

# The Section 8I Report

A report on the progress made on implementation of  
Waitangi Tribunal recommendations to the Crown

**For the period 1 July 2019 – 30 June 2020**



Presented to the House  
of Representatives under  
Section 81 of the Treaty of  
Waitangi Act 1975.

Photo caption: In preparation for the  
ceremonial waka pageant on Waitangi  
Day, paddlers from around the country  
gather together at Pēwhairangi/Bay  
of Islands. This image was taken on 5  
February 2020 near Haruru Falls.

Photo credit: Josie McClutchie.



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# Minister's Foreword

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*Māori Development Minister,  
Willie Jackson.*

I am pleased to present the 2019/20 Section 8I annual report, providing an update on the Government's progress on addressing Waitangi Tribunal recommendations.

Our Government is committed to creating the conditions that recognise the value of te ao Māori and support a productive, inclusive and sustainable economy. We embrace and support the contribution of culture, language, identity, and mātauranga Māori to achieving the wellbeing aspirations of Māori.

Our Government continues to hold wellbeing at the centre of our view, as we drive towards achieving outcomes that are good for our people, economy, the environment, the places we live and the type of society we belong to.

To do this we intend to continue on a path towards real equity for Māori, underpinned by partnership, based on the articles of the Treaty of Waitangi.

There was steady progress at the Waitangi Tribunal in 2019/20 despite postponement of hearings due to the COVID-19 pandemic. As we get nearer to the conclusion of historic Treaty claims, the Tribunal can focus more and more on current issues that continue to challenge the foundation of our constitutional arrangements, and our ability to give effect to the aspirations of partnership evident in Māori Crown relations.

This year's feature section focuses on Department of Corrections' Māori Pathways rehabilitation programme. Māori are over-represented in prisons, and Corrections is changing the way it operates to improve rehabilitation for prisoners and get better outcomes for Māori. Through the programme, Corrections is working with whānau and implementing Māori pathways through prison, to ensure that when Māori leave prison, they have the right support to never come back again.

The ten Waitangi Tribunal reports released over the period 1 July 2019 – 30 June 2020 are included for the first time in this report. I encourage you to draw on the Tribunal reports as a rich source of knowledge, information and context to understanding the issues that define our identity as a nation.



Nāku iti nei, nā

**Hon Willie Jackson**

**Te Minita Whanaketanga Māori**

# Abbreviations

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<b>Corrections</b>	Department of Corrections
<b>CPTPP</b>	Comprehensive and Progressive Trans-Pacific Partnership
<b>DHB</b>	District Health Board
<b>DoC</b>	Department of Conservation
<b>ISDA</b>	International Swaps and Derivatives Protocol
<b>LINZ</b>	Land Information New Zealand
<b>MAF</b>	Ministry of Agriculture and Fisheries
<b>MBIE</b>	Ministry of Business, Innovation, and Employment
<b>MCH</b>	Ministry for Culture and Heritage
<b>MDC</b>	Māori Development Corporation
<b>MFAT</b>	Ministry of Foreign Affairs and Trade
<b>MfE</b>	Ministry for the Environment
<b>MfMD</b>	Minister for Māori Development
<b>MoE</b>	Ministry of Education
<b>MoH</b>	Ministry of Health
<b>MPI</b>	Ministry for Primary Industries
<b>MTA</b>	Muaūpoko Tribal Authority
<b>NHF</b>	Nature Heritage Fund
<b>NPS FM</b>	National Policy Statement Freshwater Management
<b>NWOMTB</b>	Ngāti Whātua o Ōrākei Māori Trust Board
<b>PHO</b>	Primary Health Organisation
<b>PVR</b>	Plant Variety Rights
<b>RMA</b>	Resource Management Act
<b>SILNA</b>	The South Island Landless Natives Act
<b>TAMA</b>	Te Aitanga a Māhaki and Affiliates
<b>TIMA</b>	Tūhoronuku Independent Mandated Authority
<b>TPK</b>	Te Puni Kōkiri
<b>TPP</b>	Trans-Pacific Partnership
<b>UPR</b>	Universal Periodic Review

# Section 8I reporting: Introduction

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This report provides Parliament with an update on the Crown's progress implementing Waitangi Tribunal recommendations between 1 July 2019 and 30 June 2020.

The report includes a summary of the steps taken by Government to improve the consistency, coordination and coherence of the way it approaches Treaty of Waitangi issues and the Māori Crown relationship in the last year. It also includes a feature section on Ara Poutama Aotearoa Department of Corrections' Māori Pathways rehabilitation programme, as an example of an agency's response to the new expectations on the public service in this area.

The Treaty of Waitangi Act 1975 provides for the observance and confirmation of the principles of the Treaty of Waitangi through the establishment of the Waitangi Tribunal. The Tribunal has jurisdiction to make recommendations on claims relating to the practical application of the Treaty, and to determine whether certain matters are inconsistent with the principles of the Treaty.

Many of the Tribunal's reports address claims of Crown breaches of the Treaty of Waitangi and its principles that occurred before 21 September 1992 (the date used to demarcate between historical and contemporary claims). The Minister for Treaty of Waitangi Negotiations has responsibility for negotiating settlements of these historical claims.

There are only a few situations where the Waitangi Tribunal can make recommendations that are binding on the Crown<sup>1</sup>. In most cases, the Crown may choose whether to adopt the Tribunal's recommendations (in part or in full) or negotiate with Māori based on these recommendations. In practice, the Crown recognises that the Waitangi Tribunal's findings and recommendations make an important contribution to the relationship between Māori and the Crown, including the processes of settling Treaty claims. In this way, Waitangi Tribunal findings and recommendations provide a comprehensive starting point for engagement between the Crown and Māori on issues of importance to both parties.

