recommended that the Crown and claimants negotiate.</p>		Te Arawhiti
The Te Arawa Settlement Process Reports	1353	2007	<p>The Tribunal has convened three inquiries into this settlement, with the first two examining mandate issues while negotiations were in progress.</p> <p>This report focuses on mandating and overlapping claims, noting that the Tribunal has separately heard and will report on matters associated with licensed Crown forestry land.</p> <p>The Tribunal recommended that:</p> <ul style="list-style-type: none"> <li>the Minister of Māori Affairs commission annual audits of the Office of Treaty Settlements to ensure its management</li> </ul>		Te Arawhiti

Tribunal Report	Wai Number	Year	Recommendations	Status Update 1 July 2021 to 30 June 2022	Relevant agency
			<p>and policy operations are aligned with the Crown's Treaty obligations</p> <ul style="list-style-type: none"> <li>• a number of non-exclusive redress items apply to groups outside the affiliate Te Arawa iwi/hapū.</li> <li>• the Crown use a process to re-engage with non-affiliate groups to discuss redress sites.</li> <li>• the Crown commence negotiations with Ngāti Makino</li> <li>• the Crown facilitate mandating hui with identified groups outside of the affiliate Te Arawa iwi/hapū mandate.</li> </ul>		
Matua Rautia: The Report on the Kōhanga Reo Claim	2336	2013	<p>The urgent inquiry was triggered by the publication in 2011 of the report of the Early Childhood Education (ECE) Taskforce, which, the claimants said, they had not been consulted on and had seriously damaged their reputation. They argued that the report, and Government policy development based on it, would cause irreparable harm to the kōhanga reo movement.</p> <p>The Tribunal endorsed the conclusion of the Wai 262 report that urgent steps were needed to address recent Crown policy failures if te reo is to survive. The Tribunal noted that survival requires both Treaty partners – Māori and the Crown – to collaborate in taking whatever reasonable steps are required to achieve the shared aim of assuring the long-term health of te reo as a taonga of Māori.</p> <p>It recommended that the Crown, through the Prime Minister, appoint an interim advisor to</p>		<p>Te Arawhiti</p> <p>Out of scope</p>



Tribunal Report	Wai Number	Year	Recommendations	Status Update 1 July 2021 to 30 June 2022	Relevant agency
			<p>oversee the implementation of the Tribunal's recommendations to redevelop the engagement between Government agencies and the Trust.</p> <p>The Tribunal recommended that the Crown, through the Department of the Prime Minister and Cabinet and the independent advisor, oversee the urgent completion of a work programme addressing:</p> <ul style="list-style-type: none"> <li>i) a policy framework for kōhanga reo</li> <li>ii) policy and targets for increasing participation and reducing waiting lists,</li> <li>iii) identification of measures for maintaining and improving the quality in kōhanga reo.</li> <li>iv) supportive funding for kōhanga reo and the Trust</li> <li>v) provision of capital funding to ensure that kōhanga reo can meet the standards for relicensing</li> <li>vi) support for the Trust to develop the policy capability to collaborate with Government in policy development for kōhanga reo.</li> </ul> <p>The Tribunal further recommended that the Crown discuss and collaborate with the Trust to scope and commission research on the kōhanga reo model.</p> <p>The Crown, through TPK, the Ministry of Education, and the Trust, must inform Māori whānau of the relative benefits for mokopuna in attending kōhanga reo for te reo Māori and education outcomes.</p>		
			<p>Finally, the Tribunal recommended that the Crown formally acknowledge and apologise to the Trust and kōhanga reo for the failure of its ECE policies to sufficiently provide for kōhanga reo. The Crown should also agree to meet the reasonable legal expenses of the Trust in bringing this claim.</p>		

Tribunal Report	Wai Number	Year	Recommendations	Status Update 1 July 2021 to 30 June 2022	Relevant agency
The Ngāpuhi Mandate Inquiry Report	2490	2015	<p>The Tribunal identified flaws in the structure and processes of the Tūhoronuku Independent Mandated Authority (IMA) and found the Crown to have breached the Treaty. It did not, however, believe that the Crown should withdraw its recognition of the mandate and require that a new mandate process take place. The Tribunal recommended that the Crown halt negotiations with the Tūhoronuku IMA until the Crown could be satisfied:</p> <ul style="list-style-type: none"> <li>that Ngāpuhi hapū had been able to discuss and confirm whether they wanted the Tūhoronuku IMA to represent them in negotiations</li> <li>that Ngāpuhi hapū who did want to be represented this way had been able to confirm (or otherwise) their hapū</li> </ul>		Te Arawhiti
			<p>kaikōrero (speaker) and hapū representatives on the board</p> <ul style="list-style-type: none"> <li>that Ngāpuhi hapū had been able to discuss and confirm whether there was appropriate hapū representation on the board</li> <li>that there was a workable withdrawal mechanism.</li> </ul> <p>The Crown should also make it a condition of its recognition of the mandate that a majority of hapū kaikōrero remain involved in Tūhoronuku. Finally, the Tribunal also recommended that the Crown support those hapū who did withdraw to enter settlement negotiations as soon as possible.</p>		



Tribunal Report	Wai Number	Year	Recommendations	Status Update 1 July 2021 to 30 June 2022	Relevant agency
The Ngātiwai Mandate Inquiry Report	2561	2017	<p>The Tribunal recommended that the negotiations process be paused, and that the following steps be undertaken:</p> <p>i) Mediation or facilitated discussions be held to debate the unsatisfactory elements of the Deed of Mandate</p> <p>ii) In the event these mediated discussions were rejected by the parties, the Tribunal recommended withdrawing the mandate and setting up of a new entity such as a rūnanga or taumata (congress).</p> <p>In the event these mediated discussions proposed changes, the Tribunal recommended that these would need to be put to hapū for approval.</p>		Te Arawhiti
The Whakatōhea Mandate Inquiry Report	2662	2018	<p>The Tribunal found that the Crown should not have recognised the Pre-settlement Trust mandate in December 2016 and that the decision to recognise the Whakatōhea Pre-Settlement Claims Trust (WPCT) mandate was not fair and reasonable, and breached the Treaty principle of partnership.</p> <p>The Tribunal also found that:</p> <ul style="list-style-type: none"> <li>including the Mokomoko whānau claim in the Pre-Settlement Trust mandate without the whānau's consent and honouring commitments previously made breached duties of good faith, conduct and partnership</li> <li>the way in which the Crown included and described the Te Kahika claimants in the Deed of Mandate fell short of Treaty requirements of good faith conduct and partnership.</li> </ul> <p>The Tribunal's main recommendation was that the Crown meet the reasonable costs of</p>		Te Arawhiti

Tribunal Report	Wai Number	Year	Recommendations	Status Update 1 July 2021 to 30 June 2022	Relevant agency
			<p>implementing a vote process enabling Whakatōhea hapū to decide on how they now wish to proceed with their historical claims. It also recommended the Crown:</p> <ul style="list-style-type: none"> <li>• suspend substantive work on the Whakatōhea negotiations until completion of the vote</li> <li>• commit to maintaining the baseline redress offered in the Whakatōhea Agreement-In-Principle</li> <li>• pay interest at commercial rates on the cash component of the settlement offer.</li> </ul>		
Horowhenua: The Muaūpoko Priority Report	2200	2017	<p>The Tribunal recommended that the Crown negotiate with Muaūpoko a Treaty settlement that will address the harm suffered, and that the settlement include a contemporary Muaūpoko governance structure with responsibility for the administration of the settlement.</p> <p>The Tribunal further recommended that the Crown legislate as soon as possible for a contemporary Muaūpoko governance structure to act as kaitiaki for Lake Horowhenua and the Hōkio Stream, and associated waters and fisheries, following negotiations with the Lake Horowhenua Trustees, the lakebed owners, and all Muaūpoko on the detail.</p> <p>The Tribunal recommended that the Crown provide to the new Lake Horowhenua Muaūpoko governance structure annual appropriations to assist it to meet its kaitiaki obligations in accordance with its legislative obligations.</p>		Te Arawhiti

**From:** [Leask, Katherine](#)  
**To:** [Maddy Lambert](#)  
**Cc:** [Cervin, Georgia](#); [Crawshaw, Eddie](#)  
**Subject:** RE: Section 81 Report 2021/2022 - Updates Required  
**Date:** Wednesday, 9 November 2022 10:03:20 am

Kia ora Maddy

Thanks for your email – I understand Georgia Cervin, manager of the Historian team, will be leading this work for Te Arawhiti, copied to this email.

Ngā mihi

Katherine

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>

**Sent:** Monday, 7 November 2022 8:45 am

**To:** Out of Scope

[REDACTED] Fisher, Tony

<Tony.Fisher@justice.govt.nz>; Out of Scope

[REDACTED] Te Rau Clarke <[REDACTED]@tpk.govt.nz>; Jaclyn Williams  
 <[REDACTED]@tpk.govt.nz>; Tim Rochford <[REDACTED]@tpk.govt.nz>; [REDACTED]@tpk.govt.nz;  
 Choyce Maere <[REDACTED]@tpk.govt.nz>; Turvey, Arnu <Arnu.Turvey@tearawhiti.govt.nz>;  
 Leask, Katherine <Katherine.Leask@tearawhiti.govt.nz>; Mellows, Alexandria  
 <Alexandria.Mellows@tearawhiti.govt.nz>; Crawshaw, Eddie  
 <Eddie.Crawshaw@tearawhiti.govt.nz>; Out of Scope

searl@tpk.govt.nz

**Subject:** Section 81 Report 2021/2022 - Updates Required

Mōrena koutou

I hope you all had a great weekend and enjoyed the sunshine!

My apologies for the unexpected delay, I hope this did not cause any inconvenience. Attached is the Section 81 Report draft table for the reporting period 1 July 2021 to 30 June 2022, as well as the page index table (*use this to find the page number of your report*).

Please update the progress of your department against the Waitangi Tribunal recommendations

I would appreciate it if you could coordinate a response where needed, and send your update to me by **November 22<sup>nd</sup>**.

Note:

1. New reports are at the beginning of the table
2. Add to the status column what was achieved from 1 July 2021 to 30 June 2022
3. Include the status – In Progress/ Ongoing/ Partially settled/ Settled
4. You can refer to last year's report (below) and add what has been achieved since that time

<https://www.tpk.govt.nz/en/o-matou-mohiotanga/crownmaori-relations/waitangi-tribunal-claims-update>

Looking forward to hearing from you, and please let me of know any alternative contacts.

Kia pai tō rā.

Noho ora mai,  
Ngā mihi,  
Maddy

The views expressed in this email and any accompanying attachments do not necessarily reflect those of Te Puni Kokiri. Te Puni Kokiri does not accept any responsibility whatsoever for any loss or damage that may result from reliance on or the use of the information contained in this email or any accompanying attachments.

This email together with any accompanying attachments may be confidential and subject to legal privilege. It may be read, copied and used only by the intended recipient(s). If you have received this message in error, please notify the sender immediately by return email, telephone or facsimile and delete this message. You may not copy, disclose or use the contents in any way. Thank you.

RELEASED UNDER THE  
OFFICIAL INFORMATION ACT

Page# in this document	Name of the Report	Report Wai #	Year of report		Agency		Notes
			Calendar	FY			
9	The Stage 2 Report on the National Freshwater and Geothermal Resources Claim	2358	2019	2019/20	Out of scope		Prepublication
11	Hauora Report on Stage One of the Health Services and Outcomes Kaupapa Inquiry	2575	2019	2019/20	Out of scope		
12	Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims (Part IV)	898	2019	2019/20	TĀ, Out of scope		Prepublication
37	Report on the Trans-Pacific Partnership Agreement	2522	2016	2015/16	Out of scope		
37	The Report on the Crown's Review of the Plant Variety Rights Regime	2522	2020	2019/20	Out of scope		
16	The Kārewarewa Urupā Report	2200	2020	2019/20	Out of scope		Prepublication
12	Te Mana Whatu Ahuru Report on Te Rohe Pōtae Claims Part V	898	2020	2019/20	TĀ		Prepublication
18	He Aha I Pera Ai The Māori Prisoners Voting Report	2870	2019	2019/20	Out of scope		
19	The Marine and Coastal Area (Takutai Moana) Act 2011 Inquiry Stage 1 Report	2660	2020	2019/20	TĀ		

21	The Maniapoto Mandate Inquiry Report	2858	2019	2019/20	TĀ		
22	The Hauraki Settlement Overlapping Claims Inquiry Report	2840	2019	2019/20	TĀ, [REDACTED]		
23	The Mana Ahuriri Mandate Report	2573	2019	2019/20	TĀ		
24	The Muriwhenua Land Report	45	1997	1996/97	Waitangi Tribunal		
	Rekohu: Report on Moriori and Ngāti Mutunga claims in the Chatham Islands	64	2001	2000/01		in progress	
24	The Taranaki Report: Kaupapa Tuatahi	143	1996	1995/96	TĀ		
25	Te Whangauī a Tara me ōna Takiwā: Report on the Wellington District	145	2003	2002/03	TĀ		
25	The Mōhaka ki Ahuriri Report	201	2004	2003/04	TĀ, [REDACTED]		
25	Te Raupatu o Tauranga Moana: Report on the Tauranga Confiscation Claims	215	2004	2004/05	TĀ		
26	Tauranga Moana, 1886-2006: Report on the Post-Raupatu Claims	215	2010	2010/11	TĀ		



26	Ko Aotearoa Tēnei: A Report into the Claims Concerning New Zealand Law and Policy Affecting Māori Culture and Identity, Taumata Tuarua;	262	2011	2011/12	Out of scope TPK,		
		262	2006	2006/07	Out of scope		
	Te Aroha Maunga Settlement Process Report	663	2014	2013/14		no further action	
	The Kaipara Report The Kaipara Interim Report	674 674	2006 2002	2006/07 2002/03	TĀ		
	The Hauraki Report	686	2006	2006/07		ongoing	
	The Napier Hospital and Health Services Report	692	2001	2001/02			
	Te Tau Ihu o Te Waka a Maui: Report on Northern South Island Claims	785	2008	2008/09	Out of scope	in progress	
	The Ngāti Maniapoto / Ngāti Tama Cross Claims Report	788/800	2001	2000/01	TĀ	in progress	
29	The Mōkai School Report	789	2000	1999/00	Out of scope		
41	The Report on the Management of the Petroleum Resource	796	2010	2010/11	Out of scope		
	Tūranga Tangata Tūranga Whenua: Report of the Tūranganui a Kiwa Claims	814	2004	2004/05	TĀ, TPK, Out of scope		

30	Wairarapa ki Tararua Report	863	2010	2009/10	TĀ, [REDACTED]		
	Te Urewera Report	894	2015	2015/16	TĀ	in progress	
30	He Whiritaunoka: The Whanganui Land Report	903	2015	2015/16	TĀ	in progress	
31	Ahu Moana: The Aquaculture and Marine Farming Report	953	2002	2002/03	[REDACTED]		
	He Whakaputanga me te Tiriti / The Declaration and the Treaty: The Report on Stage 1 of the Te Paparahi o Te Raki Inquiry	1040	2014	2014/15		ongoing	
	The Report on the Crown's Foreshore and Seabed Policy	1071	2004	2003/04	TĀ,		
31	Te Kāhui Maunga: The National Park District Inquiry Report	1130	2013	2013/14	TĀ	in progress	
32	He Maunga Rongo: Report on Central North Island Claims	1200	2007	2007/08	TĀ		
32	The Te Arawa Settlement Process Reports	1353	2007	2007/08	TĀ	in progress	
	The Tamaki Makaurau Settlement Process Report	1362	2007	2006/07	TĀ	in progress	



33	Matua Rautia: The Report on the Kōhanga Reo Claim	2336	2012	2012/13	TĀ, <span>Out of scope</span>		
	The Stage 1 Report on the National Freshwater and Geothermal Resources Claim	2358	2012	2012/13	TĀ, <span>Out of scope</span>	ongoing	
	The Final Report on the MV Rena and Motiti Island Claims	2391, 2393	2015	2014/15		ongoing	
35	Whaia te Mana Motuhake / In Pursuit of Mana Motuhake: Report on the Māori Community Development Act Claim	2417	2014	2014/15	TPK		
	He Kura Whenua ka Rokohanga: Report on Claims about the Reforms of Te Ture Whenua Māori Act 1993	2478	2016	2015/16	TPK	in progress	
36	The Ngāpuhi Mandate Inquiry Report	2490	2015	2015/16	TĀ		
38	Tū Mai te Rangī! Report on the Crown and Disproportionate Reoffending Rates	2540	2017	2016/17	<span>Out of scope</span>		
39	The Ngatiwai Mandate Inquiry Report	2561	2017	2017/18	TĀ		
41	Horowhenua: The Muaūpoko Priority Report	2200	2017	2016/17	TĀ		Prepublication
40	The Whakatōhea Mandate Inquiry Report	2662	2018	2017/18	TĀ		

8	He Pāharakeke, he Rito Whakakīkinga Whāruarua: Oranga Tamariki Urgent Inquiry	2915	2021	2020/21	Out of scope		
12	Te Mana Whatu Ahuru Report on Te Rohe Pōtae Claims Part VI	898	2020	2020/21	TĀ		Prepublication
2	Haumarū: The Covid-19 Priority Report	2575	2021	2021/22	Out of scope	TBC	Prepublication
4	The Mangatū Remedies Report	814	2021	2021/22	Out of scope	TBC	Prepublication
5	The Report on the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (stage 3)	2522	2021	2021/22	Out of scope	TBC	Prepublication
6	The Priority Report on the Whakatōhea Settlement Process	1750	2021	2021/22	Te Arawhiti	TBC	Prepublication
8	Hauourā report (additional chapter to 2019 report)	2575	2021	2021/22	Out of scope	TBC	
3	Motiti: Report on the Te Moutere o Motiti Inquiry	2521	2021	2021/22	N/A	TBC	Prepublication

**From:** [Maddy Lambert](#)  
**To:** [Cervin, Georgia](#)  
**Subject:** RE: Section 81 2021/22 Review - Wai 863  
**Date:** Friday, 28 July 2023 2:28:00 pm

---

Ka pai – thanks e hoa .

---

**From:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Sent:** Friday, July 28, 2023 2:25 PM  
**To:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Subject:** RE: Section 81 2021/22 Review - Wai 863

Thanks Maddy, we're fine with that

Ngā mihi

Georgia

---

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Sent:** Friday, 28 July 2023 12:44 pm  
**To:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Subject:** RE: Section 81 2021/22 Review - Wai 863

Kia ora Georgia,

Just a quick update to keep you in the loop, an additional sentence has been added on the Wai 863 update upon request from MPI (in red):

"Settlement legislation has been enacted for Rangitāne o Wairarapa and Rangitāne o Tāmaki Nui ā Rua in August 2017. The settlement includes \$32.5 million of financial and commercial redress, and cultural redress including vesting of discrete culturally significant sites and a gift back of Pukaha/Mt Bruce.

Settlement redress has also been enacted for Ngāti Kahungunu ki Wairarapa, ki Tāmaki nui-a-Rua in 2022 together with associated Te Rohe o Rongokako Joint Redress legislation. . The redress package includes financial and commercial redress and cultural redress over the Wairarapa Moana and other culturally significant sites.

*The settlement provided for the Ministry to work with both iwi to develop customary fishing regulations to enable the iwi to jointly manage the indigenous fisheries in Wairarapa Moana and the Ruamahanga catchment to recognise the special relationship the iwi have with these areas a customary fisheries."*

Ngā mihi,

Maddy

---

**From:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Sent:** Friday, July 28, 2023 9:59 AM  
**To:** Maddy Lambert <[REDACTED]@tpk.govt.nz>

**Subject:** RE: Section 8I 2021/22 Review

Ka pai Maddy

Ngā mihi

Georgia

---

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Sent:** Thursday, 27 July 2023 2:13 pm  
**To:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Subject:** RE: Section 8I 2021/22 Review

Kia ora Georgia,

Thanks for getting these back to me.

A one comment, from me, but aside from the I am happy to pass these back to Crown Law:

-Wai 2490: removed “and in March 2023 Tupu Tonu approved grants to 51 hapū, whānau and Ngāpuhi organisations” as this deters a bit too far outside of the reporting period, but I can be updated in the 2022/23 report.

Ngā mihi nui,

Maddy

---

**From:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Sent:** Thursday, July 27, 2023 11:02 AM  
**To:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Subject:** RE: Section 8I 2021/22 Review

Kia ora Maddy

Please find attached our comments and changes.

Ngā mihi

Georgia

---

**From:** Cervin, Georgia  
**Sent:** Tuesday, 25 July 2023 4:15 pm  
**To:** 'Maddy Lambert' <[REDACTED]@tpk.govt.nz>  
**Subject:** RE: Section 8I 2021/22 Review

Kia ora Maddy

Thank you for this! Will send around the relevant people and come back to you on Thursday.

Ngā mihi

Georgia

---

**From:** Maddy Lambert <9(2)(a)@tpk.govt.nz>  
**Sent:** Tuesday, 25 July 2023 3:11 pm  
**To:** Cervin, Georgia <georgia.cervin@tearawhiti.govt.nz>  
**Subject:** RE: Section 8I 2021/22 Review

Kia ora Georgia,

I hope you have been keeping well!

Thank you for your previous input into the Section 8I Report 2021/22. The agency updates have recently been reviewed by Crown Law, who have made some changes to some of the updates provided. Please see the attached documents with the relevant tracked changes and comments. Could you please read through the attached, action any comments and let me know if you approve these changes by **COP Thursday 27<sup>TH</sup> July**.

Thanks e hoa – please let me know if there is an alternative contact.

Kia pai tō rā .

Noho ora mai,  
Ngā mihi,

Maddy

---

**From:** Maddy Lambert <9(2)(a)@tpk.govt.nz>  
**Sent:** Tuesday, May 9, 2023 4:47 PM  
**To:** Cervin, Georgia <georgia.cervin@tearawhiti.govt.nz>  
**Subject:** RE: Section 8I 2021/22 Review

Kia ora

Thanks Georgia, I will not add anything further to the Wai 814 update.  
I will be in touch in due course as the review process continues if necessary.

Thanks for all your mahi, enjoy the rest of your week .

Ngā m hi nunui,

Maddy

---

**From:** Cervin, Georgia <georgia.cervin@tearawhiti.govt.nz>  
**Sent:** Tuesday, May 9, 2023 4:41 PM  
**To:** Maddy Lambert <9(2)(a)@tpk.govt.nz>  
**Subject:** RE: Section 8I 2021/22 Review



Kia ora Maddy

We didn't have any further comments.

Ngā mihi

Georgia

---

**From:** Maddy Lambert <9(2)(a)@tpk.govt.nz>  
**Sent:** Monday, 8 May 2023 10:59 am  
**To:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Subject:** RE: Section 8I 2021/22 Review

Kia ora Georgia,

Hope you had a great weekend.

Would be great if you could flick me the remaining updates by COP today .

Ngā mihi nui,

Maddy

---

**From:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Sent:** Friday, May 5, 2023 1:56 PM  
**To:** Maddy Lambert <9(2)(a)@tpk.govt.nz>  
**Subject:** RE: Section 8I 2021/22 Review

We don't have any other comments on the track changes

Ngā mihi

Georgia

---

**From:** Maddy Lambert <9(2)(a)@tpk.govt.nz>  
**Sent:** Friday, 5 May 2023 1:52 pm  
**To:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Subject:** RE: Section 8I 2021/22 Review

Kia ora Georgia,

Thanks for that, I have removed those sentences. Let me know when you have finished with the rest of the review.

Have a great weekend .

Ngā mihi,

Maddy

---

**From:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Sent:** Thursday, May 4, 2023 3:27 PM  
**To:** Maddy Lambert <9(2)(a)@tpk.govt.nz>  
**Subject:** RE: Section 8I 2021/22 Review

Kia ora Maddy

On review, we are unable to provide any further comment at pages 4, 19 and 21 as this information is not appropriate for public audiences.

Ngā mihi

Georgia

---

**From:** Maddy Lambert <9(2)(a)@tpk.govt.nz>  
**Sent:** Thursday, 4 May 2023 1:50 pm  
**To:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Subject:** RE: Section 8I 2021/22 Review

Awesome, thank you!