Over the last two decades, the Waitangi Tribunal has often proposed that the Crown and claimants address issues raised by claims or negotiate a settlement on the basis of its general findings, rather than make a series of prescriptive recommendations. This approach, combined with the Crown's increasing experience over the past twenty years in negotiating and settling historical Treaty claims, has in many respects superseded the 'by recommendation' approach to reporting envisaged in the Treaty of Waitangi Act 1975.

A negotiated settlement produces an agreement between the Crown and claimants that is consistent with the spirit of the Tribunal's recommendations. The purpose of an agreement is to settle any breaches of the Treaty and to reflect the interests of the parties concerned.

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<sup>1</sup> The Tribunal has the power to make binding orders with respect to: Crown forest land that is subject to a Crown forestry licence; 'memorialised lands', which are lands owned, or formerly owned, by a State-owned enterprise or a tertiary institution; or former New Zealand Railways lands, that have a notation on their title advising that the Waitangi Tribunal may recommend that the land be returned to Māori ownership.

# Pāhekoheko ā Tiriti – Treaty interactions

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Mā whero, mā pango ka oti te mahi –  
By red and black the work will be finished.

## Overview for 2019/20

The Crown has taken steps to improve the consistency, coordination and coherence of the way it approaches Treaty of Waitangi issues and the Māori Crown relationship. This includes the way it responds to recommendations from the Waitangi Tribunal and engages with the Tribunal's kaupapa inquiry process. The key shift is to locate the Crown approach within the Māori Crown relationship, to maintain a focus on improving outcomes for Māori and strengthening Māori Crown partnerships.

## Te Kawa Mataaho

Te Kawa Mataaho | Public Services Commission was established in 2020, replacing the State Services Commission.

Section 14 of the Public Service Act 2020 (the Act) recognises the role of the public service to support the Crown in its relationships with Māori, under Te Tiriti o Waitangi.

The Act includes provisions that put explicit responsibilities on:

- Public service leaders for developing and maintaining the capability of the public service to engage with Māori and to understand Māori perspectives.
- The Public Service Commissioner, when developing and implementing the newly required leadership strategy, to recognise the aims, aspirations and employment requirements of Māori, and the need for greater involvement of Māori in the public service.

The new Act also carries over the current requirements on public service employers to operate an employment policy that recognises the aims, aspirations and employment requirements of Māori, and the need for greater involvement of Māori in the public service.

The Commissioner and chief executives are accountable to their Minister for upholding their responsibilities to support the Crown's relationships with Māori.

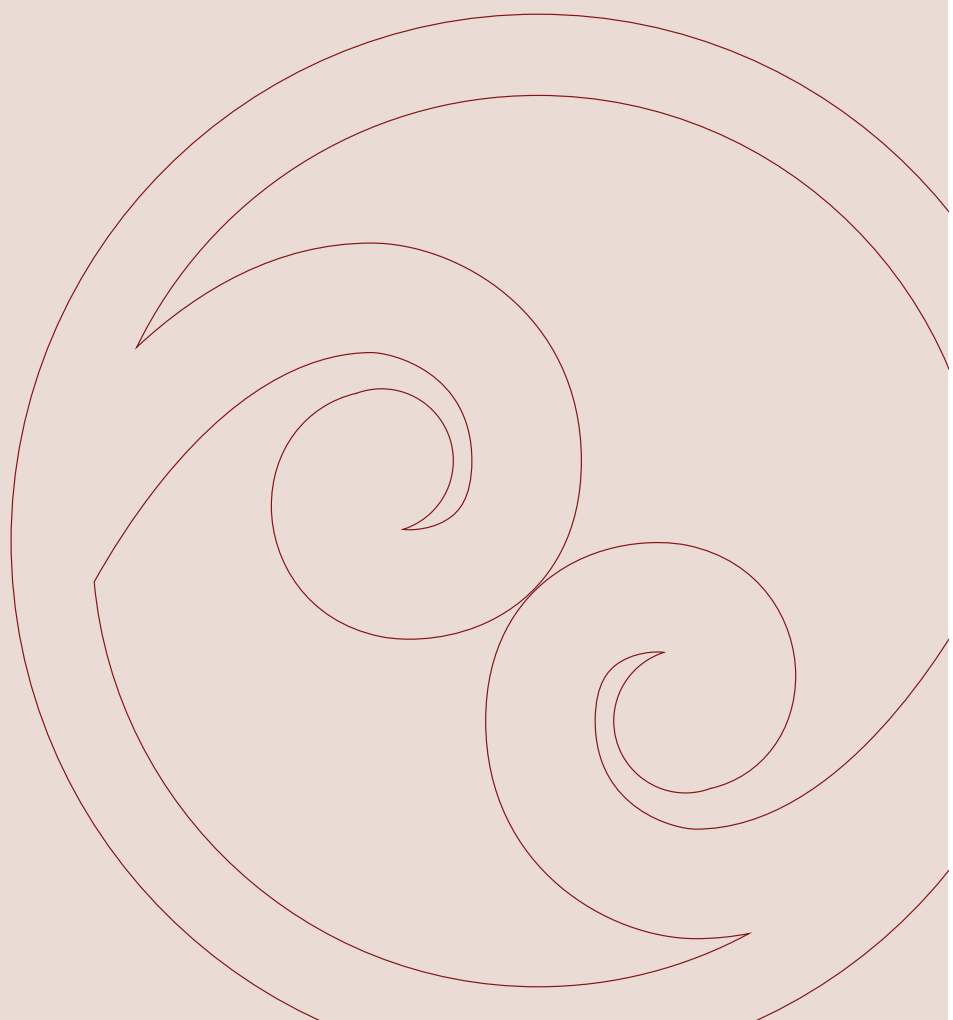


The reforms aim to unify the public service to fulfil its stewardship responsibility to support the Crown's relationships with Māori. In practice this will mean:

- Improving the public service's relationships with Māori by creating and continuing collaborative approaches that are mutually beneficial.
- Greater understanding of te ao Māori woven into the work and ethos of public service, including:
  - Te ao Māori concepts, knowledge, values and perspectives
  - Te reo Māori (Māori language)
  - Tikanga Māori (protocols and customs)
  - Te Tiriti o Waitangi and understanding how it applies day-to-day.
  - Exercise of individual and collective responsibility for a culturally competent public service that delivers with and for Māori and is committed to supporting Māori leadership and decision-making roles in the public service.

Te Arawhiti is responsible for supporting Māori Crown relationships, building public sector capability to engage with Māori, ensuring Crown agencies meet their Te Tiriti o Waitangi settlement commitments and administering the Marine and Coastal Area (Takutai Moana) Act 2011.

Te Puni Kōkiri is the principal policy advisor to Government on Māori wellbeing and development. This includes building Māori capability and capacity, monitoring the effectiveness of public services for Māori, and leading policy advice on specific issues of importance to Māori.



# 2019/20 feature presentation

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## **Māori Pathways – out of the corrections system for a better life**

In its 2017 *Tū Mai te Rangī! Report on the Crown and Disproportionate Reoffending Rates*, the Waitangi Tribunal expressed its concerns about disparities for Māori in the corrections system: “the difference between Māori and non-Māori reoffending rates is substantial, undisputed and contributes to the disproportionate number of Māori in prison.”

The Tribunal was told when it considered the Wai 2540 claim that significant overrepresentation of Māori in the corrections system has been so persistent that some now see it as normal. However, it is not normal, and cannot be considered normal.

In 2019/20, the Department of Corrections (Corrections) introduced significant changes in line with the Tribunal’s findings and recommendations. The aim is to improve rehabilitation for prisoners and get better outcomes for Māori.

## **Hōkai Rangī**

Released in August 2019, Hōkai Rangī is the single organisational strategy for Corrections, and focuses on improving outcomes for Māori. All the work within the department will flow from and align with Hōkai Rangī. As one of the first strategic actions, a Deputy Chief Executive Māori was appointed shortly after the release of Hōkai Rangī.

The aim is for Corrections to have world-leading rehabilitation and reintegration services and to uphold Te Tiriti o Waitangi through strengthening our relationships with partners and working in a more joined-up way with the justice and social sectors.

It is through this end-to-end pathway that Corrections will contribute to transformative and intergenerational change. There is no single solution: many different approaches are needed to reduce the number and proportion of Māori in the corrections system.

## Māori Pathways

Māori Pathways is a four-year \$98 million programme to develop a more effective system by using kaupapa Māori and whānau-centred approaches. It includes a range of initiatives aiming to lower the proportion of Māori in the corrections system, many of which will be co-designed with our iwi and other partners.

The Waitangi Tribunal recommended greater levels of partnership between Corrections and Māori, and this has been a focus in the 2019/20 year, especially in the Māori Pathways work.

There has been a concerted effort to build and strengthen positive relationships with whānau, iwi, hapū, and other organisations and individuals, and co-design work has begun.

Initial programmes are being co-designed and trialled, mostly in Hawke’s Bay and Te Tai Tokerau, as well as a Mana Wāhine project in Christchurch. These trials will be used to inform new ways of working nationally and in the regions.

One initiative aims to support people in our care to reconnect with whānau prior to their release, and people with lived experience (who have served time in a corrections facility); their whānau were involved in the co-design process.

Many were surprised at being asked to participate. They expressed disbelief when we approached them. However, they agreed because they wanted to be part of the change, saying ‘We don’t want what happened to us to happen to someone else’.

Corrections is developing new operating models for Hawke’s Bay and Northland using the co-design insights. This will help to ensure site readiness to operate in a way that draws on the strengths of the Whānau Ora approach and uses whānau-centred practices in Correction’s systems.



Te Puni Kōkiri Kaitiaki Tōmua, Ririwai Fox and Ara Poutama Aotearoa (Corrections) Case Manager Justin Edwards at a data wānanga for the initiative Paiheretia te Muka Tāngata – Uniting the Threads of Whānau. Photo: Tessa Hansen Cane.

Paiheretia Te Muka Tāngata: Uniting the Threads of Whānau (Paiheretia), is a cross-agency initiative that is a critical component of the Māori Pathways programme. Te Puni Kōkiri, Corrections, and the Ministry of Social Development (MSD) are collaborating to prototype the efficacy of Whānau Ora and kaupapa Māori approaches. Paiheretia aims to demonstrate joined-up, enduring, and meaningful outcomes for whānau Māori in the corrections system.

Kaiarataki specialist navigators will be commissioned by Te Puni Kōkiri and are a crucial part of the workforce, alongside Corrections and MSD staff. The commissioning of navigators is expected to start in late 2020 in Hawke's Bay and early 2021 in Northland. Kaiarataki will specialise in working with tāne and their whānau so they are well supported to develop their own pathway to achieve both their immediate needs and long-term aspirations.