Ngā mihi,

Maddy

---

**From:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Sent:** Thursday, May 4, 2023 1:40 PM  
**To:** Maddy Lambert <9(2)(a)@tpk.govt.nz>  
**Subject:** RE: Section 8I 2021/22 Review

Kia ora e hoa

Ka pai, have pushed this out to the relevant people and will get back to you tomorrow.

Ngā mihi

Georgia

---

**From:** Maddy Lambert <9(2)(a)@tpk.govt.nz>  
**Sent:** Thursday, 4 May 2023 12:02 pm  
**To:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Subject:** RE: Section 8I 2021/22 Review

Kia ora Georgia,

Please see the document attached document with my proposed edits and comments.  
Just to note a few additions have been removed as these updates are outside the reporting period of June 30 2021 – July 1 2022. But, these can be included in the next 2022/23 Section 8I Report.

Please let me know your whakaaro by COP āpōpō.

Thanks again for your mahi, I know this has been a process – really appreciate it.

Ngā mihi nui,

Maddy

---

**From:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Sent:** Wednesday, May 3, 2023 3:22 PM  
**To:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Subject:** RE: Section 8I 2021/22 Review

Kia ora Maddy

Please find our review attached. We note that some of the explanatory comments we provided to TPK during the last review have been added to the text. On two occasions we have removed this text since it is not necessary or appropriate for publication.

Please let me now if you have any questions or expect further revisions to come.

Ngā mihi

Georgia

---

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Sent:** Wednesday, 3 May 2023 11:10 am  
**To:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Subject:** RE: Section 8I 2021/22 Review

Mōrena Georgia,

Just checking if there is anything ready regarding the most recent Section 8I review?

Ngā mihi

Maddy

---

**From:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Sent:** Monday, May 1, 2023 11:29 AM  
**To:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Subject:** RE: Section 8I 2021/22 Review

All good Maddy, we'll get it back to you end of day tomorrow.

Ngā mihi

Georgia

---

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Sent:** Monday, 1 May 2023 10:26 am  
**To:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Subject:** RE: Section 8I 2021/22 Review

Mōrena Georgia,

Hope you had a good weekend!

Just following up from the below email re further Section 8I feedback as amendments are due āpōpō.

Let me know if you have any pātai.

Ngā mihi nui,

Maddy

---

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Sent:** Thursday, April 27, 2023 1:27 PM  
**To:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Subject:** RE: Section 8I 2021/22 Review

Kia ora Georgia,

Hope you've had a restful break.

As mentioned previously, the draft Section 8I Report 2021/22 has continued to progress through the review process. Attached is a document with Te Arawhiti's responses and further comments for amendment, and changes in red text.

Could you please review the document, add any additional information, and return the document to me by **COP Tuesday May 2<sup>nd</sup>**.

As per, reach out if you have any pātai – and thank you again for you and your colleagues mahi.

Kia pai tō rā .

Ngā mihi nunui,

Maddy

---

**From:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Sent:** Tuesday, April 18, 2023 6:25 PM  
**To:** Maddy Lambert <[REDACTED]@tpk.govt.nz>

**Subject:** RE: Section 8I 2021/22 Review

Kia ora Maddy

Please see our updates attached.

Ngā mihi

Georgia

---

**From:** Cervin, Georgia  
**Sent:** Tuesday, 18 April 2023 11:44 am  
**To:** 'Maddy Lambert' <9(2)(a)@tpk.govt.nz>  
**Subject:** RE: Section 8I 2021/22 Review

Kia ora Maddy

Arohamai I was away on Friday. I'm just chasing up various people to complete their revisions and will get them to you asap.

Ngā mihi

Georgia

---

**From:** Maddy Lambert <9(2)(a)@tpk.govt.nz>  
**Sent:** Monday, 17 April 2023 11:51 am  
**To:** Cervin, Georgia <georgia.cervin@tearawhiti.govt.nz>  
**Subject:** RE: Section 8I 2021/22 Review

Kia ora Georgia

Hope you had a good weekend! Are you able to please provide the revised input from the Section 8I Report 2021/22 by COP today?  
Please let me know if you have any pātai.

Thanks, and kai pai tō rā .

Ngā manaakitanga,

Maddy

---

**From:** Maddy Lambert <9(2)(a)@tpk.govt.nz>  
**Sent:** Friday, April 14, 2023 1:55 PM  
**To:** Cervin, Georgia <georgia.cervin@tearawhiti.govt.nz>  
**Subject:** RE: Section 8I 2021/22 Review

Kia ora Georgia,



Happy Rāmere!

Just checking if there is any further input into the Section 8I Report 2021/22 regarding the review sent earlier this week? Let me know if you need some more time.

Ngā mihi,

Maddy

---

**From:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>

**Sent:** Tuesday, April 11, 2023 9:45 AM

**To:** Maddy Lambert <[REDACTED]@tpk.govt.nz>

**Subject:** RE: Section 8I 2021/22 Review

Kia ora Maddy

Sure, we'll get working on this now and aim to get back to you on Thurs.

Ngā mihi

Georgia

---

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>

**Sent:** Tuesday, 11 April 2023 9:03 am

**To:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>

**Subject:** RE: Section 8I 2021/22 Review

Kia ora Georgia,

Hope you had a good and relaxing Easter break.

As mentioned previously, the Section 8I Report has progressed to the next stage of its review. From this, some more comments have come up regarding some of the responses from Te Arawhiti – please see the attached document.

One overall comment was also if you could include a sentence along the lines of 'The Section 8I Report XXXX/XX refers , or 'this was addressed in previous/the Section 8I Report XXXX/XX' in updates where the recommendations have been addressed in previous reports and no update on these is needed in this years report (for example, Wai 863). This is to clarify that the recommendations have been addressed.

Could you please input relevant information (as tracked changes) in response to the comments, and send the document back to me by **COP Thursday April 13<sup>th</sup>**.

Please also note that I may be in touch with further comments as the review has not finished.

Thank you for your mahi and enjoy your day .

Noho ora mai,  
Ngā mihi,

Maddy

---

**From:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Sent:** Tuesday, March 28, 2023 4:47 PM  
**To:** Maddy Lambert <9(2)(a)@tpk.govt.nz>  
**Subject:** RE: Section 8I 2021/22 Review

Kia ora Maddy

Thank you for your patience! Please find attached a revised version – we've "resolved" comments where we responded in text, and "replied" to others explaining why the text hasn't changed.

Ngā mihi

Georgia

---

**From:** Maddy Lambert <9(2)(a)@tpk.govt.nz>  
**Sent:** Tuesday, 28 March 2023 11:57 am  
**To:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Subject:** RE: Section 8I 2021/22 Review

Kia ora e hoa,

Could you please send the amendments to the Section 8I Report 2021/22 through to me today as we are looking at progressing the report to the next review stage āpōpō.

Thank you – and please reach out if you need anything .

Manakitaanga,

Maddy

---

**From:** Maddy Lambert  
**Sent:** Monday, March 27, 2023 8:21 AM  
**To:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Subject:** RE: Section 8I 2021/22 Review

Kia ora e hoa,

Hope you had a great weekend.

Just a reminder to please send me any amendments to the Section 8I Report 2021/22 today please .

Kia pai tō rā.

Ngā mihi nui,

Maddy

---

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Sent:** Wednesday, March 22, 2023 11:21 AM  
**To:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Subject:** RE: Section 8I 2021/22 Review

Kia ora Georgia,

Ka pai that would be great. Enjoy your leave .

Ngā mihi,

Maddy

---

**From:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Sent:** Wednesday, 22 March 2023 11:16 am  
**To:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Subject:** RE: Section 8I 2021/22 Review

Kia ora Maddy

Ka pai, thanks for this. I'll round up some edits and try to get them back to you by end of day tomorrow, if not Monday (I'm on leave on Friday).

Ngā mihi

Georgia

---

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Sent:** Tuesday, 21 March 2023 3:59 pm  
**To:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>; Leask, Katherine <[Katherine.Leask@tearawhiti.govt.nz](mailto:Katherine.Leask@tearawhiti.govt.nz)>  
**Subject:** Section 8I 2021/22 Review

Kia ora e hoa,

Hope you are keeping well. First of all, thank you for your mahi at the end of last year in getting the relevant Section 8I updates to me and Arohamai for the lack of contact as I have been progressing this mahi.

The Section 8I 2021/22 responses have been through the first stage of the review process and through this process, some minor edits have been made and some pātai have arisen regarding whether some responses could be 'fleshed out' further (i.e; where more information may be able to be provided). Please see the attached document for the edits made in red text and the

pātai added as comments.

Could you please provide any further input regarding the pātai to the attached document and let me know if you approve the edits by **COP Friday 24 March**.

Once I have received any additions to the above document, the report will progress to next stages of the review.

Kia pai tō rā, and please email me if you have any further pātai, or want clarification.

Ngā mihi nui,

Maddy

---

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Sent:** Friday, 16 December 2022 4:38 pm  
**To:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Subject:** Re: Section 8I - WAI 814

Awesome thanks Georgia! Thank you so much for you and your teams mahi.

Have a great weekend.

Ngā mihi nui.

Maddy

---

**From:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Sent:** Friday, December 16, 2022 1:55:17 PM  
**To:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Subject:** RE: Section 8I - WAI 814

Thanks Maddy, ka pai. And no, the kōhanga reo claim response is not led by us so we don't have an update on that. MoE may be more appropriate.

Ngā mihi

Georgia

---

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Sent:** Friday, 16 December 2022 1:26 pm  
**To:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Subject:** RE: Section 8I - WAI 814

Kia ora Georgia,

Thank you for getting back to me with these responses.

Please note I have made slight amendments to Wai 145 for cohesion with the rest of the report:

"Settlement legislation was enacted for Ngāti Pukenga in 2017 and for Ngāti Hinerangi in 2021. Legislation to settle the claims of Ngāi Te Rangi and Ngā Hapū o Ngāti Ranginui awaiting second reading. Further progress is expected in 2023. Hauraki iwi settlements are progressing; several bills to settle Hauraki claims introduced in 2022, further bills expected to be ready for introduction in 2023."

One other quick pātai – just double-checking, does Te Arawhiti have any update to give re Wai 2336, the Kōhanga Reo Claim?

Thanks again Georgia, I really appreciate your mahi.

Ngā mihi nui,

Maddy

---

**From:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Sent:** Friday, 16 December 2022 12:45 pm  
**To:** Maddy Lambert <[9\(2\)\(a\)@tpk.govt.nz](mailto:9(2)(a)@tpk.govt.nz)>  
**Subject:** RE: Section 81 - WAI 814

Kia ora Maddy

Please find the additions for those two reports in track changes. Was there anything else you were waiting for?

Ngā mihi

Georgia

---

**From:** Maddy Lambert <[9\(2\)\(a\)@tpk.govt.nz](mailto:9(2)(a)@tpk.govt.nz)>  
**Sent:** Friday, December 16, 2022 8:58 AM  
**To:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Subject:** RE: Section 81 - WAI 814

Mōrena Georgia

Sweet as – thank you!

Ngā mihi,

Maddy

---

**From:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Sent:** Friday, 16 December 2022 8:15 am  
**To:** Maddy Lambert <[9\(2\)\(a\)@tpk.govt.nz](mailto:9(2)(a)@tpk.govt.nz)>  
**Subject:** RE: Section 81 - WAI 814



Mōrena Maddy

Thanks for the prompt. I've just chased up the person again... hopefully come back to you later today or early next week

Ngā mihi

Georgia

---

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Sent:** Thursday, December 15, 2022 10:33 AM  
**To:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Subject:** RE: Section 8I - WAI 814

Mōrena e hoa,

Just following up re the Wai 215 and Wai 2662 updates? If you could get these back to me asap that would be much appreciated – thank you for all your mahi so far.

Ngā mihi nui,

Maddy

---

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Sent:** Thursday, 15 December 2022 10:32 am  
**To:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Subject:** RE: Section 8I - WAI 814

Mōrena e hoa,

Just following up re the Wai 215 and Wai 2662 updates? If you could get these back to me asap that would be much appreciated – thank you for all your mahi so far.

Ngā mihi nui,

Maddy

---

**From:** Maddy Lambert  
**Sent:** Wednesday, 7 December 2022 3:03 pm  
**To:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Subject:** RE: Section 8I - WAI 814

Kia ora Georgia,

Great, thanks for that – I have just added that at the bottom of the update to keep the same structure as previous Wai 1200 updates.

Ngā mihi nui,

Maddy

---

**From:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Sent:** Wednesday, 7 December 2022 1:36 pm  
**To:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Subject:** RE: Section 8I - WAI 814

Kia ora thanks Maddy

In response to your question re Wai 1200, we are yet to settle with Ngāti Whakaue.

Ngā mihi

Georgia

---

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Sent:** Wednesday, 7 December 2022 11:49 am  
**To:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Subject:** RE: Section 8I - WAI 814

Kia ora Georgia,

No worries, thanks so much for getting these back to me.

Are you able to provide a timeframe for updates on WAI 215, and WAI 2662?

Also, regarding WAI 1200, there is a list of claimant groups who have settled, but I just wanted to ask if there are any claimant groups who are yet to settle?

I have attached your document with tracked changes – mainly just the status updates, please let me know if you agree with these.

Thanks again!

Ngā mihi nui,

Maddy

---

**From:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Sent:** Wednesday, 7 December 2022 11:07 am  
**To:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Subject:** RE: Section 8I - WAI 814

Kia ora Maddy

Thank you for the reminder! Arohamai, this had slipped from my radar. Please find another version attached with some of the missing information now filled in.

Ngā mihi

Georgia

---

**From:** Maddy Lambert <9(2)(a)@tpk.govt.nz>  
**Sent:** Wednesday, 7 December 2022 8:43 am  
**To:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Subject:** RE: Section 8I - WAI 814

Kia ora Georgia,

Just checking in if there are any further updates re the remaining Section 8I updates? I have been away for a few days, so apologies if I have missed anything.

Ngā mihi,

Maddy

---

**From:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Sent:** Thursday, 24 November 2022 4:05 pm  
**To:** Maddy Lambert <9(2)(a)@tpk.govt.nz>  
**Subject:** RE: Section 8I - WAI 814

Kia ora Maddy

Thank you for adding those status updates. They are correct.

I am just getting the missing information for the remaining reports. I'm not going to be at work tomorrow so I'll have to send them to you on Tuesday next week.

We're not going to have any update on the Matua Rautia Kōhanga Reo report – we think this would be MoE led.

Ngā mihi

Georgia

---

**From:** Maddy Lambert <9(2)(a)@tpk.govt.nz>  
**Sent:** Tuesday, 22 November 2022 2:01 pm  
**To:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>  
**Subject:** RE: Section 8I - WAI 814

Kia ora Georgia,

Thank you for your responses – your team had a lot, so great mahi. I have not changed anything content wise, but as some of the responses were not assigned status updates, I have assigned them – please let me know if you think these are accurate:

- 1750: In Progress
- 2858: Partially Settled
- 1130: In Progress
- 1353: Partially Settled
- 2490: In Progress
- 2561: In Progress
- 

I also noticed not all reports assigned to Te Arawhiti have been updated – is this as there are no updates to report?

Thank you for your feedback re Wai 2358 (Freshwater), MFE has responded so I will exclude your update as suggested in the comment. As for Wai 1040, this report was not included in last year's report for reasons I am not aware of (the kaimahi leading S8I has since left TPK), however I can investigate this – does Te Arawhiti have an update for this report?

Thanks again for your responses and I will be in contact following the Crown Law review.

Ngā mihi nui,

Maddy

---

**From:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>

**Sent:** Tuesday, 22 November 2022 9:57 am

**To:** Maddy Lambert <9(2)(a)@tpk.govt.nz>

**Subject:** RE: Section 8I - WAI 814

Kia ora Maddy

Please find attached Te Arawhiti's responses. Please let me know if any of these require any clarification.

We have made a comment for the Freshwater report that we think this should be led by TPK and MfE. We also noted that Wai 1040 is not included and we wondered why this was?

Ngā mihi

Georgia

---

**From:** Cervin, Georgia

**Sent:** Friday, 18 November 2022 3:02 pm

**To:** 'Maddy Lambert' <9(2)(a)@tpk.govt.nz>

**Subject:** RE: Section 8I - WAI 814

Ka pai, thanks Maddy that should be fine. I'll look to send this through on Monday.

---

**From:** Maddy Lambert <9(2)(a)@tpk.govt.nz>

**Sent:** Friday, 18 November 2022 2:09 pm

**To:** Cervin, Georgia <[georgia.cervin@tearawhiti.govt.nz](mailto:georgia.cervin@tearawhiti.govt.nz)>

**Subject:** Section 8I - WAI 814

Kia ora Georgia,

I hope you're having a good week. Just a small update re WAI 814 (the Mangatū Report) – it was assigned to LINZ and Te Arawhiti, but as the matter re the Crown Forest Licenses is subject to a judicial review, LINZ do not think they are best placed to provide a response. This means it will just be Te Arawhiti updating this report. Let me know if you have any pātai or if this will cause any disruptions to your update-response time.

Have a great weekend.

Noho ora mai,  
Ngā mihi,

Maddy

The views expressed in this email and any accompanying attachments do not necessarily reflect those of Te Puni Kokiri. Te Puni Kokiri does not accept any responsibility whatsoever for any loss or damage that may result from reliance on or the use of the information contained in this email or any accompanying attachments. This email together with any accompanying attachments may be confidential and subject to legal privilege. It may be read, copied and used only by the intended recipient(s). If you have received this message in error, please notify the sender immediately by return email, telephone or facsimile and delete this message. You may not copy, disclose or use the contents in any way. Thank you.

The views expressed in this email and any accompanying attachments do not necessarily reflect those of Te Puni Kokiri. Te Puni Kokiri does not accept any responsibility whatsoever for any loss or damage that may result from reliance on or the use of the information contained in this email or any accompanying attachments. This email together with any accompanying attachments may be confidential and subject to legal privilege. It may be read, copied and used only by the intended recipient(s). If you have received this message in error, please notify the sender immediately by return email, telephone or facsimile and delete this message. You may not copy, disclose or use the contents in any way. Thank you.

The views expressed in this email and any accompanying attachments do not necessarily reflect those of Te Puni Kokiri. Te Puni Kokiri does not accept any responsibility whatsoever for any loss or damage that may result from reliance on or the use of the information contained in this email or any accompanying attachments. This email together with any accompanying attachments may be confidential and subject to legal privilege. It may be read, copied and used only by the intended recipient(s). If you have received this message in error, please notify the sender immediately by return email, telephone or facsimile and delete this message. You may not copy, disclose or use the contents in any way. Thank you.

The views expressed in this email and any accompanying attachments do not necessarily reflect those of Te Puni Kokiri. Te Puni Kokiri does not accept any responsibility whatsoever for any loss or damage that may result from reliance on or the use of the information contained in this email or any accompanying attachments. This email together with any accompanying attachments may be confidential and subject to legal privilege. It may be read, copied and used only by the intended recipient(s). If you have received this message in error, please notify the sender immediately by return email, telephone or facsimile and delete this message. You may not copy, disclose or use the contents in any way. Thank you.

The views expressed in this email and any accompanying attachments do not necessarily reflect those of Te Puni Kokiri. Te Puni Kokiri does not accept any responsibility whatsoever for any loss or damage that may result from reliance on or the use of the information contained in this email or any accompanying attachments. This email together with any accompanying attachments may be confidential and subject to legal privilege. It may be read, copied and used only by the intended recipient(s). If you have received this message in error, please notify the sender immediately by return email, telephone or facsimile and delete this message. You may not copy, disclose or use the contents in any way. Thank you.

The views expressed in this email and any accompanying attachments do not necessarily reflect those of Te Puni Kokiri. Te Puni Kokiri does not accept any responsibility whatsoever for any loss or damage that may result from reliance on or the use of the information contained in this email or any accompanying attachments. This email together with any accompanying attachments may be confidential and subject to legal privilege. It may be read, copied and used only by the intended recipient(s). If you have received this message in error, please notify the sender immediately by return email, telephone or facsimile and delete this message. You may not copy, disclose or use the contents in any way. Thank you.

The views expressed in this email and any accompanying attachments do not necessarily reflect those of Te Puni Kokiri. Te Puni Kokiri does not accept any responsibility whatsoever for any loss or damage that may result from reliance on or the use of the information contained in this email or any accompanying attachments.



This email together with any accompanying attachments may be confidential and subject to legal privilege. It may be read, copied and used only by the intended recipient(s). If you have received this message in error, please notify the sender immediately by return email, telephone or facsimile and delete this message. You may not copy, disclose or use the contents in any way. Thank you.

The views expressed in this email and any accompanying attachments do not necessarily reflect those of Te Puni Kokiri. Te Puni Kokiri does not accept any responsibility whatsoever for any loss or damage that may result from reliance on or the use of the information contained in this email or any accompanying attachments.

This email together with any accompanying attachments may be confidential and subject to legal privilege. It may be read, copied and used only by the intended recipient(s). If you have received this message in error, please notify the sender immediately by return email, telephone or facsimile and delete this message. You may not copy, disclose or use the contents in any way. Thank you.

RELEASED UNDER THE  
OFFICIAL INFORMATION ACT

**From:** [Maddy Lambert](#)  
**To:** [REDACTED]  
[REDACTED]  
[REDACTED] [Jaclyn Williams](#); [Jim Rochford](#); [Choyce Maere](#); [Cervin, Georgia](#); [Out of Scope](#)  
**Subject:** Section 8I Responses  
**Date:** Tuesday, 22 November 2022 10:55:00 am  
**Attachments:** [07 11 2022 Section 8I Draft Summary Table.docx](#)  
[Index of reports 07 11 2022.xlsx](#)

---

Kia ora koutou,

Just a reminder that updates for Section 8I are due. Thank you for those who have sent their updates to me, if you are still yet to send your update, please send it to me by **28 November** (Please note, WAI 262 TBC).

Have a great rest of your day and as always, reach out if you need anything.

Noho ora mai,  
Ngā mihi,

Maddy

RELEASED UNDER THE  
OFFICIAL INFORMATION ACT

From: [Maddy Lambert](#)  
 To: **Out of Scope** ; [Hewson, Lucy](#); [Jordan, Robert](#)  
 Subject: RE: Ministry of Justice update RE: Section 8I - Wai 2870  
 Date: Tuesday, 2 May 2023 3:08:00 pm  
 Attachments: **Out of Scope**

Awesome, thanks **Out of Scope**.  
 Kia pai tō rā e hoa mā.

Ngā mihi nui,

Maddy

From: **Out of Scope**  
 Sent: Tuesday, May 2, 2023 3:05 PM  
 To: Maddy Lambert <[9\(2\)\(a\)](#)@tpk.govt.nz>  
 Cc: **Out of Scope** ; **Out of Scope** Hewson,  
 Lucy <[Lucy.Hewson@justice.govt.nz](#)>; Jordan, Robert <[Robert.Jordan@justice.govt.nz](#)>  
 Subject: RE: Ministry of Justice update RE: Section 8I - Wai 2870

**Out of Scope**

From: Jordan, Robert <[Robert.Jordan@justice.govt.nz](#)>  
 Sent: 02 May 2023 2:58 p.m.  
 To: Maddy Lambert <[9\(2\)\(a\)](#)@tpk.govt.nz>; **Out of Scope**  
**Out of Scope**  
 Cc: **Out of Scope** ; **Out of Scope** Hewson,  
 Lucy <[Lucy.Hewson@justice.govt.nz](#)>  
 Subject: RE: Ministry of Justice update RE: Section 8I - Wai 2870

Some people who received this message don't often get email from [robert.jordan@justice.govt.nz](#). [Learn why this is important](#)

Hi Maddy,

Thanks for providing an update.

I've proposed a small change for clarity below.

Ngā mihi,

**Robert Jordan** ([he/him](#))

Senior Policy Advisor | Electoral and Constitutional  
 Civil and Constitutional Unit | Policy Group

M [9\(2\)\(a\)](#) | Ext [9\(2\)\(a\)](#)

[Robert.Jordan@justice.govt.nz](#) [www.justice.govt.nz](#)

---

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>

**Sent:** Tuesday, 2 May 2023 2:55 pm

**To:** [REDACTED] Jordan, Robert

<[Robert.Jordan@justice.govt.nz](mailto:Robert.Jordan@justice.govt.nz)>

**Cc:** [REDACTED]

[REDACTED] Hewson,

Lucy <[Lucy.Hewson@justice.govt.nz](mailto:Lucy.Hewson@justice.govt.nz)>

**Subject:** RE: Ministry of Justice update RE: Section 8I - Wai 2870

Kia ora koutou,

Thank you both for your input and whakaaro regarding the review pātai.

I have incorporated your feedback into the original sentence and added the below addition to clarify its independence (in red):

*"In addition, we note that the establishment of the TPOG does not fully address the recommendation and did not intend to as it was established independently, but in relation to WAI 2870."*

Please let me know if this reflects your kōrero.

John, I have added the additional information you provided to the master document.

If everyone agrees on the amendments, I will feed the changes back to the reviewer and get back to you if further clarification is sought.

Thank you again kōrua.

Ngā mihi nui,

Maddy

---

**From:** [REDACTED]

**Sent:** Tuesday, May 2, 2023 11:04 AM

**To:** Maddy Lambert <[REDACTED]@tpk.govt.nz>

**Cc:** [REDACTED]

[REDACTED] Jordan,

Robert <[Robert.Jordan@justice.govt.nz](mailto:Robert.Jordan@justice.govt.nz)>; [Lucy.Hewson@justice.govt.nz](mailto:Lucy.Hewson@justice.govt.nz)

**Subject:** RE: Ministry of Justice update RE: Section 8I - Wai 2870

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Out of Scope [REDACTED]



**From:** Out of Scope [REDACTED]

**Sent:** 27 April 2023 2:50 p.m.

**To:** Out of Scope [REDACTED]

**Subject:** FW: Ministry of Justice update RE: Section 8I - Wai 2870

Out of Scope [REDACTED]

[REDACTED]

[REDACTED]

**From:** Maddy Lambert <9(2)(a) [REDACTED]@tpk.govt.nz>

**Sent:** 27 April 2023 1:27 p.m.

**To:** Hewson, Lucy <Lucy.Hewson@justice.govt.nz>; Out of Scope [REDACTED]

**Cc:** Jordan, Robert <Robert.Jordan@justice.govt.nz>

**Subject:** RE: Ministry of Justice update RE: Section 8I - Wai 2870

Kia ora koutou,

Hope you have all been keeping well over the last few months, and thank you again for your mahi at the end of last year.

The Section 8I Report 2021/22 draft has been going through a review process, and from this one pātai has arisen regarding the Wai 2870 update (*see attached*):

- The last sentence of the update states that the “establishment of the TPOG does not fully address the recommendation”. Are you able to provide additional information on how the recommendation will/is planned to be fully addressed? (*noting the reporting period of 1 July 2021 – 30 June 2022*).

Could you please provide any additions to me by **COP Tuesday May 2<sup>nd</sup>**.

Please reach out if you have any pātai.

Kia pai tō rā.

Ngā mihi nui,

Maddy

**From:** Maddy Lambert

**Sent:** Friday, December 16, 2022 10:08 AM

**To:** Hewson, Lucy <Lucy.Hewson@justice.govt.nz>

**Cc:** Jordan, Robert <Robert.Jordan@justice.govt.nz>

**Subject:** RE: Ministry of Justice update RE: Section 8I - Wai 2870

Mōrena Lucy,

Ka Pai, I have changed the sentence to the structure you have suggested – thank you for your input.



Enjoy the rest of your day, and I will be in touch when the next steps are in motion. Have a great Christmas and New Year.

Ngā mihi nui,

Maddy

---

**From:** Hewson, Lucy <[Lucy.Hewson@justice.govt.nz](mailto:Lucy.Hewson@justice.govt.nz)>  
**Sent:** Friday, 16 December 2022 9:48 am  
**To:** Maddy Lambert <[9\(2\)\(a\)@tpk.govt.nz](mailto:9(2)(a)@tpk.govt.nz)>  
**Cc:** Jordan, Robert <[Robert.Jordan@justice.govt.nz](mailto:Robert.Jordan@justice.govt.nz)>  
**Subject:** RE: Ministry of Justice update RE: Section 8I - Wai 2870

Kia ora Maddy

Thank you for highlighting that. Your suggested changes look great – I've made some small amendments, please let me know if you are happy with these.

"The Independent Review panel released its review consultation document in September 2022 and in May 2023 the panel will release its draft recommendations and invite feedback from the public."

Thank you for updating me on the next steps, and I look forward to receiving the next version for comment.

Ngā mihi,  
 Lucy



**Lucy Hewson** (she/her)  
 Policy Advisor | Electoral and Constitutional  
 Civil and Constitutional Unit | Policy Group  
 Ministry of Justice | Tihū o te Ture  
**Out of Scope** | Ext **Out of Scope**  
 National Office | Justice Centre | 19 Aitken Street  
 DX Box SX10088 | Wellington  
[Lucy.hewson@justice.govt.nz](mailto:Lucy.hewson@justice.govt.nz) | [justice.govt.nz](https://justice.govt.nz)

---

**From:** Maddy Lambert <[9\(2\)\(a\)@tpk.govt.nz](mailto:9(2)(a)@tpk.govt.nz)>  
**Sent:** Thursday, 15 December 2022 10:07 am  
**To:** Hewson, Lucy <[Lucy.Hewson@justice.govt.nz](mailto:Lucy.Hewson@justice.govt.nz)>  
**Subject:** RE: Ministry of Justice update RE: Section 8I - Wai 2870

Mōrena Lucy,

Thank you for your Section 8I response and for the changes you made. Just one quick query – I note the release of the Independent Review consultation document occurred in September 2022, which, unfortunately is after the reporting cut-off date of July 2022. I have slightly changed the structure of the sentence (see highlighted sentence) so it is more of a lean-in for an update for next year's report:

**Original:**

*"In September 2022 the Independent Review released its consultation document. Consultation is now closed, and the Panel is now considering what it has heard and developing recommendations on what could change. In May of next year, the Panel will release its draft recommendations and invite feedback from the public."*

**Suggested:**

"The Independent review panel released its review in September 2022 and in May 2023 the panel will release its draft recommendations and invite feedback from the public."

Please let me know your thoughts on this small change.

Going forward, the report will be reviewed by some internal colleagues, then by Crown Law; you will have the opportunity to comment on any changes suggested by either party.

Thanks again for your mahi.

Ngā mihi nui,

Maddy

---

**From:** Hewson, Lucy <[Lucy.Hewson@justice.govt.nz](mailto:Lucy.Hewson@justice.govt.nz)>  
**Sent:** Tuesday, 13 December 2022 11:46 am  
**To:** Andrew Rewi <[\[REDACTED\]@tpk.govt.nz](mailto:[REDACTED]@tpk.govt.nz)>; Maddy Lambert <[\[REDACTED\]@tpk.govt.nz](mailto:[REDACTED]@tpk.govt.nz)>  
**Cc:** Jordan, Robert <[Robert.Jordan@justice.govt.nz](mailto:Robert.Jordan@justice.govt.nz)>; Denoual, Hayley <[Hayley.Denoual@justice.govt.nz](mailto:Hayley.Denoual@justice.govt.nz)>;  
 Andrews, Matthew <[Matthew.Andrews@tearawhiti.govt.nz](mailto:Matthew.Andrews@tearawhiti.govt.nz)>; Turvey, Arnu <[Arnu.Turvey@tearawhiti.govt.nz](mailto:Arnu.Turvey@tearawhiti.govt.nz)>  
**Subject:** RE: Ministry of Justice update RE: Section 8I - Wai 2870

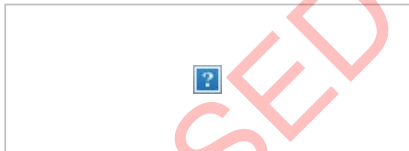
Kia ora Maddy and Andrew

Thank you both for your feedback on the inclusion of TPOG in this update. It was very helpful to hear your views, particularly regarding appropriately qualifying the development of TPOG. We have incorporated this into the document, including Maddy's suggested addition.

Please see the updated document **attached**.

Thanks again.

Ngā mihi,  
Lucy



**Lucy Hewson** (she/her)  
 Policy Advisor | Electoral and Constitutional  
 Civil and Constitutional Unit | Policy Group  
 Ministry of Justice | Tāhū o te Ture  
 P: **Out of Scope** | Ext: **Out of Scope**  
 National Office | Justice Centre | 19 Aitken Street  
 DX Box SX10088 | Wellington  
[Lucy.hewson@justice.govt.nz](mailto:Lucy.hewson@justice.govt.nz) | [justice.govt.nz](https://justice.govt.nz)

---

**From:** Andrew Rewi <[\[REDACTED\]@tpk.govt.nz](mailto:[REDACTED]@tpk.govt.nz)>  
**Sent:** Tuesday, 13 December 2022 10:16 am  
**To:** Hewson, Lucy <[Lucy.Hewson@justice.govt.nz](mailto:Lucy.Hewson@justice.govt.nz)>; Maddy Lambert <[\[REDACTED\]@tpk.govt.nz](mailto:[REDACTED]@tpk.govt.nz)>  
**Cc:** Jordan, Robert <[Robert.Jordan@justice.govt.nz](mailto:Robert.Jordan@justice.govt.nz)>; Denoual, Hayley <[Hayley.Denoual@justice.govt.nz](mailto:Hayley.Denoual@justice.govt.nz)>;  
 Andrews, Matthew <[Matthew.Andrews@tearawhiti.govt.nz](mailto:Matthew.Andrews@tearawhiti.govt.nz)>; Turvey, Arnu <[Arnu.Turvey@tearawhiti.govt.nz](mailto:Arnu.Turvey@tearawhiti.govt.nz)>  
**Subject:** RE: Ministry of Justice update RE: Section 8I - Wai 2870

Kia ora Lucy / Maddie

Just to be clear, the only aspect of this update I'm commenting on is the inclusion of the TPOG narrative. I don't know anything about this report or the government's actual response to it.

I haven't spoken with Te Arawhiti, but see and share their concern that, without the lead-in comment (under "Ministry of Justice" under "Status Update") Te Arawhiti's suggested text, the inclusion of TPOG in this update





misleadingly implies that the development of TPOG was an intended part of the government's response to this recommendation, when it hasn't been and to my knowledge at no point did MoJ ever suggest such or that TPOG's establishment would contribute to such as response.

TPOG's development was completely independent of this claim and Tribunal report and recommendations. It's part of a broad range of Māori-Crown Relationship related initiatives and guidance, developed over the last few years and aimed at improved MCRs and an improved understanding of and application of the Treaty and its principles toward an improved Treaty relationship.

That said, TPOG's existence and role/function does contribute towards addressing this recommendation, and MoJ is a TPOG member so it should be referenced here – but qualified as you have. It might also be noted that it doesn't fully address the recommendation and there is more that could/should be done by government agencies and Ministers generally and in specific instances/advice to respond to the recommendation (eg, ensuring improved MCR and Treaty analysis and advice in policy and operations, improved engagement with and involvement of Māori, ...)

Overall fine with the narrative given the inclusion of the lead-in qualification and Te Arawhiti's text.

Andrew

<b>Andrew Rewi</b> <b>Chief Advisor, Policy Partnerships</b>	Tauwaea DDI : 9(2)(a)   Waea Pūkoro M : 9(2)(a) Waea Whaka hua F : 0800 875 329
	Te Puni Kōkiri, P O Box 3943, Wellington 6 40 Aotearoa  Te Puni Kōkiri Website...  Kōkiri Magazine  Facebook

**From:** Hewson, Lucy <Lucy.Hewson@justice.govt.nz>  
**Sent:** Monday, 12 December 2022 4:56 pm  
**To:** Maddy Lambert <9(2)(a)@tpk.govt.nz>; Andrew Rewi <9(2)(a)@tpk.govt.nz>  
**Cc:** Jordan, Robert <Robert.Jordan@justice.govt.nz>; Denoual, Hayley <Hayley.Denoual@justice.govt.nz>  
**Subject:** Ministry of Justice update RE: Sect on 8I – Wai 2870

Kia ora kōrua

**Maddy** as requested, we have prepared an update regarding the Section 8I update for Wai 2870 He Aha I Pera Ai, The Māori Prisoners Voting Report. This is **attached**, although please note I will await Andrew's views on this content.

**Andrew** – My name is Lucy Hewson and I work in the Electoral and Constitutional Team at the Ministry of Justice. I have included you in this chain as I am hoping you can provide some guidance on the inclusion of certain information in the Section 8I update for Wai 2870.

You will see that in the Ministry of Justice update we have included reference to the Treaty Provisions Oversight Group (TPOG) and the guidance on providing for the Treaty in legislation. We discussed this with Te Arawhiti, who suggested we run this by you.

Te Arawhiti had a concern that inclusion of these items suggests the TPOG and its associated guidance document was a response to, or even a fulfilment of, the Tribunal's recommendation that: "A process is implemented for ensuring that Crown officials provide properly informed advice on the likely impact that any Bill, including members' Bills, will have on the Crown's Treaty of Waitangi obligations." Te Arawhiti noted that this risks TPOG's role being misconstrued, and that if TPOG is to be mentioned, it should be made clear Wai 2870 was not its genesis, rather it was part of the Crown's broader efforts to support more effective policy and

Treaty analysis in the design of legislation. In prompting critical thinking and good process TPOG may contribute to the Tribunal's stated objective of agencies providing clearer advice on how legislation provides for the Treaty, but it should not be seen as providing systemic assurance this is happening as recommended by the Tribunal.

We have tried to incorporate this into the update, to ensure TPOG's role is not misconstrued. We would be grateful for your views on how we have incorporated this into the material.

Please let me know if you have any questions.

Thank you both, and I look forward to hearing from you.

Ngā mihi,  
Lucy



**Lucy Hewson** (she/her)  
Policy Advisor | Electoral and Constitutional  
Civil and Constitutional Unit | Policy Group  
Ministry of Justice | Tāhū o te Ture  
**P 9(2)(a)** | **Ext 9(2)(a)**  
National Office | Justice Centre | 19 Aitken Street  
DX Box SX10088 | Wellington  
[Lucy.hewson@justice.govt.nz](mailto:Lucy.hewson@justice.govt.nz) | [justice.govt.nz](https://justice.govt.nz)

---

**From:** Maddy Lambert <[9\(2\)\(a\)@tpk.govt.nz](mailto:9(2)(a)@tpk.govt.nz)>  
**Sent:** Monday, 28 November 2022 9:10 am  
**To:** Denoual, Hayley <[Hayley.Denoual@justice.govt.nz](mailto:Hayley.Denoual@justice.govt.nz)>  
**Cc:** Jordan, Robert <[Robert.Jordan@justice.govt.nz](mailto:Robert.Jordan@justice.govt.nz)>; Hewson, Lucy <[Lucy.Hewson@justice.govt.nz](mailto:Lucy.Hewson@justice.govt.nz)>  
**Subject:** RE: Section 8I - Wai 2870

Kia ora Hayley,

Thank you, that sounds like a good plan – reach out if you have any pātai in the meantime.  
Kia pai tō rā.

Ngā mihi nui,

Maddy

---

**From:** Denoual, Hayley <[Hayley.Denoual@justice.govt.nz](mailto:Hayley.Denoual@justice.govt.nz)>  
**Sent:** Monday, 28 November 2022 9:07 am  
**To:** Maddy Lambert <[9\(2\)\(a\)@tpk.govt.nz](mailto:9(2)(a)@tpk.govt.nz)>  
**Cc:** Jordan, Robert <[Robert.Jordan@justice.govt.nz](mailto:Robert.Jordan@justice.govt.nz)>; Hewson, Lucy <[Lucy.Hewson@justice.govt.nz](mailto:Lucy.Hewson@justice.govt.nz)>  
**Subject:** RE: Section 8I - Wai 2870

You don't often get email from [hayley.denoual@justice.govt.nz](mailto:hayley.denoual@justice.govt.nz). [Learn why this is important](#)

Hi Maddy

We'll try for then, and let you know closer to the date if it's not looking feasible.

Hayley



**Hayley Denoual** ([she/her](#))

Policy Manager | Kaiwhakahaere Kaupapa

Electoral and Constitutional Policy | Civil and Constitutional Unit

Ministry of Justice | Tāhū o te Ture

P [9\(2\)\(a\)](#) | Ext [9\(2\)\(a\)](#) | Mob [9\(2\)\(a\)](#)

Justice Centre | 19 Aitken Street

[hayley.denoual@justice.govt.nz](mailto:hayley.denoual@justice.govt.nz) | [justice.govt.nz](https://www.justice.govt.nz)

[‘Chat with me on Teams’](#)

*We value and encourage flexible first. While it suits me to send this now, I do not expect a response or action outside of your own working hours.*

**From:** Maddy Lambert <[9\(2\)\(a\)](#)@tpk.govt.nz>

**Sent:** Monday, 28 November 2022 8:28 am

**To:** Denoual, Hayley <[Hayley.Denoual@justice.govt.nz](mailto:Hayley.Denoual@justice.govt.nz)>

**Cc:** Jordan, Robert <[Robert.Jordan@justice.govt.nz](mailto:Robert.Jordan@justice.govt.nz)>; Hewson, Lucy <[Lucy.Hewson@justice.govt.nz](mailto:Lucy.Hewson@justice.govt.nz)>

**Subject:** RE: Section 8I - Wai 2870

Mōrena Hayley,

Thanks Hayley, that would be great if you could provide an update on those items. As for a timeframe, would Monday 12 December be enough time to gather the required information? Please let me know if this is not possible, I know things are hectic at the moment as we come to the end of the year.

Ngā mihi nui,

Maddy

**From:** Denoual, Hayley <[Hayley.Denoual@justice.govt.nz](mailto:Hayley.Denoual@justice.govt.nz)>

**Sent:** Monday, 28 November 2022 7:32 am

**To:** Maddy Lambert <[9\(2\)\(a\)](#)@tpk.govt.nz>

**Cc:** Jordan, Robert <[Robert.Jordan@justice.govt.nz](mailto:Robert.Jordan@justice.govt.nz)>; Hewson, Lucy <[Lucy.Hewson@justice.govt.nz](mailto:Lucy.Hewson@justice.govt.nz)>

**Subject:** FW: Section 8I - Wai 2870

You don't often get email from [hayley.denoual@justice.govt.nz](mailto:hayley.denoual@justice.govt.nz). [Learn why this is important](#)

Sandra has kindly forwarded your email regarding the Section 8I update for Wai 2870 He Aha I Pera Ai, The Māori Prisoners Voting Report to the Policy Group – this particular item sits with my team.

We can endeavour to provide a brief update of some of the current work in the electoral law reform area that may be useful and could also link in with Te Arawhiti about the third bullet point re: ensuring that advice is provided on the likely impact of Bills on the Crown's Treaty of Waitangi obligations.

I'm just emailing to check your time frames/ when you would need any update by, as the team is pretty stretched at the moment coming into the end of the year.

Ngā mihi

Hayley

**Hayley Denoual** ([she/her](#))

Policy Manager | Kaiwhakahaere Kaupapa





Electoral and Constitutional Policy | Civil and Constitutional Unit  
 Ministry of Justice | Tāhū o te Ture  
 P 9(2)(a) | Ext 9(2)(a) | Mob 9(2)(a)  
 Justice Centre | 19 Aitken Street  
[hayley.denoual@justice.govt.nz](mailto:hayley.denoual@justice.govt.nz) | [justice.govt.nz](https://www.justice.govt.nz)  
[‘Chat with me on Teams’](#)

*We value and encourage flexible first. While it suits me to send this now, I do not expect a response or action outside of your own working hours.*

Please see below email and attached from Te Puni Kōkiri regarding the Section 8I update for Wai 2870 He Aha I Pera Ai, The Māori Prisoners Voting Report, for your information.

I am forwarding this to MoJ Policy to respond to TPK, as discussed with Tony Fisher today. TPK has been notified accordingly.

Please let me know if you have any questions.

Monique, fyi as discussed, thank you for your assistance

Ngā mihi, nā  
 Sandra



**Sandra Edmonds**  
 Deputy Director | Waitangi Tribunal | Te Rōpū Whakamana i te Tiriti o Waitangi  
 DDI 9(2)(a) | EXTN: 9(2)(a) | M 9(2)(a)  
 Fujitsu Tower | 141 The Terrace | DX SX11237 | Wellington  
[www.justice.govt.nz](https://www.justice.govt.nz)

🌱 Whakaarotia a Papatūānuku i mua i tō ānga i te Īmēra nei.

**From:** Maddy Lambert <9(2)(a)@tpk.govt.nz>

**Sent:** Thursday, 24 November 2022 2:03 pm

**To:** Fisher, Tony <Tony.Fisher@justice.govt.nz>; Edmonds, Sandra <Sandra.Edmonds@justice.govt.nz>

**Subject:** Section 8I - Wai 2870

Kia ora kōrua,

I have received an email from Corrections regarding the Section 8I update for Wai 2870 He Aha I Pera Ai, The Māori Prisoners Voting Report. Corrections have provided their update, but have also suggested that the Ministry of Justice provide an update. MOJ was not initially tagged to Wai 2870, as an update was not provided from MOJ in last year's Section 8I Report, however, if MOJ has been working in this area, it would be great to have an update on this.

As this was not initially signalled, I understand you will most likely need extra time to gather the information, and I apologise for the short notice. If there is an update to provide from MOJ, please let me know an expected completion date.

Attached is the update provided by Corrections.

Please reach out if you have any pātai, and have a great rest of your day.

Noho ora mai,  
Ngā mihi,

Maddy

The views expressed in this email and any accompanying attachments do not necessarily reflect those of Te Puni Kokiri. Te Puni Kokiri does not accept any responsibility whatsoever for any loss or damage that may result from reliance on or the use of the information contained in this email or any accompanying attachments.

This email together with any accompanying attachments may be confidential and subject to legal privilege. It may be read, copied and used only by the intended recipient(s). If you have received this message in error, please notify the sender immediately by return email, telephone or facsimile and delete this message. You may not copy, disclose or use the contents in any way. Thank you.

The views expressed in this email and any accompanying attachments do not necessarily reflect those of Te Puni Kokiri. Te Puni Kokiri does not accept any responsibility whatsoever for any loss or damage that may result from reliance on or the use of the information contained in this email or any accompanying attachments.

This email together with any accompanying attachments may be confidential and subject to legal privilege. It may be read, copied and used only by the intended recipient(s). If you have received this message in error, please notify the sender immediately by return email, telephone or facsimile and delete this message. You may not copy, disclose or use the contents in any way. Thank you.

The views expressed in this email and any accompanying attachments do not necessarily reflect those of Te Puni Kokiri. Te Puni Kokiri does not accept any responsibility whatsoever for any loss or damage that may result from reliance on or the use of the information contained in this email or any accompanying attachments.

This email together with any accompanying attachments may be confidential and subject to legal privilege. It may be read, copied and used only by the intended recipient(s). If you have received this message in error, please notify the sender immediately by return email, telephone or facsimile and delete this message. You may not copy, disclose or use the contents in any way. Thank you.

The views expressed in this email and any accompanying attachments do not necessarily reflect those of Te Puni Kokiri. Te Puni Kokiri does not accept any responsibility whatsoever for any loss or damage that may result from reliance on or the use of the information contained in this email or any accompanying attachments.

This email together with any accompanying attachments may be confidential and subject to legal privilege. It may be read, copied and used only by the intended recipient(s). If you have received this message in error, please notify the sender immediately by return email, telephone or facsimile and delete this message. You may not copy, disclose or use the contents in any way. Thank you.

The views expressed in this email and any accompanying attachments do not necessarily reflect those of Te Puni Kokiri. Te Puni Kokiri does not accept any responsibility whatsoever for any loss or damage that may result from reliance on or the use of the information contained in this email or any accompanying attachments.

This email together with any accompanying attachments may be confidential and subject to legal privilege. It may be read, copied and used only by the intended recipient(s). If you have received this message in error, please notify the sender immediately by return email, telephone or facsimile and delete this message. You may not copy, disclose or use the contents in any way. Thank you.

---

The information in this message is the property of the New Zealand Department of Corrections. It is intended only for the person or entity to which it is addressed and may contain privileged or in confidence material. Any review, storage, copying, editing, summarising, transmission, retransmission, dissemination or other use of, by any means, in whole or part, or taking any action in reliance upon, this information by persons or entities other than intended recipient are prohibited. If you received this in error, please contact the sender and delete the material from all computers.