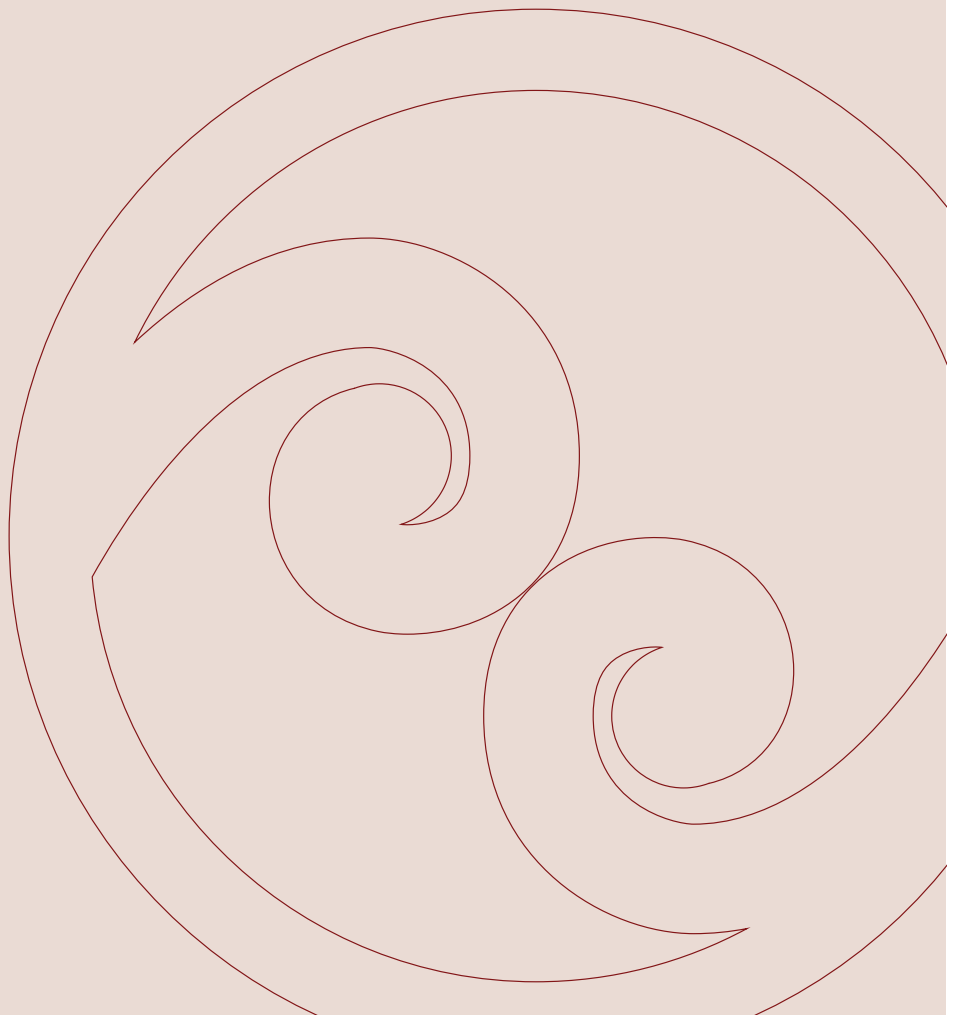
In the meantime, a number of other initiatives to support Māori Pathways have started, including:

- Opening transitional accommodation in Hastings – designed to help men re-adjust to living in their communities.
- Development of Whānau Manaaki plans, where men identify goals for themselves and their whānau, and are supported to realise those goals.
- Men who complete the Mauri Tū Pae offence-focused group rehabilitation programme can take part in a purpose-designed maintenance programme, rather than the general maintenance programme previously available.

## **Building cultural capability**

Corrections has also embraced the Tribunal's recommendations to provide Treaty-awareness professional development to senior staff, and to build the overall cultural capability in the department.

Recently, senior staff completed a series of foundation learning modules, focused on tikanga, partnerships in practice, and te reo Māori. The programme is designed to give leaders skills to build greater cultural capability across their sites. Corrections plans to roll out this professional development to all its facilities in 2021.



# Progress implementing recommendations 2019/20

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In accordance with Section 8I of the Treaty of Waitangi Act 1975, this section provides information on the progress of implementation of Waitangi Tribunal recommendations by the Crown in the period between 1 July 2019 and 30 June 2020 (2019/20).

This section also includes 2018/19 items where there have been updates, noting that it can take from one to five years to settle a claim. It covers claims that are 'in progress' or 'ongoing'.

The following section provides the status of all reports that are in progress. This includes Tribunal reports with no specific actions this year, or that are in negotiation (including those where negotiations are on hold because of litigation).

The information was provided by government agencies and is arranged by report. There are four status categories used.

## Status categories and definitions

**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.

## Wai 2358: The Stage 2 Report on the National Freshwater and Geothermal Resources Claim (2019)

Ministry for the Environment | Department of Internal Affairs

### Primary Findings and/or Recommendations

The Tribunal's stage 2 report covered both Resource Management Act (RMA) and policy reforms between 2009-2017. It recognised that the Crown's efforts to acknowledge and provide for Māori rights and interests through "Te Mana o te Wai" in the national policy statement on freshwater management, and the 'Mana Whakahono a Rohe' mechanism in the RMA, while being good first steps, do not go far enough.

The Tribunal noted that the Crown and claimants agreed on a number of key points, however despite this, the Crown's position continued to be that 'no one owns the water'.