---

The information in this message is the property of the New Zealand Department of Corrections. It is intended only for the person or entity to which it is addressed and may contain privileged or in confidence material. Any review, storage, copying, editing, summarising, transmission, retransmission, dissemination or other use of, by any means, in whole or part, or taking any action in reliance upon, this information by persons or entities other than intended recipient are prohibited. If you received this in error, please contact the sender and delete the material from all computers.

**From:** [Maddy Lambert](#)  
**To:** [Edmonds, Sandra](#); [Fisher, Tony](#)  
**Cc:** [Swindells, Monique](#)  
**Subject:** RE: Section 81 - Wai 2870  
**Date:** Friday, 25 November 2022 12:17:00 pm  
**Attachments:** **Out of Scope**

---

Kia ora Sandra,

Great, thank you .

Ngā mihi nui,

Maddy

---

**From:** Edmonds, Sandra <[9\(2\)\(a\)](#)>@justice.govt.nz>  
**Sent:** Friday, 25 November 2022 11:56 am  
**To:** Maddy Lambert <[9\(2\)\(a\)](#)>@tpk.govt.nz>; Fisher, Tony <Tony.Fisher@justice.govt.nz>  
**Cc:** Swindells, Monique <Monique.Swindells@justice.govt.nz>  
**Subject:** RE: Section 81 - Wai 2870

Kia ora Maddy,

Your query has been forwarded to our MoJ Policy team for a response.

I have copied in Monique Swindells, Executive Support to the Policy Group for her information also.

Ngā mihi, nā  
 Sandra



**Sandra Edmonds**  
 Deputy Director | Waitangi Tribunal | Te Rōpū Whakamana i te Tiriti o Waitangi  
**DDI:** [9\(2\)\(a\)](#) | **EXTN:** [9\(2\)\(a\)](#) | **M:** [9\(2\)\(a\)](#)  
 Fujitsu Tower | 141 The Terrace | DX SX11237 | Wellington  
[www.justice.govt.nz](http://www.justice.govt.nz)

🌿 Whakaarotia a Papatūānuku i mua i tō tānga i te Īmēra nei.

---

**From:** Maddy Lambert <[9\(2\)\(a\)](#)>@tpk.govt.nz>  
**Sent:** Friday, 25 November 2022 8:40 am  
**To:** Edmonds, Sandra <[9\(2\)\(a\)](#)>@justice.govt.nz>; Fisher, Tony <Tony.Fisher@justice.govt.nz>  
**Subject:** RE: Section 81 - Wai 2870

Mōrena Sandra,

Awesome, thank you.

Kia pai tō rā.

Ngā mihi nui,

Maddy

---

**From:** Edmonds, Sandra <[REDACTED]@justice.govt.nz>  
**Sent:** Friday, 25 November 2022 8:37 am  
**To:** Maddy Lambert <Maddy.Lambert@tpk.govt.nz>; Fisher, Tony <Tony.Fisher@justice.govt.nz>  
**Subject:** RE: Section 8I - Wai 2870

Kia ora Maddy,

Thank you for your email.

I will come back to you before the end of today to confirm whether or not there is an update to be provided from the MoJ and estimate timeframe.

Ngā mihi, nā  
 Sandra



**Sandra Edmonds**  
 Deputy Director | Waitangi Tribunal | Te Rōpū Whakamana i te Tiriti o Waitangi  
**DDI:** [REDACTED] | **EXTN:** [REDACTED] | **M:** [REDACTED]  
 Fuiyū Tūwe | 141 The Terrace | DX SX11237 | Wellington  
[www.justice.govt.nz](http://www.justice.govt.nz)

🌱 Whakaarotia a Papatūānuku i mua i tō tānga i te imēra nei

---

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Sent:** Thursday, 24 November 2022 2:03 pm  
**To:** Fisher, Tony <Tony.Fisher@justice.govt.nz>; Edmonds, Sandra <[REDACTED]@justice.govt.nz>  
**Subject:** Section 8I - Wai 2870

Kia ora kōrua,

I have received an email from Corrections regarding the Section 8I update for Wai 2870 He Aha i Pera Ai, The Māori Prisoners Voting Report. Corrections have provided their update, but have also suggested that the Ministry of Justice provide an update. MOJ was not initially tagged to Wai 2870, as an update was not provided from MOJ in last year's Section 8I Report, however, if MOJ has been working in this area, it would be great to have an update on this.

As this was not initially signalled, I understand you will most likely need extra time to gather the information, and I apologise for the short notice. If there is an update to provide from MOJ, please let me know an expected completion date.

Attached is the update provided by Corrections.

Please reach out if you have any pātai, and have a great rest of your day.

Noho ora mai,  
Ngā mihi,

Maddy

The views expressed in this email and any accompanying attachments do not necessarily reflect those of Te Puni Kokiri. Te Puni Kokiri does not accept any responsibility whatsoever for any loss or damage that may result from reliance on or the use of the information contained in this email or any accompanying attachments.

This email together with any accompanying attachments may be confidential and subject to legal privilege. It may be read, copied and used only by the intended recipient(s). If you have received this message in error, please notify the sender immediately by return email, telephone or facsimile and delete this message. You may not copy, disclose or use the contents in any way. Thank you.

The views expressed in this email and any accompanying attachments do not necessarily reflect those of Te Puni Kokiri. Te Puni Kokiri does not accept any responsibility whatsoever for any loss or damage that may result from reliance on or the use of the information contained in this email or any accompanying attachments.

This email together with any accompanying attachments may be confidential and subject to legal privilege. It may be read, copied and used only by the intended recipient(s). If you have received this message in error, please notify the sender immediately by return email, telephone or facsimile and delete this message. You may not copy, disclose or use the contents in any way. Thank you.

RELEASED UNDER THE OFFICIAL INFORMATION ACT



**From:** [Maddy Lambert](#)  
**To:** [Edmonds, Sandra](#)  
**Subject:** RE: Section 81 - Wai 45  
**Date:** Friday, 6 January 2023 9:07:00 am  
**Attachments:** **Out of scope**

---

Mōrena e hoa,

Great, thank you so much!  
Kia pai tō rā .

Ngā mihi nui,

Maddy

---

**From:** Edmonds, Sandra <[REDACTED]@justice.govt.nz>  
**Sent:** Thursday, 5 January 2023 4:11 pm  
**To:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Subject:** RE: Section 81 - Wai 45

Kia ora Maddy,

**Out of scope**

[REDACTED]

The previous s81 report for Wai 45 is still correct as it is, so no further update at this stage.

Kia pai to wiki  
Ngā mihi, nā  
Sandra



Sandra Edmonds  
Pae Matua Tuarua | Deputy Director  
Te Roopū Whakamana i te Tiriti o Waitangi | Waitangi Tribunal  
P [REDACTED] | Ext [REDACTED] | M [REDACTED]  
ujitsu Tower | 141 The Terrace | DX SX11237 | Wellington  
[www.waitangitribunal.govt.nz](http://www.waitangitribunal.govt.nz)



Whakaarotia a Papatūānuku i mua i tō tānga i te Īmēra nei

---

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Sent:** Thursday, 5 January 2023 10:51 am  
**To:** Edmonds, Sandra <[REDACTED]@justice.govt.nz>

**Subject:** Section 8I - Wai 45

Kia ora Sandra,

I hope you have had an enjoyable and restful break.

I was just wondering if you knew what agency Wai 45 sat with for its Section 8I update? I have it tagged as the Waitangi Tribunal from the previous report, and my colleague (who led Section 8I in 2021) gave me your contact as the Waitangi Tribunal contact.

Attached is the previous Section 8I Report – see page 36 for Wai 45. If this sits with you it would be awesome if you could provide me an update.

Thanks and Happy New Year!

Ngā mihi nui,

Maddy

Noho ora mai,  
Ngā mihi,

Maddy

The views expressed in this email and any accompanying attachments do not necessarily reflect those of Te Puni Kokiri. Te Puni Kokiri does not accept any responsibility whatsoever for any loss or damage that may result from reliance on or the use of the information contained in this email or any accompanying attachments.

This email together with any accompanying attachments may be confidential and subject to legal privilege. It may be read, copied and used only by the intended recipient(s). If you have received this message in error, please notify the sender immediately by return email, telephone or facsimile and delete this message. You may not copy, disclose or use the contents in any way. Thank you

# Out of scope

**From:** Helen Moorcock <[REDACTED]@tpk.govt.nz>

**Sent:** Friday, May 19, 2023 12:32 PM

**To:** Out of Scope

[REDACTED]  
[REDACTED]  
[REDACTED]

'Warren.Fraser@tearawhiti.govt.nz' <Warren.Fraser@tearawhiti.govt.nz>; Out of Scope

[REDACTED]  
[REDACTED]  
[REDACTED] Laine

Fisher <[REDACTED]@tpk.govt.nz>; Geoff Short <[REDACTED]@tpk.govt.nz>; Out of Scope

[REDACTED]

**Cc:** Out of Scope [REDACTED] Rachael Hawea-Kete <[REDACTED]@tpk.govt.nz>

**Subject:** ACTION: Seeking endorsement - Section 8i Treaty of Waitangi reporting

Kia ora koutou,

Ngā mihi o te ahiahi ki a koutou,

As discussed at our previous Pae Tawhiti DCE hui, we have put together a narrative for the government work related to Wai 262 for our annual section 8i Treaty of Waitangi reporting. [Here is last year's by way of example.](#)

We have worked with your agencies to pull together the attached narrative. We now seek your endorsement, additions, or subtractions before we put it to the Minister Jackson to be tabled in Parliament. Can you please let me know your respective views by **COP 26 May 2023**.

In addition, a reminder that our next DCE hui is **21 June, 13.00**.

Ngā mihi,  
Helen

**Helen Moorcock (she/her)**

Kaitohutohu / Programme Coordinator  
Te Pae Tawhiti



Waea Pūkoro **M** : 9(2)(a)

Waea Whakaahua **F** : 0800 875 329

Te Puni Kōkiri,



[Te Puni Kōkiri Website](#)



[Kōkiri Magazine](#)



[Facebook](#)

This email is from an external sender. Do not click links or open attachments unless you recognise the sender and know the content is safe

RELEASED UNDER THE  
OFFICIAL INFORMATION ACT

# Out of scope

RELEASED UNDER THE  
OFFICIAL INFORMATION ACT

---

**From:** Helen Moorcock <9(2)(a)@tpk.govt.nz>

**Sent:** Friday, 16 June 2023 3:27 pm

**To:** Geoff Short <9(2)(a)@tpk.govt.nz>; Out of Scope

[REDACTED]



Stocks <Out of Scope>

Fraser, Warren <Warren.Fraser@tearawhiti.govt.nz> <Warren.Fraser@tearawhiti.govt.nz>; Out of Scope

; Tamati Olsen <9(2)(a)@tpk.govt.nz>;

Out of Scope

Cc: Rachael Hawea-Kete <9(2)(a)@tpk.govt.nz>; Out of Scope

Sally Page

<9(2)(a)@tpk.govt.nz>; Angela Cathro <9(2)(a)@tpk.govt.nz>

**Subject:** Te Pae Tawhiti DCE Agenda Pack - 21 Pipiri

Kia ora koutou,

Please see attached the meeting pack ahead of the DCE hui on 21 Pipiri, 13 00.

I have also attached the Draft Wai 262 Section 8I Update, that needs everyone's endorsement to move forward. Again, I appreciate the few that have in fact given their tweaks and endorsement, but the timelines have been pushed out as there hasn't yet been full endorsement from this rōpū.

As an action, can you please endorse (or otherwise) before we met at 13:00 on 21 Pipiri? Happy to answer any pātai before that.

Ngā mihi nui,  
Helen

**Helen Moorcock (she/her)**

Kaitohutohu / Programme Coordinator  
Te Pae Tawhiti

Waea Pūkoro M: 9(2)(a)

Waea Whakaahua F: 0800 875 329

Te Puni Kōkiri, 143 Lambton Quay, Wellington, 6011



Te Puni Kōkiri Website



Kōkiri Magazine



Facebook

# Out of scope

On 7/07/2023, at 4:02 PM, Maddy Lambert <[REDACTED]@tpk.govt.nz> wrote:

Kia ora Katherine,

Thank you for getting back to us. Ka pai, that is noted – we were reaching that conclusion ourselves, so will cease progressing this piece and will not be publishing it in the 2021/22 Section 81 Report.

Have a great weekend .

Ngā mihi nui,

Maddy

---

**From:** Leask, Katherine <Katherine.Leask@tearawhiti.govt.nz>

**Sent:** Thursday, July 6, 2023 2:51 PM

**To:** Maddy Lambert <[REDACTED]@tpk.govt.nz>; Eva Hartshorn-Sanders <[REDACTED]@tpk.govt.nz>

**Cc:** Marama Paki <[REDACTED]@tpk.govt.nz>; Martin Reec <Reece.Martin@tearawhiti.govt.nz>

**Subject:** RE: Information request from Te Puni Kōkiri: Te Haeata

Kia ora kōrua

Apologies for the delayed response and apologies for not reaching this view sooner, as I am sure it will be frustrating for you

I have discussed the request with my Director and we think it is premature to include discussion of Te Haeata and He Korowai Whakamana in the section 81 report at this point in time. We are still implementing He Korowai Whakamana and did not foresee any kind of reporting until the end of FY 23/24, which is also when the Cabinet approved direction for agencies to include the status of their commitments in annual reports kicks in.

I am happy to talk over the phone if easier – feel free to call me on [REDACTED].

Ngā mihi  
K t

[<image003.png>](#) [<image004.png>](#)

**Katherine Leask**

MANAGER, TE KĀHUI WHAKAMANA

CEL: [REDACTED]

WEB: tearawhiti.govt.nz

**The Office for Māori Crown Relations – Te Arawhiti**

Level 3, Justice Centre, 19 Aitken Street, SX10111, Wellington 6011

---

**From:** Martin, Reece <[Reece.Martin@tearawhiti.govt.nz](mailto:Reece.Martin@tearawhiti.govt.nz)>

**Sent:** Wednesday, 5 July 2023 6:49 pm

**To:** Maddy Lambert <[\[REDACTED\]@tpk.govt.nz](mailto:[REDACTED]@tpk.govt.nz)>; Eva Hartshorn-Sanders <[\[REDACTED\]@tpk.govt.nz](mailto:[REDACTED]@tpk.govt.nz)>

**Cc:** Marama Paki <[\[REDACTED\]@tpk.govt.nz](mailto:[REDACTED]@tpk.govt.nz)>; Leask, Katherine <[Katherine.Leask@tearawhiti.govt.nz](mailto:Katherine.Leask@tearawhiti.govt.nz)>

**Subject:** RE: Information request from Te Puni Kōkiri: Te Haeata

Kia ora koutou

I haven't been able to get the required responses to your queries today – apologies once again with the delay.

I'm away for the rest of the week (and next week), so can you please liaise with my manager Kat (cc'd above) on this request?

Nga mihi  
Reece

---

**From:** Martin, Reece

**Sent:** Wednesday, 5 July 2023 9:32 am

**To:** 'Maddy Lambert' <[\[REDACTED\]@tpk.govt.nz](mailto:[REDACTED]@tpk.govt.nz)>; Eva Hartshorn-Sanders <[\[REDACTED\]@tpk.govt.nz](mailto:[REDACTED]@tpk.govt.nz)>

**Cc:** Marama Paki <[\[REDACTED\]@tpk.govt.nz](mailto:[REDACTED]@tpk.govt.nz)>

**Subject:** RE: Information request from Te Puni Kōkiri: Te Haeata

Kia ora koutou

My apologies with the delay on this.

My two colleagues who are assisting with the responses on this have both been away sick the last 2 days. I have emailed them both and asked if they can provide responses by the COP today. Fingers crossed they are feeling better and are able to respond.

I'll hopefully get back to you later today with a response.

Nga mihi  
Reece

---

**From:** Maddy Lambert <[\[REDACTED\]@tpk.govt.nz](mailto:[REDACTED]@tpk.govt.nz)>

**Sent:** Wednesday, 5 July 2023 8:31 am

**To:** Eva Hartshorn-Sanders <[\[REDACTED\]@tpk.govt.nz](mailto:[REDACTED]@tpk.govt.nz)>; Martin, Reece <[\[REDACTED\]@tearawhiti.govt.nz](mailto:[REDACTED]@tearawhiti.govt.nz)>

**Cc:** Marama Paki <[\[REDACTED\]@tpk.govt.nz](mailto:[REDACTED]@tpk.govt.nz)>

**Subject:** RE: Information request from Te Puni Kōkiri: Te Haeata

Kia ora Reece,

Just checking in if you have any information for us? We would appreciate if you could send the requested information through to us by **COP today** so we can continue to progress this piece.

Kia pai tō rā and reach out if you have any pātai.

Ngā mihi nui,

Maddy

---

**From:** Eva Hartshorn-Sanders <[REDACTED]@tpk.govt.nz>  
**Sent:** Friday, June 30, 2023 1:31 PM  
**To:** Martin, Reece <Reece.Martin@tearawhiti.govt.nz>  
**Cc:** Maddy Lambert <[REDACTED]@tpk.govt.nz>; Marama Paki <[REDACTED]@tpk.govt.nz>  
**Subject:** RE: Information request from Te Puni Kōkiri: Te Haeata

Many thanks Reece.  
Have a wonderful weekend.

Ngā mihi

Eva

---

**From:** Martin, Reece <Reece.Martin@tearawhiti.govt.nz>  
**Sent:** Friday, June 30, 2023 1:28 PM  
**To:** Eva Hartshorn-Sanders <[REDACTED]@tpk.govt.nz>  
**Cc:** Maddy Lambert <[REDACTED]@tpk.govt.nz>; Marama Paki <[REDACTED]@tpk.govt.nz>  
**Subject:** RE: Information request from Te Puni Kōkiri: Te Haeata

Kia ora Eva

Monday should be fine. I'm collating feedback from multiple staff members so hopefully I can pull this together early Monday and then get our responses over to you that afternoon.

Nga mihi  
Reece

---

**From:** Eva Hartshorn-Sanders <[REDACTED]@tpk.govt.nz>  
**Sent:** Thursday, 29 June 2023 1:59 pm  
**To:** Martin, Reece <[REDACTED]@tearawhiti.govt.nz>  
**Cc:** Maddy Lambert <[REDACTED]@tpk.govt.nz>; Marama Paki <[REDACTED]@tpk.govt.nz>  
**Subject:** RE: Information request from Te Puni Kōkiri: Te Haeata

Kia ora Reece

Monday is the deadline for this, so it would be great if we can get it no later than Monday.

Hope your team start to feel better soon.

Thanks for your efforts.

Ngā mihi

Eva

---

**From:** Martin, Reece <Reece.Martin@tearawhiti.govt.nz>  
**Sent:** Wednesday, June 28, 2023 9:36 AM  
**To:** Eva Hartshorn-Sanders <[REDACTED]@tpk.govt.nz>  
**Cc:** Maddy Lambert <[REDACTED]@tpk.govt.nz>; Marama Paki <[REDACTED]@tpk.govt.nz>  
**Subject:** RE: Information request from Te Puni Kōkiri: Te Haeata

Kia ora Eva

We'll do what we can to get you something by early next week/Monday. We have multiple staff away, and some other urgent work priorities, so that's the best we can do sorry.

I'll be in touch if we have any questions, otherwise I'll get back to you ASAP.

Nga mihi  
Reece

**From:** Eva Hartshorn-Sanders <[9(2)(a)]@tpk.govt.nz>  
**Sent:** Tuesday, 27 June 2023 5:15 pm  
**To:** Martin, Reece <Reece.Martin@tearawhiti.govt.nz>  
**Cc:** Maddy Lambert <[9(2)(a)]@tpk.govt.nz>; Marama Paki <[9(2)(a)]@tpk.govt.nz>  
**Subject:** RE: Information request from Te Puni Kōkiri: Te Haeata

Hi Reece

Are you able to get it to me by COP Thursday, as it would be good to have it sooner rather than later, to make best use of it. If not, then early next week is fine. Happy to discuss as well, if you had any questions about the information requested. It's largely just an update on the data and understanding what reviews you may have undertaken on Haeata – so quite straightforward.

Best wishes

Eva

---

**From:** Martin, Reece <Reece.Martin@tearawhiti.govt.nz>  
**Sent:** Tuesday, June 27, 2023 11:52 AM  
**To:** Eva Hartshorn-Sanders <[9(2)(a)]@tpk.govt.nz>  
**Subject:** RE: Information request from Te Puni Kōkiri: Te Haeata

Kia ora Eva

Unfortunately we won't be able to meet your timeframe but as we have multiple staff away (including Kalpana) and other urgent work priorities. Is it possible to get something to you early next week?

Happy to discuss over the phone if that's easier.

Nga mihi  
 Reece

[9(2)(a)]

---

**From:** Eva Hartshorn-Sanders <[9(2)(a)]@tpk.govt.nz>  
**Sent:** Monday 26 June 2023 3:23 pm  
**To:** tehaeata <tehaeata@tearawhiti.govt.nz>  
**Cc:** Martin, Reece <Reece.Martin@tearawhiti.govt.nz>; Leask, Katherine <Katherine.Leask@tearawhiti.govt.nz>; Maddy Lambert <[9(2)(a)]@tpk.govt.nz>; Marama Paki <[9(2)(a)]@tpk.govt.nz>  
**Subject:** RE: Information request from Te Puni Kōkiri: Te Haeata

Kia ora Kalpana

Hope you had a lovely weekend.

I just wanted to give you sight of my deadlines for this piece of work, as I realised I hadn't included that in the first email. I'm aiming to have the final written by next Tuesday [4<sup>th</sup> July]. Appreciate that this is a short timeframe. If you're able to provide me with the information below, where it's available, by cop Wednesday 28 June – that would be really appreciated.

Best wishes

Eva

---

**From:** Eva Hartshorn-Sanders  
**Sent:** Thursday, June 22, 2023 2:06 PM

**To:** 'tehaeata' <[tehaeata@tearawhiti.govt.nz](mailto:tehaeata@tearawhiti.govt.nz)>

**Cc:** Martin, Reece <[Reece.Martin@tearawhiti.govt.nz](mailto:Reece.Martin@tearawhiti.govt.nz)>; Katherine Leask

<[Katherine.Leask@tearawhiti.govt.nz](mailto:Katherine.Leask@tearawhiti.govt.nz)>; Maddy Lambert <(b)(2)(a)> <[\[REDACTED\]@tpk.govt.nz](mailto:(b)(2)(a)@tpk.govt.nz)>; Marama Paki

<(b)(2)(a)> <[\[REDACTED\]@tpk.govt.nz](mailto:[REDACTED]@tpk.govt.nz)>

**Subject:** RE: Information request from Te Puni Kōkiri: Te Haeata

Kia ora Kalpana

Thanks for your fast and very positive response – much appreciated!

I've pulled together the questions relating to Te Haeata below, some of which you may want to discuss over the phone or in person – very happy to chat. Most of the questions relate to the scope and decisions behind data that is currently being collected, access to Te Haeata, and next steps / opportunities. It would also be useful to understand what reviews of Te Haeata you have planned/underway /completed from a Crown user perspective. I'm reading the Cabinet paper *Enhancing Oversight of Treaty Settlement Commitments*, which was proactively released on Te Arawhiti's website – let me know if there are any updates on this.

Thanks again for your help with this.

Eva

## QUESTIONS

### Access

- Just trying to work out who currently has access to Te Haeata and what the plans are for extension. The FAQs on the website suggested that it was limited to Crown users but I noted that your Annual Report from last year seemed to suggest that training on Te Haeata was extended to iwi Māori? Will non-Crown users just be able to view or will they be able to update it as well? Are there plans to make it generally available to the public?

### Data

I'd like to be able to provide some up-to-date figures (for June 2023, if possible):

- Number of registered users (I note that Te Arawhiti's 2021/2022 annual report set this at 991 – what's the current number?)
- When it was launched, there were 45 settlements entered into the database, how many settlements are currently in Te Haeata?
- I note that the 2021/2022 annual report also stated that there were 10,375 commitments published on Te Haeata – are there been any updates to this number?

I note that the data on Te Haeata currently excludes the following categories outlined in the bullet points below. Are there plans to incorporate this data at some point, and is the reason it was excluded due to phase 1 resourcing and priority or was there other criteria?

- Some agreements, such as some co-governance arrangements, have arisen out of Treaty settlements but do not settle Treaty claims. Arrangements over the Waikato River and the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014 are included in Te Haeata; however, these agreements do not settle historical Treaty claims.
- Te Haeata also does not record commitments from the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 or Māori Commercial Aquaculture Claims Settlement Act 2004.
- Properties that have been specifically named in a commitment are able to be searched. Te Arawhiti have advised that this usually applies to cultural properties and does not include commercial properties that are listed in the property redress schedule.
- Amendments to deeds trigger an update in Te Haeata but legislation that has consequential changes for Treaty settlement legislation does not. Ensuring that Te Haeata is regularly updated as legislation is amended would add further value to this tool and help it to be a more accurate record.
- It is important to note that Te Haeata does not record other Treaty of Waitangi obligations that may exist outside of Treaty settlements. Te Arawhiti uses the Resource Management Act 1991 as an example, where that Act states that all persons exercising functions and powers under the RMA need to take into account the principles of the Treaty of Waitangi.

Are there any other plans to expand the type of data captured in Te Haeata, in particular, to work with Crown organisations to establish what their needs are?



## Reviews

Are there any review plans underway / has a review been undertaken of Te Haeata, and what is/was the nature of that review?

---

**From:** tehaeata <[tehaeata@tearawhiti.govt.nz](mailto:tehaeata@tearawhiti.govt.nz)>

**Sent:** Tuesday, June 20, 2023 4:24 PM

**To:** Eva Hartshorn-Sanders <[\[REDACTED\]@tpk.govt.nz](mailto:[REDACTED]@tpk.govt.nz)>

**Cc:** Martin, Reece <[Reece.Martin@tearawhiti.govt.nz](mailto:Reece.Martin@tearawhiti.govt.nz)>; Katherine Leask <[Katherine.Leask@tearawhiti.govt.nz](mailto:Katherine.Leask@tearawhiti.govt.nz)>; Maddy Lambert <[\[REDACTED\]@tpk.govt.nz](mailto:[REDACTED]@tpk.govt.nz)>; Marama Paki <[\[REDACTED\]@tpk.govt.nz](mailto:[REDACTED]@tpk.govt.nz)>

**Subject:** RE: Information request from Te Puni Kōkiri: Te Haeata

Kia ora Eva,

Thank you for reaching out!

If it's possible, would you be ok to email us through the questions, just in the first instance? Thank you so much for your understanding, and looking forward to hearing from you

Ngā mihi nui

Kalpana

<[image005.png](#)> <[image006.png](#)>

**Kalpana Jayanatha** (she/her)  
ADVISOR, TE KĀHUI WHAKAMANA  
DDI: [\[REDACTED\]](#)  
WEB: [tearawhiti.govt.nz](http://tearawhiti.govt.nz)

**The Office for Māori Crown Relations – Te Arawhiti**  
Level 3, Justice Centre, 19 A tken Street, SX10111, Wellington 6011

---

**From:** Eva Hartshorn Sanders <[\[REDACTED\]@tpk.govt.nz](mailto:[REDACTED]@tpk.govt.nz)>

**Sent:** Tuesday, 20 June 2023 3:13 pm

**To:** Pritchard, Ellie <[Ellie.Pritchard@tearawhiti.govt.nz](mailto:Ellie.Pritchard@tearawhiti.govt.nz)>; tehaeata <[tehaeata@tearawhiti.govt.nz](mailto:tehaeata@tearawhiti.govt.nz)>

**Cc:** Maddy Lambert <[\[REDACTED\]@tpk.govt.nz](mailto:[REDACTED]@tpk.govt.nz)>; Marama Paki <[\[REDACTED\]@tpk.govt.nz](mailto:[REDACTED]@tpk.govt.nz)>

**Subject:** Information request from Te Puni Kōkiri: Te Haeata

Kia ora

My name is Eva, and I am working with the Operational Policy and Design Team in the Policy Puni at Te Puni Kōkiri. Our team is currently writing a report that Te Puni Kōkiri is required to produce annually under section 8I of the Treaty of Waitangi Act 1975. This report is published and Tabled in Parliament. One of the articles that we plan to share in this year's report is about your tool – Te Haeata. I had a few questions about Te Haeata and wondered if you had time for a short hui about this, either this week or next? Alternatively, I can email through the questions, if this is easier from your end.

Let me know what works best for you.

Ngā mihi nui

Eva Hartshorn-Sanders

**From:** [Maddy Lambert](#)  
**To:** [Edmonds, Sandra](#)  
**Subject:** RE: Draft email for the Waitangi Tribunal  
**Date:** Tuesday, 4 July 2023 4:29:00 pm  
**Attachments:** Out of Scope

Yes – so sorry, have clarified this with him also!

**From:** Edmonds, Sandra <9(2)(a)@justice.govt.nz>  
**Sent:** Tuesday, July 4, 2023 4:27 PM  
**To:** Maddy Lambert <9(2)(a)@tpk.govt.nz>; Marama Paki <9(2)(a)@tpk.govt.nz>  
**Cc:** Eva Hartshorn-Sanders <9(2)(a)@tpk.govt.nz>  
**Subject:** RE: Draft email for the Waitangi Tribunal

Ka pai great, just checking you meant Andrew Francis?

**From:** Maddy Lambert <9(2)(a)@tpk.govt.nz>  
**Sent:** Tuesday, 4 July 2023 1:48 pm  
**To:** Edmonds, Sandra <9(2)(a)@justice.govt.nz>; Marama Paki <9(2)(a)@tpk.govt.nz>  
**Cc:** Eva Hartshorn-Sanders <9(2)(a)@tpk.govt.nz>  
**Subject:** RE: Draft email for the Waitangi Tribunal

Ka pai, thanks Sandra – I have just heard from your colleague Francis .

Ngā mihi nui,

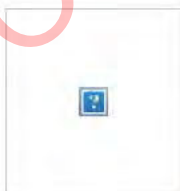
Maddy

**From:** Edmonds, Sandra <9(2)(a)@justice.govt.nz>  
**Sent:** Tuesday, July 4, 2023 1:03 PM  
**To:** Maddy Lambert <9(2)(a)@tpk.govt.nz>; Marama Paki <9(2)(a)@tpk.govt.nz>  
**Cc:** Eva Hartshorn-Sanders <9(2)(a)@tpk.govt.nz>  
**Subject:** RE: Draft email for the Waitangi Tribunal

Kia ora Maddy,

Apologies for the delayed reply. We're currently consulting with the Acting Deputy Chair. One of the questions that has come up is what the feature will be highlighting so your email is timely. It is likely that we would like to complete the review however I will confirm either way by 5pm.

Ngā mihi, nā  
 Sandra



Sandra Edmonds  
 Deputy Director  
 Te Roopū Whakamana i te Tiriti o Waitangi | Waitangi Tribunal  
 P 9(2)(a) | Ext 9(2)(a) | M 9(2)(a)  
 Fujitsu Tower | 141 The Terrace | DX SX11237 | Wellington  
[www.waitangitribunal.govt.nz](http://www.waitangitribunal.govt.nz)



Whakaarotia a Papatūānuku i mua i tō tānga i te īmēra nei

**From:** Maddy Lambert <9(2)(a)@tpk.govt.nz>  
**Sent:** Tuesday, 4 July 2023 12:59 pm  
**To:** Edmonds, Sandra <9(2)(a)@justice.govt.nz>; Marama Paki <9(2)(a)@tpk.govt.nz>  
**Cc:** Eva Hartshorn-Sanders <9(2)(a)@tpk.govt.nz>  
**Subject:** RE: Draft email for the Waitangi Tribunal

Kia ora Sandra,

Just wondering if you'd heard anything from your director re reviewing the Kaupapa Inquiry piece?

We also wondered if you'd want to view this year's feature narrative? The feature narrative is a more detailed written piece featured in the Section 8I Report (*see pages 9-13 for a previous feature narrative, which focussed on the Wai 2540 claim* - [The Section 8I Report 2020 \(tpk.govt.nz\)](https://www.tpk.govt.nz/The-Section-8I-Report-2020))

This year the feature narrative is highlighting the Wai 2575 Hauora Stage 1 Report. Naturally, it includes some reference to the Waitangi Tribunal, so we thought you may want to look at it prior to publication.

Would be great if you could let us know either way by 5pm today so we can send the document(s) to you āpōpō.

Kia pai tō rā .

Ngā mihi nui,

Maddy

---

**From:** Edmonds, Sandra <9(2)(a)@justice.govt.nz>  
**Sent:** Monday, July 3, 2023 8:05 AM  
**To:** Marama Paki <9(2)(a)@tpk.govt.nz>  
**Cc:** Maddy Lambert <9(2)(a)@tpk.govt.nz>; Eva Hartshorn-Sanders <9(2)(a)@tpk.govt.nz>  
**Subject:** RE: Draft email for the Waitangi Tribunal

Tēnā koe Marama

Thank you for your email and invitation to review the feature piece for the s8i report before it goes to print this week.

I will discuss with our Director and come back to you/Maddy before the end of today regarding the review.

Ngā mihi, nā  
 Sandra



Sandra Edmonds  
 Deputy Director  
 Te Roopū Whakamana i te Tiriti o Waitangi | Waitangi Tribunal  
 P 9(2)(a) | Ext 9(2)(a) | M 9(2)(a)  
 Fujitsu Tower | 141 The Terrace | DX SX11237 | Wellington  
[www.waitangitribunal.govt.nz](https://www.waitangitribunal.govt.nz)



Whakaarotia a Papatūānuku i mua i tō tānga i te imēra nei

**From:** Marama Paki <9(2)(a)@tpk.govt.nz>  
**Sent:** Friday, 30 June 2023 3:45 pm  
**To:** Edmonds, Sandra <9(2)(a)@justice.govt.nz>  
**Cc:** Maddy Lambert <9(2)(a)@tpk.govt.nz>; Eva Hartshorn-Sanders <9(2)(a)@tpk.govt.nz>  
**Subject:** FW: Draft email for the Waitangi Tribunal

Kia ora Sandra

I am the Manager of the Operational Policy and Design team at Te Puni Kōkiri and was given your details from Maddy (CC'd) as a possible contact at the Waitangi Tribunal regarding noting of the feature narrative for the Section 8I Report 2021/22. Let me know if I should be approaching someone else in your organisation.

Section 8I of the Treaty of Waitangi Act 1975 requires the Minister for Māori Development to present the annual Section 8I Report. Before the agency updates, we feature a feature presentation section consisting of two parts:

- A feature narrative (which generally focuses on a settlement/Waitangi Tribunal report) and;
- A supplementary piece (which generally discusses actions that have occurred within the public sector to improve responsiveness to Treaty issues and/or improve the Māori-Crown relationship).

The Section 8I report is due to be tabled by Minister Jackson in the House in the coming months. Here is a link to a previous Section 8I Report - [The Section 8I Report 2020 \(tpk.govt.nz\)](https://www.tpk.govt.nz/the-section-8i-report-2020) with the feature presentation at the front.

My team is leading the development of the Section 8I Report and we are currently in the drafting stage for this year's supplementary piece. One of the kaupapa we are going to discuss in the supplementary piece is an overview of the kaupapa inquiry process being implemented by the Waitangi Tribunal and progress so far – following on from previous Section 8I report where we have briefly covered this kaupapa.

We plan to have a final draft of the feature early next week and wondered if you/your agency would like to review the final draft before it goes for approval and publishing. If you would like to review the narrative, we would be happy to provide a copy for you but will need to get any feedback from you within a very tight 24 hours turn around in order to meet deadlines for the publishing and presenting of the document.

I have copied Maddy Lambert into this email as she is the lead for the development of the Section 8I Report for this year. If you would like to review the drafted supplementary piece for the Section 8I Report, please let her know, or, if you have pātai.

Ngā mihi  
Mārama



**Māram Paki**

Ki iwhā kahere, Kaupapa Here me Tauira |  
 Manager Operational Policy & Design  
 Te Puni Kaupapa Here | Policy Partnerships  
**Te Puni Kōkiri, National Office**



Tauwera DDI: 9(2)(a) | Waea Pūkoro M: 9(2)(a)  
 Waea Whakaahua F: 0800 875 329 | Paetukutuku W: [www.tpk.govt.nz](https://www.tpk.govt.nz)

**Te Puni Kōkiri**, Te Puni Kōkiri House, 143 Lambton Quay, Wellington 6011, New Zealand  
 PO Box 3943, Wellington 6140, New Zealand



[Te Puni Kōkiri Website](#)



[Kōkiri Magazine](#)



[Facebook](#)

**From:** [Maddy Lambert](#)  
**To:** [Francis, Andrew](#); [Eva Hartshorn-Sanders](#); [Marama Paki](#)  
**Cc:** [Morrow, Daniel](#)  
**Subject:** RE: Supplementary piece for your Section 8i report  
**Date:** Tuesday, 4 July 2023 1:52:00 pm  
**Attachments:** [image001.jpg](#)  
[RE Draft email for the Waitangi Tribunal.msg](#)

---

Kia ora Francis,

Ka pai, thank you for getting back to us – I am unsure if you have seen my most recent email with Sandra earlier today, so I have attached that as an fyi.

I can provide the pieces to you this afternoon if that works? And, do you think you would be able to return the review by COP this Thursday? Arohmai for the tight turnaround.

Ngā mihi nui,

Maddy

---

**From:** Francis, Andrew <9(2)(a)@justice.govt.nz>  
**Sent:** Tuesday, July 4, 2023 1:46 PM  
**To:** Maddy Lambert <9(2)(a)@tpk.govt.nz>; Eva Hartshorn-Sanders <9(2)(a)@tpk.govt.nz>; Marama Paki <9(2)(a)@tpk.govt.nz>  
**Cc:** Morrow, Daniel <9(2)(a)@justice.govt.nz>  
**Subject:** Supplementary piece for your Section 8i report

Kia ora koutou,

Sandra Edmonds has passed me your details regarding your invitation for the WTU to review your supplementary piece for your Section 8i report.

I am cc'ing in my technical leader, Dan Morrow, who is available to review it. It would be helpful if you could provide us with a timeframe for when we will receive it. I ask as Dan will be on annual leave from Wednesday of next week and won't be available to provide any comments after that.

Nga mihi,

Andrew

**Dr Andrew Francis**

Manager, Report Writing Services | Kaiwhakahaere o Te Rōpū Kaituhi Pūrongo  
 | Te Rōpū Whakamana i te Tiriti o Waitangi | Waitangi Tribunal  
[www.waitangitribunal.govt.nz](http://www.waitangitribunal.govt.nz)

Level 3, Fujitsu Tower  
 141 The Terrace  
 WELLINGTON

9(2)(a)



RELEASED UNDER THE  
OFFICIAL INFORMATION ACT



**From:** [Maddy Lambert](#)  
**To:** [Francis, Andrew](#)  
**Subject:** RE: Supplementary piece for your Section 8i report  
**Date:** Thursday, 6 July 2023 1:59:00 pm  
**Attachments:** [image001.jpg](#)

---

Ka pai, thanks for that Andrew.

Ngā mihi,

Maddy

---

**From:** Francis, Andrew <[REDACTED]@justice.govt.nz>  
**Sent:** Thursday, July 6, 2023 1:42 PM  
**To:** Maddy Lambert <[REDACTED]tpk.govt.nz>  
**Subject:** RE: Supplementary piece for your Section 8i report

Kia ora Maddy,

For clarity, Judge Stone is the Acting Deputy Chairperson NOT the Acting Chief Judge.

Nga mihi,

Andrew

**Dr Andrew Francis**

Manager, Report Writing Services | Kaiwhakahaere o Te Rōpū Kaituhi Pūrongo  
| Te Rōpū Whakamana i te Tiriti o Waitangi | Waitangi Tribunal  
[www.waitangitribunal.govt.nz](http://www.waitangitribunal.govt.nz)  
Level 3, Fujitsu Tower  
141 The Terrace  
WELLINGTON

[REDACTED]



---

**From:** Morrow, Daniel <[REDACTED]@justice.govt.nz>  
**Sent:** Thursday, 6 July 2023 10:44 am  
**To:** Maddy Lambert <[REDACTED]@tpk.govt.nz>; Francis, Andrew <[REDACTED]@justice.govt.nz>  
**Subject:** RE: Supplementary piece for your Section 8i report

Kia ora Maddy,

Sorry for the delay – please find attached the two documents sent to us on Tuesday. I have reviewed the papers and offered some comment. Judge Damien Stone, who is currently Acting Chief Judge of the Tribunal, has also cited the papers and my feedback.

The purpose of this review from our perspective has been to ensure that any commentary on the content of the Tribunal's reports and recommendations is accurate. However, I point out that as judiciary / support staff in the WTU, we are mindful of the need to maintain the separation of powers, so have refrained from providing comment on any other aspects (particularly descriptions of Crown actions in response to our reports).

Finally, while going through I have made limited suggestions on small matters of style and consistency. Please feel free accept or ignore these and I appreciate this is an advanced draft.

Ngā mihi,  
Dan.

---

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Sent:** Thursday, 6 July 2023 8:42 am  
**To:** Morrow, Daniel <[REDACTED]@justice.govt.nz>; Francis, Andrew <[REDACTED]@justice.govt.nz>  
**Subject:** RE: Supplementary piece for your Section 8i report

Mōrena,

No worries Daniel, thanks for letting me know.

Ngā mihi nui,

Maddy

---

**From:** Morrow, Daniel <[REDACTED]@justice.govt.nz>  
**Sent:** Wednesday, July 5, 2023 5:17 PM  
**To:** Maddy Lambert <[REDACTED]@tpk.govt.nz>; Francis, Andrew <[REDACTED]@justice.govt.nz>  
**Subject:** RE: Supplementary piece for your Section 8i report

Kia Maddy,

Just to let you know we're running slightly late with reviewing the material sent yesterday, but are almost finished and should have it to you by tomorrow morning. Thanks,

Dan Morrow  
Waitangi Tribunal Unit.

Sent from my Galaxy

----- Original message -----

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Date:** 4/07/23 4:20 pm (GMT+12:00)  
**To:** "Francis, Andrew" <[REDACTED]@justice.govt.nz>  
**Cc:** "Morrow, Daniel" <[REDACTED]@justice.govt.nz>  
**Subject:** RE: Supplementary piece for your Section 8i report

Ka pai, please see attached the Kaupapa Inquiry supplementary piece and the Wai 2575 feature narrative.

Thanks Andrew!

Ngā mihi nui,

Maddy

---

**From:** Francis, Andrew <[REDACTED]@justice.govt.nz>  
**Sent:** Tuesday, July 4, 2023 3:30 PM  
**To:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Cc:** Morrow, Daniel <[REDACTED]@justice.govt.nz>  
**Subject:** RE: Supplementary piece for your Section 8i report

Hi Maddy, no problem, I get it all of the time!

Yes, if you can send it through, I'll check with Dan his capacity to review it. He's in a meeting now, but will check with him afterwards.

Andrew

---

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Sent:** Tuesday, 4 July 2023 2:22 pm  
**To:** Francis, Andrew <[REDACTED]@justice.govt.nz>  
**Subject:** RE: Supplementary piece for your Section 8i report

Arohmai Andrew, so sorry I got your name wrong! Your email appears as Francis Andrew – my bad!!

---

**From:** Francis, Andrew <[REDACTED]@justice.govt.nz>  
**Sent:** Tuesday, July 4, 2023 1:46 PM  
**To:** Maddy Lambert <[REDACTED]@tpk.govt.nz>; Eva Hartshorn-Sanders <[REDACTED]@tpk.govt.nz>; Marama Paki <[REDACTED]@tpk.govt.nz>  
**Cc:** Morrow, Daniel <[REDACTED]@justice.govt.nz>  
**Subject:** Supplementary piece for your Section 8i report

Kia ora koutou,

Sandra Edmonds has passed me your details regarding your invitation for the WTU to review your supplementary piece for your Section 8i report.

I am cc'ing in my technical leader, Dan Morrow, who is available to review it. It would be helpful if you could provide us with a timeframe for when we will receive it. I ask as Dan will be on annual leave from Wednesday of next week and won't be available to provide any comments after that.

Nga mihi,

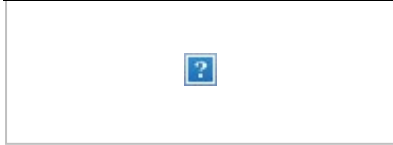
Andrew

**Dr Andrew Francis**

Manager, Report Writing Services | Kaiwhakahaere o Te Rōpū Kaituhi Pūrongo  
| Te Rōpū Whakamana i te Tiriti o Waitangi | Waitangi Tribunal  
[www.waitangitribunal.govt.nz](http://www.waitangitribunal.govt.nz)

Level 3, Fujitsu Tower  
141 The Terrace  
WELLINGTON

9(2)(a)



## The “kaupapa approach” being implemented by the Waitangi Tribunal to address Kaupapa Inquiries

In 2014, the Waitangi Tribunal launched a new ten-year strategic plan<sup>1</sup>, which broadened the nature of claims being scheduled and considered by the Tribunal. Since 2015, the Waitangi Tribunal has been engaging in a programme of hearing and determining kaupapa (thematic) inquiries alongside district inquiries.<sup>2</sup> The Waitangi Tribunal Chair has issued two memoranda<sup>3</sup> on the kaupapa inquiry programme, taking into account feedback from claimants who have been engaging through the process.

### Key Features of the Kaupapa Inquiry Programme

The Waitangi Tribunal have stated that the “kaupapa inquiries programme provides an inquiry pathway for claims outside of district inquiries, which raise nationally significant issues affecting Māori as a whole or a sect on of Māori in similar ways, and which have not previously been fully heard, reported or settled. Each kaupapa inquiry will focus on a single issue or cluster of related issues.”<sup>4</sup>

In 2019, in response to feedback from some claimants over different inquiries, the Waitangi Tribunal Chair issued a new memorandum concerning how it was planning to run kaupapa inquiries going forward following a continuous review approach. The Chair clarified that:

“The **purpose of a kaupapa inquiry** is not to conduct a general exploration of all aspects of its thematic topic or one of the totality of Māori experience of Crown actions and omissions. Rather it is to investigate and make findings on the Treaty breaches and prejudice alleged by the claimants in respect of the kaupapa issue or issues of national significance that fall within the scope of that topic. Kaupapa issues may themselves be broadly or narrowly defined and may be given differing levels of priority by claimants.”<sup>5</sup>

At the outset, it was intended that kaupapa inquiry would follow a similar process to that used in most district inquiries. This meant proceeding to hearing once the eligible claims have been combined for joint inquiry, a sufficiency of technical, claimant and Crown evidence has been filed, the issues for inquiry have been determined, and the parties have confirmed their readiness to proceed.<sup>6</sup> The Waitangi Tribunal Chair advised, however, that the Tribunal would have some flexibility in process- for example, there may be agreement on early hearing of claimant oral evidence.<sup>7</sup>

In 2019, the Tribunal Chair announced<sup>8</sup> an additional two steps may be introduced at the discretion of the Chair prior to appointing a presiding officer and panel for the inquiry, in order to speed up the process and appear to be useful innovations:

1. **Claimants intending to participate:** The Tribunal will:
  - a. Distribute a preliminary list of claims registered with the Tribunal that appear to relate to the inquiry's kaupapa issues and request that claimants indicate whether they wish to participate in the inquiry; and

<sup>1</sup> *Strategic Direction 2014-2025* (Waitangi Tribunal, 2 July 2014). Available here:

<https://www.waitangitribunal.govt.nz/news/waitangi-tribunal-strategic-direction-launched-2/>.

<sup>2</sup> Previously kaupapa claims were only considered if it was a matter of urgency or as part of a district inquiry programme. In his 2015 memorandum, the Chairperson of the Waitangi Tribunal noted that “many kaupapa issues are, by definition, national in scope and not suited to a district inquiry context, even though many have a significant historical dimension.” *Memorandum of the Chairperson concerning the Kaupapa Inquiry Programme* (Waitangi Tribunal, 1 April 2015) “The 2015 Memorandum”, paragraph 8, pg. 3.

<sup>3</sup> Available here: <https://www.waitangitribunal.govt.nz/inquiries/kaupapa-inquiries/>.

<sup>4</sup> The 2015 Memorandum, paragraphs 2-3, pg. 2.