The report goes on to make several of recommendations:

- Amendments to the principles that govern how decisions are made under the RMA (Part 2 of the Act).
- Crown establishment of a national co-governance body with Māori and that co-governance agreements should be provided for in all Treaty settlements.
- The Crown should ensure that Māori are properly resourced to participate effectively in RMA processes.
- Amendments to the water quality standards in the national policy statement, the introduction of long-delayed stock exclusion regulations and the commitment of long-term funding to restore degraded water.
- Stronger recognition of Māori values in the national policy statement itself.
- 'Urgent action' to develop measures of habitat protection and habitat restoration
- The continuation of Crown Māori co-design in policy-making where Māori interests were concerned.

### Status

#### In progress

#### Comprehensive review of the Resource Management Act (RMA)

On 27 June 2019, Cabinet agreed to undertake a comprehensive review of the resource management system, led by an expert Resource Management Review Panel (the Panel).

The scope of the review included looking at the RMA and how it interfaces with other pieces of legislation such as the Local Government Act 2002, the Land Transport Management Act 2003, and the Climate Change Response Act 2002. The Waitangi Tribunal's recommendations relating to the RMA in their report on stage two of the Freshwater and Geothermal Resources inquiry (Wai 2358) were included within the scope of that review.

The Panel received a range of submissions on its Issues and Options paper, engaged with Māori at Ministry for the Environment run regional hui, and met with a large number of key stakeholders. The Panel was supported by Minister-established reference groups covering the areas of natural and rural, built and urban, and te ao Māori, as well as a range of Panel-established working groups comprised of subject matter experts from within and outside of central government.

The Ministry for the Environment produced a comprehensive summary of Waitangi Tribunal findings and recommendations concerning the RMA to assist the Panel. This has been proactively released on the Ministry's website.



**Wai 2358: The Stage 2 Report on the National Freshwater and Geothermal Resources Claim (2019) (cont.)**

Ministry for the Environment | Department of Internal Affairs

Primary Findings and/or Recommendations	Status
<ul style="list-style-type: none"> <li>Any new allocation regime included regional allocations for iwi, Māori land, and for cultural purposes.</li> </ul>	<p>The Government has yet to decide on the next steps of the review following the Panel’s report due in July 2020. In November 2019, Cabinet agreed that it would follow ‘a broad, open process of public consultation’, and that it will ‘look for appropriate opportunities to collaboratively refine and co-design policy options with Māori’. This could include the Tribunal recommendations not explicitly covered by the Panel, such as a national co-governance body, enhancing the status of iwi management plans in regions where no co-governance agreements exist, and the possibility of a Water Act.</p> <p><b>Essential Freshwater: new rules and regulations</b></p> <p>In June 2018 Cabinet approved the Essential Freshwater – Healthy Water, Fairly Allocated work programme in order to:</p> <ul style="list-style-type: none"> <li>Stop further degradation of New Zealand’s freshwater resources and start making immediate improvements so that water quality is materially improving within five years.</li> <li>Reverse past damage to bring New Zealand’s freshwater resources, waterways and ecosystems to a healthy state within a generation.</li> <li>Address water allocation issues, by working to achieve efficient and fair allocation of freshwater resources, having regard to all interests including Māori, and existing and potential new users.</li> </ul> <p>A multi-agency Water Taskforce developed proposals to implement the first two of these objectives working with four specialist advisory groups: the Freshwater Leaders Group, Te Kāhui Wai Māori, the Science and Technical Advisory Group, and the Regional Sector Water Subgroup.</p>

**Wai 2358: The Stage 2 Report on the National Freshwater and Geothermal Resources Claim (2019) (cont.)**

Ministry for the Environment | Department of Internal Affairs

**Primary Findings and/or Recommendations**

**Status**

Draft proposals were released in an Action for healthy waterways discussion document in September 2019.

**Jobs for Nature and other funding sources**

The 'Jobs for Nature' programme is a \$1.254 billion programme funded through Budget 2020 (COVID-19 Response and Recovery Fund).

Funding programmes specific to the Ministry for the Environment are:

- Public Waterways & Ecosystem Restoration Fund, focused on riparian planting and fencing; fish passage; and capacity building programmes. This programme was limited to council sponsored projects that were considered 'shovel ready' projects.
- Kaipara Moana Remediation Programme. It is co-governed by Ngā Maunga Whakahī o Kaipara, Te Roroa, Te Rūnanga o Ngāti Whātua, Te Uri o Hau (together Kaipara Uri), Northland Regional Council and Auckland Council. The programme seeks to enhance the mauri of the Kaipara Moana through contributing to its environmental restoration.
- Freshwater Improvement Fund is an open-contestable fund with a \$100m investment over 10 years from 2017. Funding is for projects that create employment opportunities which will improve the management of New Zealand's lakes, rivers, streams, groundwater and wetlands.

**Wai 2358: The Stage 2 Report on the National Freshwater and Geothermal Resources Claim (2019) (cont.)**

Ministry for the Environment | Department of Internal Affairs

Primary Findings and/or Recommendations	Status
	<p>Māori, iwi and hapū involvement is established through fund design, and more locally, through individual project development. Projects are required to have a project team and/or governance group in place to provide oversight to their implementation and representation of local iwi and hapū is included on these by default. Note however, that a small number of bespoke projects may not need require a project team and/or governance group.</p> <p><b>Three Waters</b></p> <p>The Ministry for the Environment is scoping the potential development of a new national environmental standard for wastewater discharges and overflows. A high-level proposal for this regulation was consulted on in the Action for healthy waterways discussion document in September 2019, including approaches for incorporating culturally acceptable wastewater treatment processes. To support this work the Ministry has commissioned information on the technical and practical considerations associated with transitioning municipal wastewater systems towards 100% land-based disposal.</p> <p>As the new water services regulator, Taumata Arowai is being established to administer the new regulatory regime in the second half of 2021, further work is underway to scope how assistance can be provided to marae and papakāinga which are self-suppliers of drinking water.</p>

## Wai 2575: Hauora Report on Stage One of the Health Services and Outcomes Kaupapa Inquiry (2019)

Ministry of Health

### Primary Findings and/or Recommendations

The stage one report focuses 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.