<sup>5</sup> *Memorandum of the Chairperson concerning the Kaupapa Inquiry Programme* (Waitangi Tribunal, 27 March 2019) “The 2019 Memorandum”, paragraph 13, pg. 3.

<sup>6</sup> The 2015 Memorandum, paragraph 36, pg. 8.

<sup>7</sup> The 2015 Memorandum, paragraph 37, pg. 8.

<sup>8</sup> The 2019 Memorandum, paragraphs 28 to 31, pages 5 to 6.



## Draft – Not Government Policy

- b. Request any claimant intending to participate particularise or otherwise amend their claim and identify any issues that they think that the Tribunal should prioritise for early inquiry.
2. **Exploratory scoping report:** To assist with planning and identifying the principal issues, the Tribunal would commission an exploratory scoping report as a preliminary step. Terms of reference may vary but generally this would include:
- a. A preliminary outline and analysis of statements of claim likely to fall within the scope of the inquiry and of the kaupapa issues to which they appear to relate;
  - b. An indication of whether and to what extent any such issues concern current Crown policy and practice; and
  - c. A brief description and select, annotated bibliography of the main evidential resources in the public domain that are likely to be relevant to the identified kaupapa issues.

**Eligibility for Kaupapa Inquiry**

In the 2015 Memorandum, the Waitangi Tribunal Chair stated that each kaupapa inquiry will usually have the following characteristics of scope and significance:

- The inquiry will be organised around a theme that brings together all aspects of a kaupapa claim issue or a cluster of related issues.
- The kaupapa issue should extend to Māori as a whole or to a section of Māori on a national scale, whether or not the issue by its nature is limited to particular geographical areas.
- The claim grievance should have broadly similar features, as should the nature and impacts of the Crown legislation, policies, acts and omissions alleged to be in breach of the Treaty.
- The kaupapa issue should be of national significance to Māori in terms of the seriousness of the Treaty breaches alleged or to the nation in terms of potential impact on government policy or resources.

The range of kaupapa issues will also be influenced by the extent to which an issue (or sub-issue) has been addressed in previous Tribunal inquiries<sup>9</sup> and whether an issue met the national scale threshold. The Waitangi Tribunal's *Strategic Directions* document states that it intends to provide alternative processes for claims that fell into these excluded categories. In 2019, the Tribunal Chair stated that it had established a "Standing Panel process for hearing remaining historical claims and a process for remaining contemporary claims would commence once the district inquiries have been completed."<sup>10</sup>

The Chair advised that the overall thematic scope of the kaupapa inquiry programme was intended to enable claimants to bring all eligible claims to the Tribunal for a hearing – an "inclusive approach"<sup>11</sup>.

In 2019, the Chair clarified how this **inclusive approach** worked by setting out the following three-part threshold test for participation of claims raising specific and local issues in a kaupapa inquiry<sup>12</sup>:

- 1 **Nationally significant claim issues:** Once the Tribunal is satisfied that the national significance threshold has been met, any claimant whose claim relates to the issue (including specific and local claims brought on behalf of others, e.g. whānau, hapū) may seek to participate in the subsequent kaupapa inquiry. Claims are not required to meet the threshold individually.
2. **Māori widely affected:** At its simplest, this threshold may be met by a single claim brought on behalf of all Māori said to have suffered prejudice as a result, provided that the claimant is a member of the affected group. The threshold is also met where a group of claims brought by individuals and groups on their own behalf that, taken together can be regarded as representing most of the affected Māori (e.g. in the Māori Military Veterans Inquiry).

<sup>9</sup> i.e. no hearing of a claim or part claim a second time (unless a claim's kaupapa grievance was severed from the inquiry and the Tribunal noted it was excluded from the report or only partially inquired into e.g. under urgency) and for registered claims yet to be heard but which raise kaupapa issues that were heard and reported on in a previous inquiry eligibility depends on the extent to which they raise new and substantive aspects of the kaupapa issue. The 2015 Memorandum, paragraph 15, pg. 4.

<sup>10</sup> The 2019 Memorandum, paragraph 44, pg. 8.

<sup>11</sup> The 2015 Memorandum, paragraph 13, pg. 4.

<sup>12</sup> The 2019 Memorandum, paragraphs 36 to 43, pg. 7.



## Draft – Not Government Policy

3. **Similarity of experience of the Crown policy or action complained of:** The Tribunal will hear and report on such claims on the basis that the claimants assert that they have been similarly affected in respect of the alleged Treaty breaches.

**How are Kaupapa Inquiries prioritised?**

In 2015, the Chair of the Tribunal established that the following factors<sup>13</sup> would be taken into account to determine priority of kaupapa claims, with some flexibility as the programme progressed:

- **Removal of the Tribunal's ability to inquire** (i.e. is something about to happen that would prevent the Tribunal from hearing some or all of the claims if they are given a lower priority).
- **Immediacy of the take or potential remedy** (i.e. can something meaningful still be done to remedy the grievances, is it time bound, is the take both live and current)?
- **Seriousness of the alleged breach or prejudice** (i.e. how significant is the issue having regard to the Treaty relationship – this takes into account the severity of the alleged Treaty breach and the severity and extent of the prejudice alleged to have resulted from it)?
- **Importance of the take to claimants** (i.e. what is the weight of claimant interest in the take and how important is the kaupapa take within the context of their claims as a whole)?
- **Importance of take to Māoridom** (i.e. how significant is the issue to Māori as a whole today? This factor considers the overall significance of the take for Māori as a whole, by looking at the numbers of Māori actually or potentially affected and the importance of the issue to Māori generally).
- **Importance of the issue to the nation** (i.e. This factor particularly applies to matters affecting major aspects of economic, social and environmental policy, particularly where there are large scale financial implications or political / legal uncertainty)

In the 2019 Memorandum, the Chair provided further advice on how the Waitangi Tribunal would be **enabling pressing contemporary issues to be prioritised for rapid inquiry where early reporting**. The six factors outlined in the 2015 Memorandum (see above) still apply but there is a stronger focus on contemporary kaupapa issues giving additional weight to the immediacy of the take or potential remedy.<sup>14</sup> In addition, the Tribunal would:

- continue a targeted approach where appropriate to the nature of the issue (e.g. housing policy);
- take a proactive approach to consulting affected claimants and the Crown on contemporary matters that may merit an early and rapid kaupapa inquiry; and
- prioritising issues within inquiries.<sup>15</sup>

The Tribunal Chair also clarified the process for starting unlisted kaupapa inquiry claims where an early start may be requested (effectively, a request for prioritisation). In these circumstances, the Tribunal may take into account the following matters:

- Clarifying the issues that the claimants and the Crown propose to include in the kaupapa inquiry;
- Establishing whether the issue(s) satisfy the threshold test for starting a kaupapa inquiry;
- Identifying which claims the claimants wanted the Tribunal to hear, particularly pressing contemporary claim issues concerning current Crown policy and practice;
- Confirming claimant and Crown readiness to proceed; and
- Any consequential impacts of delaying other claims that are scheduled.

**What is the nature and status of the Kaupapa Inquiries?**

The kaupapa programme was designed to meet two of the Tribunal's strategic goals, namely:

<sup>13</sup> The 2015 Memorandum, paragraph 22, pp. 5-6.

<sup>14</sup> The 2019 Memorandum, paragraph 10, pg. 3.

<sup>15</sup> The 2019 Memorandum, pg. 4.



## Draft – Not Government Policy

- To achieve a significant reduction in the backlog of kaupapa claims by 2020. These include claims with kaupapa grievances that are likely to be included in the historical Treaty settlements, as well as other claims with high priority issues.
- To substantially advance or complete the remaining kaupapa claims by 2025. These comprise claims with non-district-specific historical grievances that are not included in historical Treaty settlements, such as those raised by national organisations rather than tribal groups, and claims with contemporary kaupapa grievances.

A list of scheduled, current and completed claims is outlined in the table below. As can be seen, while there is significant mahi that has been done by the Waitangi Tribunal in hearing substantial kaupapa inquiries, we are only two years out from their 2025 deadline set in their second strategic goal. In 2019, the Waitangi Tribunal Chair advised that the Tribunal's resources were heavily committed and that this would limit the Tribunal's ability to progress the next inquiries in the Kaupapa Inquiry Programme.<sup>16</sup> At this stage there are six kaupapa inquiries yet to commence and only one kaupapa inquiry that has been completed.

Priority	Kaupapa Inquiry	Status
Pre-2015	<a href="#">The National Fresh Water and Geothermal Resources Inquiry (Wai 2358)</a> . This inquiry was commenced prior to the formal kaupapa inquiry programme being established.	Stages 1 and 2 complete, hearings to commence in 2024
1	<a href="#">The Military Veterans Kaupapa Inquiry (Wai 2500)</a>	Commenced
2	<a href="#">The Health Services and Outcomes Kaupapa Inquiry (Wai 2575)</a>	Stage 1 complete, hearing stage 2.
3	<a href="#">The Marine and Coastal Area (Takutai Moana) Act Inquiry (Wai 2660)</a>	Stage 1 complete, Stage 2 hearings complete
4	<a href="#">The Mana Wāhine Kaupapa Inquiry (Wai 2700)</a>	Commenced in inquiry research phase
5	<a href="#">The Housing Policy and Services Kaupapa Inquiry (Wai 2750)</a>	Stage 1 complete
6	Constitution, self-government, and the electoral system services	Commenced
7	Education and outcomes	Scheduled
8	Social services and social development	Scheduled
9	Economic development	Scheduled
10	Identity and culture	Scheduled
11	Natural resources and environmental management	Scheduled
12	<a href="#">The Justice System Kaupapa Inquiry (Wai 3060)</a>	Commenced
13	Citizenship rights and equality	Scheduled
14	Trans-Pacific Partnership Agreement – Stage 2 (Wai 2522)	Completed in 2021

<sup>16</sup> The 2019 Memorandum, paragraphs 24-25, pg. 5.



## The “kaupapa approach” being implemented by the Waitangi Tribunal to address Kaupapa Inquiries

In 2014, the Waitangi Tribunal launched a new ten-year strategic plan<sup>1</sup>, which clarified the priority of claims being scheduled for consideration. The strategic direction awarded primacy to completion of remaining district-based inquiries, followed by progression of certain high-priority contemporary (kaupapa) claims raising key thematic issues for the Crown–Māori Treaty relationship.<sup>2</sup> Since 2015, the Waitangi Tribunal has been hearing and issuing determinations on kaupapa inquiries alongside district inquiries.<sup>3</sup> The Waitangi Tribunal Chair has issued two memoranda<sup>4</sup> on the kaupapa inquiry programme, taking into account feedback from claimants who have been engaging through the process.

### Key Features of the Kaupapa Inquiry Programme

The Waitangi Tribunal have stated that the “kaupapa inquiries programme provides an inquiry pathway for claims outside of district inquiries, which raise nationally significant issues affecting Māori as a whole or a section of Māori in similar ways, and which have not previously been fully heard, reported or settled. Each kaupapa inquiry will focus on a single issue or cluster of related issues.”<sup>5</sup>

In 2019, in response to feedback from some claimants over different inquiries, the Waitangi Tribunal Chair issued a new memorandum concerning how it was planning to run kaupapa inquiries going forward, following a continuous review approach. The Chair clarified that:

“The **purpose of a kaupapa inquiry** is not to conduct a general exploration of all aspects of its thematic topic or one of the totality of Māori experience of Crown actions and omissions. Rather it is to investigate and make findings on the Treaty breaches and prejudice alleged by the claimants in respect of the kaupapa issue or issues of national significance that fall within the scope of the topic. Kaupapa issues may themselves be broadly or narrowly defined and may be given differing levels of priority by claimants.”<sup>6</sup>

At the outset, it was intended that kaupapa inquiries would follow a similar process to that used in most district inquiries. This meant proceeding to hearing once the eligible claims have been combined for joint inquiry, a sufficiency of technical, claimant and Crown evidence has been filed, the issues for inquiry have been determined, and the parties have confirmed their readiness to proceed.<sup>7</sup> The Waitangi Tribunal Chair advised, however, that the Tribunal would have some flexibility in process- for example, there may be agreement on early hearing of claimant oral evidence.<sup>8</sup>

In 2019, the Tribunal Chair announced<sup>9</sup> an additional two steps may be introduced at the discretion of the Chair prior to appointing a presiding officer and panel for the inquiry, in order to speed up the process and appear to be useful innovations:

<sup>1</sup> *Strategic Direction 2014-2025* (Waitangi Tribunal, 2 July 2014). Available here:

<https://www.waitangitribunal.govt.nz/news/waitangi-tribunal-strategic-direction-launched-2/>.

<sup>2</sup> *Strategic Direction 2014-2025* (Waitangi Tribunal, 2 July 2014). Available here:

<https://www.waitangitribunal.govt.nz/news/waitangi-tribunal-strategic-direction-launched-2/>.

<sup>3</sup> Previously kaupapa claims were only considered if it was a matter of urgency or as part of a district inquiry programme. In his 2015 memorandum, the Chairperson of the Waitangi Tribunal noted that “many kaupapa issues are, by definition, national in scope and not suited to a district inquiry context, even though many have a significant historical dimension.” *Memorandum of the Chairperson concerning the Kaupapa Inquiry Programme* (Waitangi Tribunal, 1 April 2015) “The 2015 Memorandum”, paragraph 8, pg. 3.

<sup>4</sup> Available here: <https://www.waitangitribunal.govt.nz/inquiries/kaupapa-inquiries/>.

<sup>5</sup> The 2015 Memorandum, paragraphs 2-3, pg. 2.

<sup>6</sup> *Memorandum of the Chairperson concerning the Kaupapa Inquiry Programme* (Waitangi Tribunal, 27 March 2019) “The 2019 Memorandum”, paragraph 13, pg. 3.

<sup>7</sup> The 2015 Memorandum, paragraph 36, pg. 8.

<sup>8</sup> The 2015 Memorandum, paragraph 37, pg. 8.

<sup>9</sup> The 2019 Memorandum, paragraphs 28 to 31, pages 5 to 6.



## Draft – Not Government Policy

1. **Claimants intending to participate:** The Tribunal will:
  - a. Distribute a preliminary list of claims registered with the Tribunal that appear to relate to the inquiry's kaupapa issues and request that claimants indicate whether they wish to participate in the inquiry; and
  - b. Request any claimant intending to participate particularise or otherwise amend their claim and identify any issues that they think that the Tribunal should prioritise for early inquiry.
2. **Exploratory scoping report:** To assist with planning and identifying the principal issues, the Tribunal would commission an exploratory scoping report as a preliminary step. Terms of reference may vary but generally this would include:
  - a. A preliminary outline and analysis of statements of claim likely to fall within the scope of the inquiry and of the kaupapa issues to which they appear to relate;
  - b. An indication of whether and to what extent any such issues concern current Crown policy and practice; and
  - c. A brief description and select, annotated bibliography of the main evidential resources in the public domain that are likely to be relevant to the identified kaupapa issues.

### Eligibility for Kaupapa Inquiry

In the 2015 Memorandum, the Waitangi Tribunal Chair stated that each kaupapa inquiry will usually have the following characteristics of scope and significance:

- The inquiry will be organised around a theme that brings together all aspects of a kaupapa claim issue or a cluster of related issues.
- The kaupapa issue should extend to Māori as a whole or to a section of Māori on a national scale, whether or not the issue by its nature is limited to particular geographical areas.
- The claim grievance should have broadly similar feature, as should the nature and impacts of the Crown legislation, policies, acts and omissions alleged to be in breach of the Treaty.
- The kaupapa issue should be of national significance to Māori in terms of the seriousness of the Treaty breaches alleged or to the nation in terms of potential impact on government policy or resources.

The range of kaupapa issues will also be influenced by the extent to which an issue (or sub-issue) has been addressed in previous Tribunal inquiries<sup>10</sup> and whether an issue met the national scale threshold. The Waitangi Tribunal's *Strategic Direction* document states that it intends to provide alternative processes for claims that fell into these excluded categories. In 2019, the Tribunal Chair stated that it had established a "Standing Panel process for hearing remaining historical claims and a process for remaining contemporary claims would commence once the district inquiries have been completed."<sup>11</sup>

The Chair advised that the overall thematic scope of the kaupapa inquiry programme was intended to enable claimants to bring all eligible claims to the Tribunal for a hearing – an "inclusive approach"<sup>12</sup>.

In 2019, the Chair clarified how this **inclusive approach** worked by setting out the following three-part threshold test for participation of claims raising specific and local issues in a kaupapa inquiry<sup>13</sup>:

1. **Nationally significant claim issues:** Once the Tribunal is satisfied that the national significance threshold has been met, any claimant whose claim relates to the issue (including specific and local claims brought on behalf of others, e.g. whānau, hapū) may seek to participate in the subsequent kaupapa inquiry. Claims are not required to meet the threshold individually.

<sup>10</sup> i.e. no hearing of a claim or part claim a second time (unless a claim's kaupapa grievance was severed from the inquiry and the Tribunal noted it was excluded from the report or only partially inquired into e.g. under urgency) and for registered claims yet to be heard but which raise kaupapa issues that were heard and reported on in a previous inquiry eligibility depends on the extent to which they raise new and substantive aspects of the kaupapa issue. The 2015 Memorandum, paragraph 15, pg. 4.

<sup>11</sup> The 2019 Memorandum, paragraph 44, pg. 8.

<sup>12</sup> The 2015 Memorandum, paragraph 13, pg. 4.

<sup>13</sup> The 2019 Memorandum, paragraphs 36 to 43, pg. 7.



## Draft – Not Government Policy

2. **Māori widely affected:** At its simplest, this threshold may be met by a single claim brought on behalf of all Māori said to have suffered prejudice as a result, provided that the claimant is a member of the affected group. The threshold is also met where a group of claims brought by individuals and groups on their own behalf that, taken together can be regarded as representing most of the affected Māori (e.g. in the Māori Military Veterans Inquiry).
3. **Similarity of experience of the Crown policy or action complained of:** The Tribunal will hear and report on such claims on the basis that the claimants assert that they have been similarly affected in respect of the alleged Treaty breaches.

**How are Kaupapa Inquiries prioritised?**

In 2015, the Chair of the Tribunal established that the following factors<sup>14</sup> would be taken into account to determine priority of kaupapa claims, with some flexibility as the programme progressed:

- **Removal of the Tribunal's ability to inquire** (i.e. is something about to happen that would prevent the Tribunal from hearing some or all of the claims if they are given a lower priority?).
- **Immediacy of the take or potential remedy** (i.e. can something meaningful still be done to remedy the grievances, is it time bound, is the take both live and current)?
- **Seriousness of the alleged breach or prejudice** (i.e. how significant is the issue having regard to the Treaty relationship – this takes into account the severity of the alleged Treaty breach and the severity and extent of the prejudice alleged to have resulted from it)?
- **Importance of the take to claimants** (i.e. what is the weight of claimant interest in the take and how important is the kaupapa take within the context of their claims as a whole)?
- **Importance of take to Māoridom** (i.e. how significant is the issue to Māori as a whole today? This factor considers the overall significance of the take for Māori as a whole, by looking at the numbers of Māori actually or potentially affected and the importance of the issue to Māori generally).
- **Importance of the issue to the nation** (i.e. This factor particularly applies to matters affecting major aspects of economic, social and environmental policy, particularly where there are large scale financial implications or political / legal uncertainty).

In the 2019 Memorandum, the Chair provided further advice on how the Waitangi Tribunal would be **enabling pressing contemporary issues to be prioritised for rapid inquiry where early reporting**. The six factors outlined in the 2015 Memorandum (see above) still apply, but there is a stronger focus on contemporary kaupapa issues giving additional weight to the immediacy of the take or potential remedy.<sup>15</sup> In addition, the Tribunal would:

- continue a targeted approach where appropriate to the nature of the issue (e.g. housing policy);
- take a proactive approach to consulting affected claimants and the Crown on contemporary matters that may merit an early and rapid kaupapa inquiry; and
- prioritising issues within inquiries.<sup>16</sup>

The Tribunal Chair also clarified the process for starting unlisted kaupapa inquiry claims where an early start may be requested (effectively, a request for prioritisation). In these circumstances, the Tribunal may take into account the following matters:

- Clarifying the issues that the claimants and the Crown propose to include in the kaupapa inquiry;
- Establishing whether the issue(s) satisfy the threshold test for starting a kaupapa inquiry;
- Identifying which claims the claimants wanted the Tribunal to hear, particularly pressing contemporary claim issues concerning current Crown policy and practice;
- Confirming claimant and Crown readiness to proceed; and
- Any consequential impacts of delaying other claims that are scheduled.

<sup>14</sup> The 2015 Memorandum, paragraph 22, pp. 5-6.

<sup>15</sup> The 2019 Memorandum, paragraph 10, pg. 3.

<sup>16</sup> The 2019 Memorandum, pg. 4.



## Draft – Not Government Policy

**What is the nature and status of the Kaupapa Inquiries?**

The kaupapa programme was designed to meet two of the Tribunal's strategic goals, namely:

- To achieve a significant reduction in the backlog of kaupapa claims by 2020. These include claims with kaupapa grievances that are likely to be included in the historical Treaty settlements, as well as other claims with high priority issues.
- To substantially advance or complete the remaining kaupapa claims by 2025. These comprise claims with non-district-specific historical grievances that are not included in historical Treaty settlements, such as those raised by national organisations rather than tribal groups, and claims with contemporary kaupapa grievances.

A list of scheduled, current and completed claims is outlined in the table below. As can be seen, while there is significant mahi that has been done by the Waitangi Tribunal in hearing substantial kaupapa inquiries, we are only two years out from their 2025 deadline set in their second strategic goal. In 2019, the Waitangi Tribunal Chair advised that the Tribunal's resources were heavily committed and that this would limit the Tribunal's ability to progress the next inquiries in the Kaupapa Inquiry Programme.<sup>17</sup> At this stage there are six kaupapa inquiries yet to commence and only one kaupapa inquiry that has been completed.

Priority	Kaupapa Inquiry	Status
Pre-2015	<a href="#">The National Fresh Water and Geothermal Resources Inquiry (Wai 2358)</a> . This inquiry was commenced prior to the formal kaupapa inquiry programme being established.	Stages 1 and 2 complete, hearings to commence in 2024
1	<a href="#">The Military Veterans Kaupapa Inquiry (Wai 2500)</a>	Commenced
2	<a href="#">The Health Services and Outcomes Kaupapa Inquiry (Wai 2575)</a>	Stage 1 complete, hearing stage 2.
3	<a href="#">The Marine and Coastal Area (Takutai Moana) Act Inquiry (Wai 2660)</a>	Stage 1 complete, Stage 2 hearings complete
4	<a href="#">The Mana Wāhine Kaupapa Inquiry (Wai 2700)</a>	Commenced in inquiry research phase
5	<a href="#">The Housing Policy and Services Kaupapa Inquiry (Wai 2750)</a>	Stage 1 complete
6	Constitution, self-government, and the electoral system services	Commenced
7	Education and outcomes	Scheduled
8	Social services and social development	Scheduled
9	Economic development	Scheduled
10	Identity and culture	Scheduled
11	Natural resources and environmental management	Scheduled
12	<a href="#">The Justice System Kaupapa Inquiry (Wai 3060)</a>	Commenced
13	Citizenship rights and equality	Scheduled

<sup>17</sup> The 2019 Memorandum, paragraphs 24-25, pg. 5.



14	Trans-Pacific Partnership Agreement – Stage 2 (Wai 2522)	Completed in 2021
----	--	-------------------

RELEASED UNDER THE  
OFFICIAL INFORMATION ACT

**DRAFT – NOT GOVERNMENT POLICY**

## A Hauora Journey: Fundamental Reform of Primary Health Care for iwi Māori and Aotearoa

Ma whero ma pango ka oti ai te mahi  
With red and black the work will be complete

### Introduction

Every year the Minister of Māori Affairs<sup>1</sup> is required to report to Parliament on the Crown's implementation of the Waitangi Tribunal's recommendations.<sup>2</sup> This report marks the first in a new approach to the section 8I Report series, taking a deeper dive into kaupapa that is of critical importance to Māori and aligns with the commencement of reports released under the Waitangi Tribunal's kaupapa inquiry programme. This approach will provide a richer story of each kaupapa and an annual reporting process provides a new way to identify intersectionality and common themes across years of reporting.

This year's focus is on the Waitangi Tribunal's Wai 2575<sup>3</sup> report *Hauora: Report on Stage One of the Health Services and Outcomes Kaupapa Inquiry* ("Hauora" or "Wai 2575"), which related to two claims concerning the legislative and policy framework for the primary health care system in Aotearoa.<sup>4</sup> *Hauora* was chosen as a focus because hauora (health and wellbeing) has a direct impact on life, and quality of life, for Māori. It also connects with and impacts on outcomes in other critical areas such as education, employment, social care, and housing.

### Wai 2575 and Primary Health Care in Aotearoa

Mai i te kōpae ki te urupā, tātou ako tonu ai  
From the cradle to the grave, we are forever learning

#### What is 'Primary Health Care' and what was in scope for the Waitangi Tribunal in Stage 1?

The Waitangi Tribunal focused on the "legislative, strategic and policy framework that administers New Zealand's primary health care system including, in particular, the New Zealand Public Health and Disability Act 2000, the New Zealand Health Strategy, the Primary Health Care Strategy and He Korowai Oranga (the Māori Health Strategy)".<sup>5</sup> Under the New Zealand Health and Public Disability Act 2000, the public health system was "primarily funded and overseen by the Ministry of Health and district health boards, which are primarily responsible for the system and its performance."<sup>6</sup>

The Waitangi Tribunal defined Primary Health Care as encompassing: "services provided in the community by general practitioners, nurses, pharmacists, counsellors, dentists, and others."<sup>7</sup> As the Tribunal noted, "the core purpose of primary health care is the treatment and prevention of health

<sup>1</sup> Minister of Māori Affairs is used in the legislation and the function is performed by the Minister of Māori Development.

<sup>2</sup> Section 81, Treaty of Waitangi Act 1975.

<sup>3</sup> *Hauora: Report on Stage One of the Health Services and Outcomes Kaupapa Inquiry* (Waitangi Tribunal, 28 June 2019). "Hauora" or "WAI2575"

<sup>4</sup> Ibid, pg. 1.

<sup>5</sup> Section 8I Report 2021-2022, (Te Puni Kōkiri, 2022), pg. 22. [Look at an alternative source – not sure we want to quote ourselves here].

<sup>6</sup> The Hauora Report, pg. 17.

<sup>7</sup> Ibid, pg. 1

**DRAFT – NOT GOVERNMENT POLICY**

issues before they become serious enough to need care at a higher level.”<sup>8</sup> At this time, the primary health care system was delivered by District Health Boards. A Chronology of the Primary Health System in New Zealand was provided by the Ministry of Health and is available [here](#)<sup>9</sup> on the Tribunal’s website.

**The Parties and Causes of the Wai 2575 Claims**

. Stage 1 of the Wai 2575 inquiry involved the consolidation of a number of claims. In its scoping of the inquiry, the Tribunal granted interested party status to over seventy claims, and named claimant status to the following two claims: Wai 1315 (Coalition of Tauranga-based Māori Primary Health organisations)<sup>10</sup> and Wai 2687 (National Hauora Coalition).<sup>11</sup> The Crown was represented during the inquiry by the Ministry of Health, District Health Boards (which were responsible for administering the Public Health and Disability Act 2000), and Te Puni Kōkiri (which has a statutory responsibility to monitor its Crown counterparts in the delivery of health services for Māori).<sup>12</sup> The Crown took a cooperative and proactive role in its provision of key acknowledgements, statistics and evidence that assisted the Tribunal in its findings.<sup>13</sup> During the hearing process evidence submitted by claimants was largely undisputed by Crown counsel.<sup>14</sup> It was acknowledged by both claimants and the Crown that Māori health inequities were influenced by the cumulative effects of colonisation over the past 180 years<sup>15</sup>. It was also acknowledged that Māori health inequities are influenced by a range of social determinants, such as income, poverty, employment, education and housing.<sup>16</sup>

**How does the Treaty of Waitangi relate to hauora?**

As part of its inquiry, the Tribunal considered how hauora was embodied in Te Tiriti, and found the following areas were relevant:

<b>Partnership</b>	Partnership requires the Crown to consult and partner with Māori in the design, delivery and monitoring of health care and health outcomes. <sup>17</sup> In partnership, the Crown recognises that Māori have the right to organise themselves and it is the responsibility of the Crown to work with Māori through whatever means they are organised and represented. <sup>18</sup>
<b>Active Protection</b>	When directly applied to health issues, active protection requires the Crown ‘to make available to Māori, as citizens, health care services that reasonably and adequately attempt to close inequitable gaps in health outcomes with non-Māori’. <sup>19</sup> It involves ensuring that all health services are culturally appropriate –

<sup>8</sup> Ibid.

<sup>9</sup> <https://www.health.govt.nz/our-work/populations/maori-health/wai-2575-health-services-and-outcomes-kaupapa-inquiry>.

<sup>10</sup> The first statement of claim was filed in November 2005 by Taitimu Maipi, Tureiti Lady Moxon, Elaine Tapsell and Hakopa Paul on behalf of a coalition of Tauranga-based Māori Primary Health organisations.<sup>10</sup> The claim concerned health issues on a national scale and a request for an urgent inquiry because of an imminent threat to the survival of their organisations. Ibid, pg. 1.

<sup>11</sup> A later claim was filed in October 2017 by Henare Mason and Simon Tiwai Royal on behalf of the National Hauora Coalition. The National Hauora Coalition is a national primary health organisation, operating in five district health board catchment areas across the North Island (Counties Manakau, Waitematā, Waikato, Whanganui, and Auckland). The focus of the Wai 2687 claim was on the flaws they identified in the primary health care system. Ibid, pg. 9.

<sup>12</sup> Ibid, pg. 10.

<sup>13</sup> Judge Stephen Clarke to Hon. Dr David Clarke, Hon. Nanaia Mahuta and Hon. David Parker, Letter of Transmittal, 28 June 2019, *Hauora*, p. xix.

<sup>14</sup> Ibid; Judge Stephen Clarke to Minister Clark, Minister Mahuta and Minister Parker, 28 June 2019, *Hauora*, pg. xix.

<sup>15</sup> Lydia – reference.

<sup>16</sup> *Hauora*, pg. 20.

<sup>17</sup> *Hauora*, p. 28.

<sup>18</sup> Ibid.

<sup>19</sup> *Hauora*, p. 31.



**DRAFT – NOT GOVERNMENT POLICY**

	that tikanga and mātauranga Māori are recognised and respected, and that discrimination, bias and systemic racism are addressed through clear and purposeful action. <sup>20</sup>
<b>Equity</b>	Article 3 of Te Tiriti confirms that Māori have all the rights and privileges of British citizens. “The Tribunal has found that this article not only guarantees Māori freedom from discrimination but also obliges the Crown to positively promote equity.” <sup>21</sup> Both Māori and non-Māori should expect equitable treatment and equitable health and wellbeing outcomes.
<b>Options</b>	Māori have the right “to continue their way of life according to their indigenous traditions and worldview while participating in British society and culture, as they wish.” <sup>22</sup> The Crown has an obligation to ensure that there is a fair and equitable primary health care system for Māori, and that Māori can continue to access and benefit from both Māori and mainstream primary health care services.

**The Guarantee of Tino Rangatiratanga**

A core feature of each of the Treaty principles set out by the Tribunal is the guarantee of tino rangatiratanga. An effective partnership begins with Crown acknowledgement of tino rangatiratanga and the right of Māori to manage their own affairs in a way that aligns with their customs and values.<sup>23</sup> The guarantee of tino rangatiratanga requires the Crown to not just partner with Māori but to actively protect their right to tino rangatiratanga and keep the partnership balanced.<sup>24</sup> In the health sector, this includes ensuring that Māori can expect culturally appropriate support, whether they choose kaupapa Māori or mainstream providers.

**Māori Health Inequalities**

The Waitangi Tribunal noted that “despite a few years of hope and some areas of improvement since 2000”<sup>25</sup>, significant financial investment<sup>26</sup>, and attempted reform and adjustments, “the statistics<sup>27</sup> paint a grim picture of the state of Māori health”<sup>28</sup>. The Waitangi Tribunal found that health inequalities persisted under the New Zealand Health and Disability Act 2000.<sup>29</sup> For example:

- **Life expectancy:** Overall, the gap in life expectancy at birth between Māori and non-Māori is 7.3 years for males and 6.8 years for females;
- **Amenable mortality rates** (i.e. premature deaths (deaths under age 75) that could potentially be avoided, given effective and timely healthcare): were almost two and a half times higher for Māori than non-Māori;
- **Cancer:** Higher risk of dying from cancer than non-Māori (1.7 times more likely)<sup>30</sup>. For breast and cervical screening programmes coverage rates were lower for Māori than non-Māori<sup>31</sup>;
- **Asthma** Māori aged 5-34 years were more than twice as likely as non-Māori in the same age group to have been hospitalised for asthma in 2012-2014;

<sup>20</sup> Ibid; Te Pae Tata: Interim New Zealand Health Plan 2022, (Te Whai Ora, Te Aku Whai Ora, 2022), p. 18.

<sup>21</sup> Ibid p. 33.

<sup>22</sup> Ibid. p 35.

<sup>23</sup> Hauora, pg.28.

<sup>24</sup> Hauora, p. 30.

<sup>25</sup> Ibid, pg. 23.

<sup>26</sup> \$220 billion since 2000. Ibid, pg. 25.

<sup>27</sup> provided by the Director-General of Health, Dr Ashley Bloomfield.

<sup>28</sup> Ibid.

<sup>29</sup> Ibid.

<sup>30</sup> In 2010-2012.

<sup>31</sup> To 31 March 2015.

**DRAFT – NOT GOVERNMENT POLICY**

- **Sudden unexplained death of infants (SUDI):** The rate amongst Māori infants is nearly five times as high as among non-Māori infants; and
- **GP visits:** Māori adults were less likely to have reported seeing a GP in the last 12 months and were more likely to report cost as a barrier to seeking health care from a GP.<sup>32</sup> A lack of transport was also more likely to be reported as a barrier to accessing a GP or after-hours healthcare.

**Why Stage 1 Wai 2575 Matters**

Primary health care matters. It is a key time to intervene in health issues, to assess and treat early signs of health problems and to prevent them from becoming worse. The statistics and other evidence provided by the parties led the Waitangi Tribunal to conclude that the primary health care framework fails to consistently state a commitment to achieving equity of health outcomes for Māori.<sup>33</sup> This was reflected, for example:

- In the Treaty clause in the New Zealand Health and Disability Act 2000 through to lower-level documentation (often omitting Treaty references or insufficiently embedding)<sup>34</sup>;
- Māori primary health organisations were underfunded from the outset often as a direct result of the devolution of power and the allocation of funding to district health boards<sup>35</sup>; and
- The Crown did not collect sufficient qualitative and quantitative data to know how the primary health care sector was performing in relation to Māori health

The Crown was found to have known about the failure of the DHB system to serve high-needs populations for well over a decade and failed to adequately amend or replace the current arrangements.<sup>36</sup> Te Puni Kōkiri was also implicated in this finding for its failure to carry out its statutory duty to monitor the health sector by failing to conduct agency reviews.<sup>37</sup>

**Section Two – Major reform of the health system**

**Nāku te rourou nau te rourou ka ora ai te iwi**  
**With your basket and my basket, the people will live**

The Government has made significant in-roads into implementing the recommendations in Wai 2575 (Recommendations in Appendix A). In its initial response, the Government agreed that there was:

“a need to address the existing inequities by reducing fragmentation, strengthening central leadership, and focusing on population health... that while the COVID-19 pandemic had exposed existing systemic fractures, it had also highlighted the resilience of the health sector and its ability to adopt new practices and embrace fundamental change.”<sup>38</sup>

On 1 April 2021, the Government announced its decision to commence reforms and build “a truly national New Zealand Health Service”<sup>39</sup> which would involve significant reform to the health and disability system, including:

- Replacing all DHBs and PHOs with Health New Zealand (Te Whatu Ora), a single entity with four regional arms;
- Establishing an autonomous Māori Health Authority (Te Aka Whai Ora);

<sup>32</sup> In 2013/2014.

<sup>33</sup> Judge Stephen Clarke to Minister Clark, Minister Mahuta and Minister Parker, 28 June 2019, Hauora, p. xv; Section 8I Report 2021-2022, p. 22.

<sup>34</sup> Ibid.

<sup>35</sup> Ibid, pp. xv, xvi.

<sup>36</sup> Ibid, p. xv.

<sup>37</sup> Ibid, p. xvi.

<sup>38</sup> Cited in Wai2575 – pg 173 – but see if here’s the original that we can cite here instead.

<sup>39</sup> Ibid – pg 173, see if original somewhere.



**DRAFT – NOT GOVERNMENT POLICY**

- Changing the Ministry of Health's focus to stewardship, policy, strategy and monitoring. Its commissioning role would be devolved to Te Whatu Ora and Te Aka Whai Ora; and
- Tailoring services to meet the needs of particular communities and geographic regions through a "locality approach". These would comprise networks of primary health and community services such as general practitioners, primary health nurses, maternity carers, and optometrists<sup>40</sup>; and
- The implementation of iwi-Māori Partnership Boards with a statutory mandate.

The principal vehicle for these changes was the passage of the Pae Ora (Healthy Futures) Act 2022 ("the Pae Ora Act"), which entered into force on 1 July 2022.

While not a formal acknowledgement, in passing the Pae Ora Act, the responsible Ministers made a number of statements about the purpose of the reforms and why such a major structural and system change was needed. For example:

**First Reading, Minister Little:**

"It is a system that has done OK, in some respects and it has allowed hospital to develop what they perceive as their needs for their community. But, actually, over time a problem has emerged: differences between DHBs, differences in performances ... we have the benefit of the interim report from the Waitangi Tribunal reflecting on the health system and the extent to which it has served, or not served, the interests of Māori and the extent most importantly to which it has not been consistent with the Crown's obligations under Te Tiriti o Waitangi.... The Māori Health Authority... makes sure that the needs of Māori are met in a way that they simply have not been for many, many years."

**First Reading, Minister Henare**

"What we also saw in Wai 2575, the evidence became clear, that in order for us to make the changes in health, it had to be a fundamental shift and a systemic change, and that's what this is offering us today."

**Quote<sup>41</sup> from Minister Henare**

"Many Māori don't like going to the doctor. And it's not because we don't care about our health, or the health of our whanau. It's because our experiences of the health system, the experiences of our parents and grandparents have been negative. That's why we must change. That is why we must transform our Māori health system. Māori must be enabled to provide effective leadership and partnership throughout the health system. And we will require all organisations to share responsibility for improving outcomes for Māori."

The Pae Ora Act implements and addresses several recommendations from the stage 1 Wai 2575 report:

- **Section 6** adopts a comprehensive Te Tiriti clause, including practical steps for embedding a te ao Māori lens within its structures and how Te Tiriti is given effect to by different actors within the health system. For example, s6(f) provides for iwi-Māori partnership boards to enable Māori to have a meaningful role in the planning and design of local services.

<sup>40</sup> **FIND PRESS RELEASE. BEEHIVE.**

<sup>41</sup> "Minister Henare Contribution to a Speech on Building a New Zealand Health System that works for all New Zealanders." (Beehive, Wellington, 21 April 2021)  
<https://www.beehive.govt.nz/speech/minister-henare-contribution-speech-building-new-zealand-health-service-works-all-new>



**DRAFT – NOT GOVERNMENT POLICY**

- **Section 7 sets out new principles.** The Waitangi Tribunal noted<sup>42</sup> that in 2020 the Ministry of Health included principles (Tino rangatiratanga, Equity, Active protection, Options, and Partnership) in their reissued Māori health action plan<sup>43</sup>, which applies to the whole health sector. Section 7 of the Pae Ora Act sets out new principles for the health sector, which alongside the Treaty of Waitangi section (section 6) and the structural and system changes in the Pae Ora Act, embodies the recommended principles above. For example, s7(1)(a) states that the health sector should be equitable, which includes ensuring Māori and other population groups have access to services in proportion to their health needs, receive equitable levels of service, and achieve equitable health outcomes.
- **Partnership:** The Pae Ora Act strengthens the partnership approach that Māori and the Crown have within the public health system. This can be seen, for example, in sections 6 (Te Tiriti), 7 (Principles), the establishment of the Te Aka Whai Ora as an independent statutory entity, the establishment of iwi/Māori partnership boards, and how Māori health plans, strategies and commissioning will take place under the Pae Ora Act.

"The Māori Health Authority will be constituted to represent the Māori voice from all iwi and hāpori. Embedding partnership must also happen at a local level. Māori will have a clear voice in decision-making through the evolved iwi-Māori partnership boards that will approve priorities and service plans for localities."<sup>44</sup>

**Ka pū te ruha, ka hao te rangatahi**

**The old net is cast aside, while the new net goes a-catching**

### New Bodies

The Government has gone further than exploration of the new bodies and completely restructured the health care system with the passage of the Pae Ora Act. This has included the creation / reform of four core national health organisations.

#### Manatū Hauora / Ministry of Health

Manatū Hauora is the government department with primary responsibility for health policy, strategy, and regulation. "In [their] role as kai iaki (chief steward) of New Zealand's health system, Manatū Hauora is the chief adviser to the Government on policy, sets direction, and regulates and monitors the health system to ensure it performs well and delivers better health outcomes for everyone."<sup>45</sup>

#### Te Whatu Ora / Health New Zealand

Te Whatu Ora is a new public health government agency that has taken over the planning and commissioning of services and functions from the 20 former District Health Boards. Unlike DHBs, Te Whatu Ora operates nationally, with four regional offices.

#### Te Aka Whai Ora / Māori Health Authority

Te Aka Whai Ora is a new independent statutory entity with primary responsibility for managing Māori health policies, services, and outcomes. Unlike DHBs, Te Aka Whai Ora operates nationally.

<sup>42</sup> Hauora, pg. 180.

<sup>43</sup> Whakamaua: Māori Health Action Plan, 2020-2025 (Ministry of Health, Wellington, 2020), pg.15.

<sup>44</sup> <https://www.beehive.govt.nz/speech/building-new-zealand-health-service-works-all-new-zealanders>.

<sup>45</sup> <https://www.health.govt.nz/about-ministry/what-we-do> and <https://dpmc.govt.nz/sites/default/files/2021-04/health-reform-white-paper-summary-apr21.pdf>.

**DRAFT – NOT GOVERNMENT POLICY****Te Pou Hauora Tūmatanui / Public Health Agency**

Te Pou Hauora Tūmatanui leads all public health and population health policy, strategy, regulatory, intelligence, surveillance, and monitoring functions, and has a key role in providing advice to Ministers on all public health matters. Te Pou Tūmatanui sits within Manatū Hauora.

These organisational changes and the additional features outlined below also respond to the Waitangi Tribunal's recommendations about strengthening the monitoring and accountability mechanisms in the public health system. For example:

**Te Aka Whai Ora**

Under section 19, the functions of the Te Aka Whai Ora specifically include monitoring the delivery of hauora Māori services by Te Whatu Ora and providing public reports on the results of that monitoring<sup>46</sup>; and monitoring, in cooperation with the Ministry and Te Puni Kōkiri, the performance of the publicly funded health sector in relation to hauora Māori. This sits alongside a suite of other functions that will enhance Māori health outcomes, such as improving service delivery and outcomes for Māori at all levels of the health sector<sup>47</sup>, and evaluating the delivery and performance of services provided or funded by the Te Aka Whai Ora.<sup>48</sup>

**Iwi-Māori Partnership Boards**

Under section 30, the functions of the iwi-Māori partnership boards include monitoring the performance of the health sector in a relevant locality.

**Reporting on the Charter**

Under section 50, Te Aka Whai Ora and Health New Zealand must prepare a report on how the New Zealand Health Charter has been given effect to in the health sector and present it to Parliament / make it publicly available.

**Te Puni Kōkiri**

Te Puni Kōkiri retains its monitoring function under section 5 of the Ministry of Māori Development Act 1991. Te Puni Kōkiri has reformed the way it performs its monitoring function and is now "walking alongside" the new health agencies as they develop strategies, plans and other forms of implementation.

**Health Strategies and Plans**

The Waitangi Tribunal made specific recommendations about the Māori health strategy, the New Zealand Health Strategy, the Primary Health Care Strategy, and the strategies' relevant action plans.

*He Koroua Oranga* was initially launched in 2002 providing a 10-year outlook with an overall aim of whānau ora (healthy families).<sup>49</sup> Pae Ora sits within this Strategy as the Government's vision for Māori health. "Pae ora is a holistic concept and includes three elements:

- mauri ora – healthy individuals
- whānau ora – healthy families
- wai ora – healthy environments."<sup>50</sup>

<sup>46</sup> S19(l).

<sup>47</sup> S19(c).

<sup>48</sup> S19(r).

<sup>49</sup> Whakamaua: Māori Health Action, p. 16. The strategy continues to set the direction for Māori health underpinning the current action plan to improve Māori health outcomes between 2020 and 2025<sup>49</sup> and provides guidance at a strategic level on how the health and disability system can support Māori health aspirations and health equity.

<sup>50</sup> Reference needed – ref website link below.

**DRAFT – NOT GOVERNMENT POLICY**

All three elements of Pae Ora are interconnected and mutually reinforcing, and further strengthen the strategic direction for Māori health for the future.”<sup>51</sup>

Sections 41 to 46 of the Pae Ora Act outline several strategies that the Minister must prepare and determine, including:

- New Zealand Health Strategy
- Hauora Māori Strategy, which must be jointly prepared with Te Aka Whai Ora
- Pacific Health Strategy
- Health of Disabled People Strategy
- Women’s Health Strategy
- Rural Health Strategy.<sup>52</sup>

Sections 47 to 49 of the Pae Ora Act outline the process of developing a health strategy and monitoring its success for the respective populations. Section 49 specifies that health entities must have regard to all health strategies in the exercise of their powers and performing their duties. These changes more clearly articulate the expectations for how each high-need population, including Māori, is treated in the health sector and a central point of oversight of the progress and outcomes for each population group.

### Plans

In 2020, following the release of Wai 2575 stage 1, the *Whakamaua Māori Health Action Plan 2020-2025* was released by Manatū Hauora. Sections 50 to 53 of the Pae Ora Act outline the development, content and performance reporting of a New Zealand Health Plan. The purpose is to provide a 3-year costed plan for the delivery of publicly funded services by Te Whatu Ora and the Te Aka Whai Ora and the Plan must be jointly developed by both agencies.<sup>53</sup>

Te Whatu Ora and Te Aka Whai Ora jointly created the first plan, *Te Pae Tata Interim New Zealand Health Plan* in 2022. *Te Pae Tata* is described as ‘an interim plan only’, designed to establish the national service coverage following the retirement of the district health board system.<sup>54</sup> The plan sets out six priority actions for the formative period:

- Place whānau at the heart of the system to improve equity and outcomes;
- Embed Te Tiriti o Waitangi across the health sector;
- Develop an inclusive health workforce;
- Keep people well in their communities;
- Develop greater use of digital services to provide more care in homes and communities; and
- Establish Te Whatu Ora and Te Aka Whai Ora to support a financially sustainable system.<sup>55</sup>

The New Zealand Health Plan is one of the keys to addressing the previous lack of partnership and tino rangatiratanga in the design and delivery of primary health care. When the Ministry of Health released the first action plan for Māori health in 2020, the guarantee of rangatiratanga was separated out and listed alongside the above principles outlined by the tribunal.<sup>56</sup> Sections 54 and 55 set out the provision of determining localities and the development of respective locality plans. Iwi-Māori partnership boards

<sup>51</sup> <https://www.health.govt.nz/our-work/populations/maori-health/he-korowai-oranga/pae-ora-healthy-futures>.

<sup>52</sup> Pae Ora (Healthy Futures) Act 2022; <http://www.legislation.govt.nz/act/public/2022/0030/latest/whole.html#LMS575525>; accessed 26 June 2023.

<sup>53</sup> Pae Ora (Healthy Futures) Act 2022; <https://www.legislation.govt.nz/act/public/2022/0030/latest/whole.html#LMS575525>; accessed 26 June 2023.

<sup>54</sup> *Te Pae Tata Interim New Zealand Health Plan 2022*, (Te Aka Whai Ora – Māori Health Authority, Te Whatu Ora – Health New Zealand, 2022), p. 5.