The Tribunal concluded the primary health care framework fails to state consistently a commitment to achieving equity of health outcomes for Māori. The Tribunal was also critical of the 'Treaty clause' in the New Zealand Public Health and Disability Act 2000 and that the articulation of Treaty principles in health system documents was out of date.

In the context of primary health care, the Tribunal also found deficiencies in funding, performance and accountability mechanisms, and in decision-making and influence for the design and delivery of services. It found that the Act's provision for Māori representatives on district health boards does not fully reflect the principle of partnership, and that some boards do not prioritise cultural competency as a skillset intrinsic to their governance processes and responsibilities.

The Tribunal made a number of recommendations. Its two overarching recommendations were that the New Zealand Public Health and Disability Act and its associated policies and strategies be amended to:

- Give effect to Treaty principles and ensure that those principles are part of what guides the primary health care sector; and
- Include an objective for the health sector to achieve equitable health outcomes for Māori.

### Status

#### In progress

##### Te Tiriti o Waitangi and its principles

The Ministry of Health Te Tiriti O Waitangi Position Statement (January 2020) adopts the 2019 Hauora Report principles as applicable to the wider health and disability system. Te Tiriti and the principles provide the framework through which the Ministry will meet its Te Tiriti obligations in its day-to-day work:

- The guarantee of tino rangatiratanga, which provides for Māori self-determination and mana motuhake in the design, delivery, and monitoring of health and disability services.
- The principle of equity, which requires the Crown to commit to achieving equitable health outcomes for Māori.
- The principle of active protection, which requires the Crown to act, to the fullest extent practicable, to achieve equitable health outcomes for Māori. This includes ensuring that it, its agents, and its Treaty partner are well informed on the extent, and nature, of both Māori health outcomes and efforts to achieve Māori health equity.
- The principle of options, which requires the Crown to provide for and properly resource kaupapa Māori health and disability services. Furthermore, the Crown is obliged to ensure that all health and disability services are provided in a culturally appropriate way that recognises and supports the expression of hauora Māori models of care.

**Wai 2575: Hauora Report on Stage One of the Health Services and Outcomes Kaupapa Inquiry (2019) (cont.)**

Ministry of Health

Primary Findings and/or Recommendations	Status
<p>In relation to structural reform of the primary health care system, the Tribunal made an interim recommendation that the Crown and the stage one claimants work together to develop terms of reference to explore the concept of a stand-alone Māori primary health care authority.</p>	<ul style="list-style-type: none"> <li>• The principle of partnership, which requires the Crown and Māori to work in partnership in the governance, design, delivery, and monitoring of health and disability services. Māori must be co-designers, with the Crown, of the primary health system for Māori.</li> </ul> <p>Meeting its obligations under Te Tiriti is necessary if the Ministry is to realise the overall aim of Pae Ora (healthy futures for Māori) under He Korowai Oranga (the Māori Health Strategy).</p> <p><b>Treaty-compliant primary health care framework</b></p> <p>The Crown is committed to review, with a view to redesigning, its current partnership arrangements across all levels of the health and disability sector, inclusive of primary health care. This process will be co-designed with the Māori health sector, including experts, iwi and Māori health providers and representatives from the stage one claimants.</p> <p><b>Equity</b></p> <p>The Ministry has expressly stated its commitment to achieve equitable health outcomes for Māori.</p> <p>There is commitment to Te Tiriti being stated in documents that make up the policy framework for the wider health and disability system, inclusive of primary health care: the strategies, the plans and lower level documents reflecting Te Tiriti principles (ie tino rangatiratanga, equity, active protection, options and partnership).</p>

Wai 2575: Hauora Report on Stage One of the Health Services and Outcomes Kaupapa Inquiry (2019) (cont.)	
Ministry of Health	
Primary Findings and/or Recommendations	Status
	<p>The Ministry of Health will launch Whakamaua: the Māori Health Action Plan 2020-2025 in August 2020 (delayed from March due to COVID-19), which derives from He Korowai Oranga, the Māori Health Strategy. It will set the direction for Māori Health advancement over the next five years.</p> <p><b>Accountability arrangements</b></p> <p>Whakamaua: The Māori Health Action Plan 2020-25, has been developed after consultation during 2019/20, including with experts and the stage one claimants. Whakamaua will set out accountability commitments for action and is due for release August 2020.</p> <p><b>Interim recommendations</b></p> <p>Crown officials have been engaging meaningfully with the Wai 2575 claimants since mid-late 2019, with a purpose of establishing a good-faith relationship and being able to specifically report back to the Tribunal on the two interim recommendations of the Hauora report.</p> <p>The Crown and claimants signed the Heads of Agreement in March 2020 to progress the interim recommendations:</p> <p>(i) Māori Health Authority</p> <p>The Crown is committed to exploring the concept of a stand-alone Māori Health Authority and has provided funding through service contracts to enable the claimants to develop draft terms of reference for a Māori Health Authority.</p> <p>(ii) Underfunding methodology</p> <p>The Crown is committed to working with the claimants and has funded them to develop a draft methodology for assessing historical underfunding since 2000.</p>

**Wai 2575: Hauora Report on Stage One of the Health Services and Outcomes Kaupapa Inquiry (2019) (cont.)**

Ministry of Health

Primary Findings and/or Recommendations	Status
	<p>The Health and Disability System review released in June 2020 has also focussed (among other things) on these interim recommendations.</p> <p>The Crown acknowledges the overall failure of the legislative and policy framework of the New Zealand primary health system to improve Māori health outcomes since the commencement of the New Zealand Public Health and Disability Act 2000.</p>

## Wai 898: Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims (Part IV and Part V) (2019)

Te Arawhiti | Ministry for Primary Industries

### Primary Findings and/or Recommendations

The Tribunal released part IV of Te Mana Whatu Ahuru in December 2019 which looked at how the rapid alienation of Māori land affected tribal authority and autonomy in the district. Part V, released in June 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 structure and institutions expected to provide them with a least a form of mana whakahaere, these spheres of influence were limited and many did not prove enduring.

The Tribunal found that the Treaty breaches were evident in areas such as:

- failing to ensure structures within local government that would enable Te Rohe Pōtae rights to exercise their mana whakahaere and tino rangatiratanga
- the compulsory taking of Māori land for public works development purposes, was another means by which large tracts of Māori land were alienated and Te Rohe Pōtae tribal authority diminished. Without meaningful consultation or tests of last resort, the Crown understood the largest takings for public works in New Zealand history in the inquiry district during the twentieth century
- Crown regulation of the natural environment further diminished Te Rohe Pōtae Māori tribal authority over many taonga and sites of significance, and that Crown regulation and mismanagement of the natural environment likely resulted in significant damage to many of these important sites.

### Status

#### Ongoing

Ngāti Maniapoto signed an agreement in principle with the Crown in August 2017.

It is proposed that the Maniapoto Deed of Settlement be initialled in December 2020 and signed in 2021.

The Crown is negotiating relationship redress with Ngāti Maniapoto and local government in relation to freshwater and other natural resources. Agreements under negotiation explicitly acknowledge Te Ōhākī Tapu<sup>2</sup>.

The proposed settlement package includes relationship agreements with the Department of Conservation, the Ministry for the Environment, and local authorities, which collectively address co-management matters.

Two specific public works takings have been acknowledged as breaches of Te Tiriti and redress including land from two specific takings has been part of the offer to Maniapoto.

The Ministry for Primary Industries is negotiating a relationship agreement with Ngāti Maniapoto in respect of Te Rohe Pōtae. The agreement will provide for the involvement of Ngāti Maniapoto in fisheries planning and management of all fisheries managed under the Fisheries Act 1996, including eels and freshwater species. Customary fishing for these species can only be conducted under regulations made under the Fisheries Act 1996.

Negotiations over harbour redress are yet to come.

<sup>2</sup> Te Ōhākī Tapu refers to the 1883-1885 agreements Te Rohe Pōtae Māori made with the Crown that promised to give effect to the Treaty in the district.



Primary Findings and/or Recommendations	Status
<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><i>In Part V of the report</i>, 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 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 is 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>	

## Wai 2522: Report on the Trans-Pacific Partnership Agreement (2016)

Ministry of Foreign Affairs and Trade

### Primary Findings and/or Recommendations

This inquiry has been dealt with in three stages.

Stage 1: The Tribunal's first Report (2016) concerned the issue of whether the Treaty of Waitangi exception clause in the Trans-Pacific Partnership (TPP) is an effective protection for Māori interests. The Tribunal concluded the exception is likely to operate substantially as intended and can therefore be said to offer a reasonable degree of protection of Māori interests.

Stage 2: The Tribunal's stage two report (2020) is addressed below.

Stage 3: Three issues remained after the second report. Those issues concerned the adequacy of the Crown's engagement with Māori when negotiating the TPP and the CPTPP, whether the confidentiality under which the Crown negotiated the agreements was appropriate, and whether any aspects of the e-commerce chapter of the CPTPP are inconsistent with the Crown's obligations under Te Tiriti/the Treaty.

### Status

#### In progress

Trade related consultations with Māori since mid-2017 have included the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) and other free trade agreements (FTAs) such as the European Union- New Zealand FTA, an Investor-State Dispute Settlement Protocol and more recently as part of the Government's new Trade for All Agenda.

In 2019, MFAT supported Māori to develop a new taumata mechanism which has improved Crown Māori consultation on trade issues. The taumata receives funding to support its ongoing communications and engagement work including through commissioning independent experts to conduct specific research and analysis which help to clarify the Māori interest in trade policy.

Stage 3 – In October 2020, the parties settled on engagement and confidentiality issues.

The final issue (e-commerce) was the subject of hearing in November 2020.