<sup>55</sup> *Ibid.*

<sup>56</sup> *Whakamaua: Māori Health Action Plan 2020-2025*, (Manatū Hauora, 2020), p. 15.



**DRAFT – NOT GOVERNMENT POLICY**

now have a mandated role in the Pae Ora Act.<sup>57</sup> The locality plans must be developed in consultation with communities, local authorities, and the Māori Health Authority, along with the relevant iwi-Māori partnership board.<sup>58</sup> The provision of locality plans and insights from communities and iwi-Māori Partnership Boards allows the new national health system to access and use valuable local knowledge. The Pae Ora Act created a national health service that is locally planned, locally funded, and locally delivered.

### **Mā te huruhuru ka rete te manu** **Feathers allow the bird to fly**

The Crown remains in conversation with claimants from the stage 1 Wai 2575 report about funding issues. Last year the Government committed to providing a record funding boost for Māori primary and community healthcare providers as part of the \$71.6 million in commissioning investments by Te Aka Whai Ora. It is the largest commissioning investment to date enabling funding for Māori health providers and includes:

- \$29.3m for Te Pae Tata – interim New Zealand Health Plan priority areas;
- \$13m for Māori primary and community providers;
- \$17.6m for te ao Māori solutions, mātauranga Māori and population health; and
- \$11.7m to support innovation, workforce development, and whānau voice.

### **Whaowhia te kete mātauranga** **Fill your basket of knowledge**

The Waitangi Tribunal made several recommendations about the collection and use of data and information relevant to Māori health outcomes.<sup>59</sup> Some of these are now superseded by the passage of the Pae Ora Act and others are part of active departmental and cross-agency work programmes.

As the new health agencies are established, there are regular Cross-Agency System Monitoring for Hauora hui, led by the Ministry of Health. At the second hui, the group moved from an overview of monitoring across the sector to looking deeper into how monitoring is taking place.

#### **The Ministry of Health**

The Ministry of Health receives data from different parts of the health sector through the utilisation of health services or mandatory reporting national collections, and also from national population health surveys.<sup>60</sup> The annual New Zealand Health Survey (NZHS), for example, has been conducted since 1992/93. The survey asks respondents to recall their experiences from the past 12 months across a range of topics and indicators. An interactive data explorer presents latest results by ethnic group, gender, age, disability status and neighbourhood deprivation, as well as changes over time.<sup>61</sup> The NZHS data explorer provides a break-down by total Māori population, gender and Māori vs. non-Māori comparison and trends over time.

The Ministry of Health also provides public access to an electronic dashboard that provides data and information about Whakamaua 2020-2025 – the Māori Health Action Plan 2020-2025 – that guides the Ministry of Health, the whole health and disability system, and government to give effect to He Korowai Oranga – the Māori Health Strategy. Quantitative monitoring via measures identified for the online

<sup>57</sup> Section 29-31 Pae Ora Act.

<sup>58</sup> Pae Ora (Healthy Futures) Act 2022;

<https://www.legislation.govt.nz/act/public/2022/0030/latest/whole.html#LMS575525>; accessed 26 June 2023.

<sup>59</sup> Complete list on *Hauora*, pg. 168.

<sup>60</sup> <https://www.health.govt.nz/nz-health-statistics/about-data-collection>

<sup>61</sup> <https://minhealthnz.shinyapps.io/nz-health-survey-2021-22-annual-data-explorer>



**DRAFT – NOT GOVERNMENT POLICY**

dashboard report are designed to provide a broad view of the current state of system performance against the Action Plan's four objectives, rather than to reflect progress on any individual action in Whakamaua.

**Te Aka Whai Ora**

Te Aka Whai Ora has a key role in the new health system for monitoring and driving improved outcomes for Māori. Their functions also include undertaking and supporting health research.<sup>62</sup> They are already developing a Māori health research agenda with Māori health experts, and they are currently building a monitoring and evaluation team. This mahi will be supported by insights from local communities, iwi-Māori partnership boards and others working in the health sector.

**Te Puni Kōkiri**

Te Puni Kōkiri is supporting this cross-agency group as it develops monitoring systems and frameworks. Opportunities are discussed in Section Three.

Te Puni Kōkiri has enhanced its data and analytics capability in recent years, creating tools to harness data and insights on Māori wellbeing, and has utilised lessons learned from monitoring, research, and evaluation to support initiatives in improving public sector effectiveness for Māori. Te Puni Kōkiri has developed a data and analytics platform, MahiTahi, which is a cloud-based service designed to enable kaimahi to make evidence-based decisions. MahiTahi will support Te Puni Kōkiri to analyse what is and what is not working for Māori across different sectors to best advise government and other public sector agencies.<sup>63</sup>

Specifically related to health, Te Puni Kōkiri has been collecting COVID-19 vaccination data since August 2021 for reporting purposes. Likewise, an example of the effectiveness of Te Puni Kōkiri walking alongside mainstream agencies ("monitoring by doing")<sup>64</sup> while they design and deliver locally-led, indigenously-designed interventions, has been through the creation and implementation of the Māori Communities COVID-19 Fund (MCCF). The MCCF was established to respond to the significant gap between Māori and non-Māori COVID-19 health outcomes.

**Section Three – The Future**

**E huri tā aroaro ki te rā, tukuna tō atarangi ki muri i a koe**  
**Turn and face the sun and let your shadow fall behind you**

**Introduction**

The Waitangi Tribunal's s age 1 Wai 2575 report has provided new opportunities for improving both the Treaty partnership and Māori health outcomes. This section outlines some of the key future opportunities for the health sector, including Te Puni Kōkiri, which take into account the Waitangi Tribunal's recommendations.

The current implementation of the Waitangi Tribunal's recommendations is taking place in a particular context for Māori and Aotearoa. Population estimates in June 2021 estimated the Māori population was 17.1% of the total population. There was estimated to be 436,000 Māori males and 439,300 Māori females, with median ages of 27.3 and 25.3 years (Stats NZ, 2021a).<sup>65</sup> Alongside this youthful profile,

<sup>62</sup> Section 19(1)(q).

<sup>63</sup> TPK Annual Report, pp. 45.

<sup>64</sup> Annual report, pp. 4

<sup>65</sup> Long-term insights briefing: Evidence Brief. [LINK NEEDED](#).

**DRAFT – NOT GOVERNMENT POLICY**

the largest growth in the Māori population will be in the 65+ year age group.<sup>66</sup> This will have implications for the future health needs of Māori.

Te Puni Kōkiri's Long-term Insights Briefing projects health outcomes for whānau in 2040 based on historical data trends.<sup>67</sup> Although average Māori life expectancy is expected to improve from 75 years to 80 years, it remains six years less than the average for non-Māori. In addition, the proportion of Māori who are physically active will decrease by three percent and drinking alcohol to hazardous levels amongst Māori is expected to increase by eleven percent.<sup>68</sup>

### Future Opportunities

The Waitangi Tribunal's stage 1 Wai 2575 report recommendations and the new health system provide a number of opportunities to change the way we operate and collectively improve health outcomes for Māori. For example:

- Embedding whanau-centered approaches to policy, service design and delivery;
- A new approach to monitoring by Te Puni Kōkiri;
- Ensuring that there is accessible Māori health data;
- Resolving any outstanding Waitangi Tribunal recommendations from *Hauora* stage 1; and
- The benefit of a wairua-centred approach to hauora.

### Embedding whanau-centered approaches to policy, service design, and delivery

In November 2022, the Social Wellbeing Board agreed and endorsed the following ten key characteristics for a whānau-centred approach which can be applied to policy, service design and delivery services.

1 Culturally grounded in te ao Māori, with whānau at the centre.	2 Supports whānau to determine their own future.	3 Based on whānau strengths, values and aspirations.	4 Restores and strengthens whānau.
5 Provides holistic responses to whānau needs and aspirations.	6 Addresses individual needs within their whānau context.	7 Measures effectiveness based on outcomes and invests in whānau wellbeing.	8 Enables long term, intergenerational planning and sustainable solutions.
9 Minimises system barriers, enabling flexible and innovative responses.	10 Uses collaboration and integration across government. <sup>69</sup>		

<sup>66</sup> Ibid, pg. 17.

<sup>67</sup> These projections assume that there will be no significant changes or reductions in the services and supports delivered by the public system over the next twenty years.

<sup>68</sup> These projections are based on New Zealand Health Survey data.

<sup>69</sup> SWB Paper – not officially released

**DRAFT – NOT GOVERNMENT POLICY**

It is important that the public service implementation of whānau-centred policy and approaches, and the investment in Whānau Ora across government and into our communities, is robust and authentic.<sup>70</sup> As outlined above, the creation and implementation of the Māori Communities COVID-19 Fund (MCCF) was in response to the significant gap between Māori and non-Māori COVID-19 health outcomes. Commissioning providers with in-depth knowledge of the unique needs within their communities to provide the wraparound support needed was the best approach to lift Māori vaccination rates.<sup>71</sup> In the future, starting with a whānau-centred approach and embedding it into policy, programme design and implementation will help to ensure more equal health outcomes from the beginning. As noted above, s6(f) of the Pae Ora Act provides for iwi-Māori partnership boards to enable Māori to have a meaningful role in the planning and design of local services. Alongside Te Aka Whai Ora, the place of iwi-Māori partnership boards within the new system will provide a valuable resource as a source of information about local needs and key relationships for helping to make the design and implementation of health programmes a success.

**A new approach to monitoring by Te Puni Kōkiri**

Te Puni Kōkiri has a legislated responsibility to monitor the performance of the public sector for Māori. The system operates in a permanent state of underperformance to Māori and Te Puni Kōkiri has recently refreshed its monitoring approach, also taking into account the recommendations from the Waitangi Tribunal in Wai 2575. Te Puni Kōkiri has moved away from relying solely on the traditional monitoring model of assessing the effectiveness of Government services after the fact or just providing policy advice in response to departmental briefings.

“A punitive monitoring system has not worked and did not change outcomes for Māori, and therefore it is unlikely that such an approach would bring about positive outcomes in the future”.<sup>72</sup>

Instead, the Secretary for Māori Development stated that the Ministry’s future focus will be on using monitoring as an active tool in service delivery – walking alongside mainstream agencies, ensuring that agencies know what does and does not work for Māori as the agencies design and deliver initiatives, and consider how they might measure their success.<sup>73</sup> Te Puni Kōkiri is modelling practice of whānau-centred approaches both to delivery and to measuring performance, and has worked alongside Māori and iwi thought-leaders, practitioners and rangatahi, and the Treasury, to support a Māori-designed waiora measurement framework with measures and indicators. This is a more dynamic approach to monitoring, ensuring improved traceability from Te Puni Kōkiri advice through to public sector investment and delivery of improved outcomes.

Te Puni Kōkiri is uniquely placed to examine the whole health system, including all the health bodies, and to monitor how health outcomes for Māori are impacting other areas of wellbeing and development. Te Puni Kōkiri will continue to work with Te Whatu Ora, Te Aka Whai Ora and the Ministry to monitor the performance of the health system in relation to Māori wellbeing outcomes – including Māori health outcomes.

**Ensuring that there is access to Māori Health Data**

Active protection means actively addressing the gaps between Māori and other populations, looking at the specific needs of the Māori population and directing time and resources to ensure more equitable

<sup>70</sup> Strategic Intentions p. 24-25. <https://www.health.govt.nz/publication/commissioning-pae-ora-healthy-futures-2022> talks to commissioning approaches and whānau ora model within the health system. Published early 2023. Approach reflects the Health and Disability System Review (2019) recommendations, the Wai 2575 Health Services and Outcomes Kaupapa Inquiry recommendations (Waitangi Tribunal 2019), pp. 3 of report.

<sup>71</sup> TPK Annual Report, pp. 4.

<sup>72</sup> Dave Samuel’s Brief of Evidence to the Royal Commission Inquiry into Abuse in State Care

<sup>73</sup> Dave Samuel’s Brief of Evidence to the Royal Commission Inquiry into Abuse in State Care

**DRAFT – NOT GOVERNMENT POLICY**

outcomes.<sup>74</sup> As noted above, Te Aka Whai Ora is in the process of establishing its new monitoring team. It also has responsibilities for:

- “improving service delivery and outcomes for Māori at all levels of the health sector; and
- collaborating with other agencies, organisations, and individuals to improve health and wellbeing outcomes for Māori and to address the wider determinants of health for Māori; and
- providing accessible and understandable information to Māori on the performance of the publicly funded health sector.”<sup>75</sup>

Te Puni Kōkiri will work alongside Te Aka Whai Ora (and the cross-agency group) as it develops and implements this work programme. In addition, there are opportunities for the whole health sector to support the accessibility of Māori health data for Māori, hapu, and iwi. For example, the Ministry of Health’s New Zealand Health survey database has useful data about Māori health.

Te Puni Kōkiri is also investing \$19.91 million over four years to increase Māori community resilience through data capability and access with a focus on climate and waiora data. This initiative will:

- equip hapori Māori with the skills and ability to access climate and waiora data in support of their aspirations for adapting to climate change;
- invest in technology systems that expand the use of existing Government data solutions for Māori that can be safely shared with iwi, hapu and whānau;
- enable Māori to safely share data of their choosing back to Government or with other communities; and
- enable Government agencies to access data of importance to hapori Māori while championing Māori data sovereignty and iwi and whānau centred approaches to data management.

While various Government agencies have supported initiatives to provide data and insights to Māori, they are working independently with hapori Māori and meeting their needs by subject area. This initiative, *Hapori Māori: Increasing Community Resilience through Data Capability and Access*, invests in a joined-up holistic Government approach, including the design and testing of how to enable both the sharing and collection of waiora datasets to/from Māori communities into a centralised solution. The intention is for bespoke data products to be curated for Māori communities that leverage data from the centralised solution and from communities themselves. This will help to inform evidence-based, community led decisions, and support hapori Māori consider their future needs in relation to climate change, waiora and hauora.

#### **The benefit of a wairua-centred approach to hauora**

Key insights, such as the difference between waiora and wellbeing or how wairua inspired processes can be used in development, were presented to hui members at the Cross-Agency System Monitoring for Hauora Hui led by the Ministry of Health. Hui members showed interest and plan to further explore how the insights from Ngā Tohu Waiora, a Māori-led and designed framework developed to measure waiora with support from Te Puni Kōkiri and Te Tai Ōhanga, could inform how the sector thinks about measuring hauora. In addition, hui members want to explore connections between:

- He Korowai Oranga (Māori Health Strategy);
- Whakamaua (Māori Health Action Plan);
- He Ara Waiora (Treasury’s framework for considering waiora); and
- Ngā Tohu Waiora.

<sup>74</sup> Ibid, p. 32.

<sup>75</sup> Section 19(1)(c) to (e).



**DRAFT – NOT GOVERNMENT POLICY**

This is additional to exploring how Whānau Ora and Whānau-Centred approaches could guide any approaches to measuring hauora.

**Resolving any outstanding Waitangi Tribunal recommendations from *Hauora* stage 1**

As outlined above, conversations are ongoing between *Hauora* stage 1 claimant groups and the Crown, and there will be a continued need to monitor how the new health system is delivering for Māori. Te Puni Kōkiri's Te Tautuhi-ō-Rongo (Māori Policy Framework) provides a positive reading of te Tiriti with four core components:

- A relationship management agreement;
- The ideal marriage;
- A move away from a focus on breach and deficit; and
- The potential for what should, could and must be.

Te Tiriti is a living document, and hauora, like other key aspects of life and wellbeing is directly related to how this constitutional document is respected and the Treaty partnership is honoured. The changes to the health system to embed Treaty principles, elevate a focus on partnership and equity, and enable more meaningful local insights and mana motuhake approaches to health policy, design, and delivery provide an opportunity to innovate and transform the health system and set a course for a more equitable and responsive future. We look forward to supporting the health system and our communities as they respond to changes, and to receiving the Waitangi Tribunal's next *Hauora* report.

**“We need to remember that Te Tiriti was, and continues to be, a means to bring us together and benefit our society.”<sup>76</sup>**

**Appendix A: Recommendation Areas**

Interim/Final	Recommendation Areas	Recommendations – Full List
	<b>[EXAMPLE:</b> <b>Te Tiriti clause</b>	<b>[EXAMPLE:</b> New Treaty of Waitangi clause [compared to the Treaty clause in the New Zealand Public Health and Disability Act 2000].

<sup>76</sup> Minister Henare, speech to Waitangi Tribunal Members.



**From:** [Morrow, Daniel](#)  
**To:** [Maddy Lambert](#); [Francis, Andrew](#)  
**Subject:** RE: Supplementary piece for your Section 8i report  
**Date:** Thursday, 6 July 2023 4:13:30 pm  
**Attachments:** [Out of Scope](#)

---

No worries—all the best with this Maddy.  
 Dan.

---

**From:** Maddy Lambert <[9\(2\)\(a\)](#)@tpk.govt.nz>  
**Sent:** Thursday, 6 July 2023 2:11 pm  
**To:** Morrow, Daniel <[9\(2\)\(a\)](#)@justice.govt.nz>; Francis, Andrew <[9\(2\)\(a\)](#)@justice.govt.nz>  
**Subject:** RE: Supplementary piece for your Section 8i report

Kia ora kōrua,

Thank you very much for your helpful reviews – I really appreciate the knowledge you have brought to the pieces and the promptness in getting your review back to me. I have incorporated the majority of your comments and edits into the two pieces – please see attached as an FYI, but if you have any queries, please let me know by COP āpōpō.

Kia pai tō rā.

Ngā mihi nunui,

Maddy

---

**From:** Morrow, Daniel <[9\(2\)\(a\)](#)@justice.govt.nz>  
**Sent:** Thursday, July 6, 2023 10:44 AM  
**To:** Maddy Lambert <[9\(2\)\(a\)](#)@tpk.govt.nz>; Francis, Andrew <[9\(2\)\(a\)](#)@justice.govt.nz>  
**Subject:** RE: Supplementary piece for your Section 8i report

Kia ora Maddy,

Sorry for the delay – please find attached the two documents sent to us on Tuesday. I have reviewed the papers and offered some comment. Judge Damien Stone, who is currently Acting Chief Judge of the Tribunal, has also cited the papers and my feedback.

The purpose of this review from our perspective has been to ensure that any commentary on the content of the Tribunal's reports and recommendations is accurate. However, I point out that as judiciary / support staff in the WTU, we are mindful of the need to maintain the separation of powers, so have refrained from providing comment on any other aspects (particularly descriptions of Crown actions in response to our reports).

Finally, while going through I have made limited suggestions on small matters of style and consistency. Please feel free accept or ignore these and I appreciate this is an advanced

draft.

Ngā mihi,  
Dan.

---

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Sent:** Thursday, 6 July 2023 8:42 am  
**To:** Morrow, Daniel <[REDACTED]@justice.govt.nz>; Francis, Andrew <[REDACTED]@justice.govt.nz>  
**Subject:** RE: Supplementary piece for your Section 8i report

Mōrena,

No worries Daniel, thanks for letting me know.

Ngā mihi nui,

Maddy

---

**From:** Morrow, Daniel <[REDACTED]@justice.govt.nz>  
**Sent:** Wednesday, July 5, 2023 5:17 PM  
**To:** Maddy Lambert <[REDACTED]@tpk.govt.nz>; Francis, Andrew <[REDACTED]@justice.govt.nz>  
**Subject:** RE: Supplementary piece for your Section 8i report

Kia Maddy,

Just to let you know we're running slightly late with reviewing the material sent yesterday, but are almost finished and should have it to you by tomorrow morning. Thanks,

Dan Morrow  
Waitangi Tribunal Unit.

Sent from my Galaxy

----- Original message -----

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Date:** 4/07/23 4:20 pm (GMT+12:00)  
**To:** "Francis, Andrew" <[REDACTED]@justice.govt.nz>  
**Cc:** "Morrow, Daniel" <[REDACTED]@justice.govt.nz>  
**Subject:** RE: Supplementary piece for your Section 8i report

Ka pai, please see attached the Kaupapa Inquiry supplementary piece and the Wai 2575 feature narrative.

Thanks Andrew!

Ngā mihi nui,

Maddy

---

**From:** Francis, Andrew <[REDACTED]@justice.govt.nz>  
**Sent:** Tuesday, July 4, 2023 3:30 PM  
**To:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Cc:** Morrow, Daniel <[REDACTED]@justice.govt.nz>  
**Subject:** RE: Supplementary piece for your Section 8i report

Hi Maddy, no problem, I get it all of the time!

Yes, if you can send it through, I'll check with Dan his capacity to review it. He's in a meeting now, but will check with him afterwards.

Andrew

---

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>  
**Sent:** Tuesday, 4 July 2023 2:22 pm  
**To:** Francis, Andrew <[REDACTED]@justice.govt.nz>  
**Subject:** RE: Supplementary piece for your Section 8i report

Arohmai Andrew, so sorry I got your name wrong! Your email appears as Francis Andrew – my bad!!

---

**From:** Francis, Andrew <[REDACTED]@justice.govt.nz>  
**Sent:** Tuesday, July 4, 2023 1:46 PM  
**To:** Maddy Lambert <[REDACTED]@tpk.govt.nz>; Eva Hartshorn-Sanders <[REDACTED]@tpk.govt.nz>; Marama Paki <[REDACTED]@tpk.govt.nz>  
**Cc:** Morrow, Daniel <[REDACTED]@justice.govt.nz>  
**Subject:** Supplementary piece for your Section 8i report

Kia ora koutou,

Sandra Edmonds has passed me your details regarding your invitation for the WTU to review your supplementary piece for your Section 8i report.

I am cc'ing in my technical leader, Dan Morrow, who is available to review it. It would be helpful if you could provide us with a timeframe for when we will receive it. I ask as Dan will be on annual leave from Wednesday of next week and won't be available to provide any comments after that.

Nga mihi,

Andrew

**Dr Andrew Francis**

Manager, Report Writing Services | Kaiwhakahaere o Te Rōpū Kaituhi Pūrongo  
| Te Rōpū Whakamana i te Tiriti o Waitangi | Waitangi Tribunal

[www.waitangitribunal.govt.nz](http://www.waitangitribunal.govt.nz)

Level 3, Fujitsu Tower

141 The Terrace

WELLINGTON

9(2)(a)



RELEASED UNDER THE  
OFFICIAL INFORMATION ACT

**From:** [Cervin, Georgia](#)  
**To:** [Maddy Lambert](#)  
**Subject:** RE: Section 8I Report 2022 - link to final report  
**Date:** Wednesday, 6 September 2023 11:47:45 am

---

Thanks Maddy!

Ngā mihi

Georgia

---

**From:** Maddy Lambert <[REDACTED]@tpk.govt.nz>

**Sent:** Wednesday, 6 September 2023 10:55 am

**To:** Out of Scope

[REDACTED]  
 [REDACTED]  
 [REDACTED] Francis, Andrew <Andrew.Francis@justice.govt.nz>;

Hewson, Lucy <Lucy.Hewson@justice.govt.nz>; Morrow, Daniel

<Daniel.Morrow@justice.govt.nz>; Out of Scope

[REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]

[REDACTED] Danielle Bambro <[REDACTED]@tpk.govt.nz>; Leask,  
 Katherine <Katherine.Leask@tearawhiti.govt.nz>; Cervin, Georgia

<georgia.cervin@tearawhiti.govt.nz>; Out of Scope

[REDACTED] Edmonds, Sandra  
 <Sandra.Edmonds@justice.govt.nz>; Out of Scope

[REDACTED] Reremoana Chase

<[REDACTED]@tpk.govt.nz>; Julia Aranga-Tuilaepa <[REDACTED]@tpk.govt.nz>

**Subject:** Section 8I Report 2022 - link to final report

Kia ora koutou

I hope you have all been keeping well!

I would like to thank you all for your input into the Section 8I Report 2021/22 – please see attached the final version, and a link to the Report here: <https://www.tpk.govt.nz/en/o-matou-mohiotanga/crownmaori-relations/the-section-8i-report-2022>. Please feel free to pass this on to other kaimahi in your organizations.

Te Puni Kōkiri kaimahi will be in touch soon regarding the next Section 8I Report 2022/23 and to collect the latest updates for the reporting period 1 July 2022 – 30 June 2023.

Kia pai tō rā .



Ngā mihi nunui,

Maddy

RELEASED UNDER THE  
OFFICIAL INFORMATION ACT