Primary Findings and/or Recommendations	Status
<p>The overall issue for the stage 2 inquiry concerned whether the Crown’s process for engagement with Māori over the plant variety rights regime and its policy on whether or not New Zealand should accede to the 1991 International Union for the Protection of New Varieties of Plants, is consistent with its Tiriti / Treaty obligations to Māori.</p> <p>The Tribunal found that both the Crown’s engagement with Māori during the Plant Variety Rights Act review was conducted in good faith and reasonable in the circumstances, and its policy decisions on the plant variety rights regime did not misunderstand or misapply the Wai 262 Tribunal’s characterisation of kaitiakitanga in relation to plant variety rights. The Tribunal supported Cabinet’s decision to implement and go further than relevant recommendations of the Wai 262 Tribunal.</p> <p>The Tribunal concluded the Crown’s actions were consistent with its Tiriti/Treaty obligations and therefore made no recommendations.</p>	<p>The review of the Plant Variety Rights Act 1987 is ongoing. It is led by Ministry of Business, Innovation and Employment with Ministry for Primary Industries (MPI) assisting.</p> <p>Matters still to be addressed include some outstanding policy decisions relating to the Treaty provisions.</p> <p>The Crown’s engagement with Māori on these matters continue and is based on the same principles that have guided its engagement so far.</p> <p>The Ministry for Primary Industries (MPI) is assisting the Ministry of Business, Innovation and Employment in its review of the Plant Variety Rights Act 1987.</p> <p>MPI provided feedback on the outstanding Treaty issues, including questions around the definition of indigenous plants and concerns on the confidentiality of information given to the Māori Advisory Committee and how this should be handled.</p>

## Wai 2200: The Kārewarewa Urupā Report (2020)

Ministry for Culture and Heritage

### Primary Findings and/or Recommendations

In Horowhenua, The Tribunal found a systematic Treaty principles were breached in relation to the exploratory authorities (those that conduct an invasive investigation of a site) and the requirements of section 56 of the Heritage New Zealand Pouhere Taonga Act 2014.

In respect of section 56 of the Heritage New Zealand Pouhere Taonga Act 2014, in order to prevent the recurrence of prejudice in the event of future applications relating to the Kārewarewa urupā or to other wāhi tapu, the Tribunal recommended that:

- Heritage New Zealand Pouhere Taonga should undertake a review, led by the Māori Heritage Council (Te Kaunihera Māori o te Pouhere Taonga), of the assessment process for section 56 applications concerning sites of interest to Māori. The Māori Heritage Council should then recommend a more Treaty-consistent timeframe for the evaluation and determination of those applications, so that the Crown's Treaty obligation of active protection of taonga can be met. Heritage New Zealand should then make the recommendation to the Minister for Arts, Culture and Heritage.
- The Minister for Arts, Culture and Heritage should introduce legislation as soon as possible to amend the timeframe in section 56 of the Act, in accordance with any recommendations from the Māori Heritage Council and Heritage New Zealand.
- In the case of applications relating to wāhi tapu (including urupā), section 56 should be amended to require applicants to provide an assessment of cultural values and the impact of proposed work on those values, in the same manner as for section 44 applications.

### Status

#### In progress

Heritage New Zealand Pouhere Taonga has provided an analysis of the matters the Tribunal raises to the Ministry for Culture and Heritage (MCH), which the Ministry will consider in developing a policy response. In the meantime, Heritage New Zealand Pouhere Taonga is reviewing its internal policies, though advises that legislative change would be required to address the matters the Tribunal raises.

**Wai 2200: The Kārewarewa Urupā Report (2020) (cont.)**

Ministry for Culture and Heritage

Primary Findings and/or Recommendations	Status
<ul style="list-style-type: none"> <li>In the case of applications relating to wāhi tapu (including urupā), section 56 should be amended to require decision-makers to have particular regard to Māori cultural values, and to the relationship of Māori with their culture and traditions with their wāhi tapu.</li> </ul>	

## Wai 2870: He Aha I Pera Ai The Māori Prisoners Voting Report (2020)

Department of Corrections

## Primary Findings and/or Recommendations

This inquiry related to three claims that sought the repeal of section 80(1)(d) of the Electoral Act 1993 and was heard under urgency in May 2019. The Crown accepted that the enactment of this section of the act has had a significantly disproportionate impact on Māori since 2010 when it was amended to exclude sentenced prisoners from registering as an elector and extend an existing voting ban to include all prisoners incarcerated at the time of a general election.

The Tribunal found that the Crown had acted inconsistently with the Treaty principles of partnership, kāwanatanga, tino rangatiratanga, active protection, and equity, and that its actions prejudicially affected Māori.

Recommendations included:

- Urgent amendments to legislation urgently to remove the disqualification of all prisoners from voting, irrespective of their sentence. A return to the law as it was before 15 December 2010 is not recommended because even that law disproportionately affected Māori.
- The Crown start a process immediately to enable and encourage all sentenced prisoners and all released prisoners to be enrolled in time for the next general election in 2020. This process needs to include providing electoral information to all prisoners and, where possible, released prisoners through media accessible and appropriate to their needs, and in te reo Māori and English.
- 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.

## Status

**In progress**

The Electoral (Registration of Sentenced Prisoners) Amendment Bill and the Electoral (Registration of Sentenced Prisoners) Amendment Act (No 2) 2020, amended the Electoral Act 1993 in June and July 2020. This enables prisoners who are serving prison sentences of less than three years to enrol and vote. This enabled these prisoners to vote in Election 2020.

The amendments require the Department of Corrections (Corrections) to establish a process to engage with prisoners for the 2020 Election:

- For prisoners serving less than three years in prison, this will happen following sentencing.
- For those who are serving a sentence of three years or more, this will happen when they were due to be released (and become eligible to enrol and vote).
- With permission from prisoners, the Department of Corrections collects enrolment information from prisoners and provides this to the Electoral Commission.
- Supporting prisoners to enrol aligns with the Department's aim of assisting the people in incarceration to participate more fully in society.
- Prisoners have access to party political manifestos and policy materials, as well as eligibility and registration information.
- Each prison site works collaboratively with local election officers to ensure voting services for prisoners are well planned across the site and run as efficiently as possible.

**Wai 2660: The Marine and Coastal Area (Takutai Moana) Act 2011 Inquiry Stage 1 Report (2020)**

**Te Arawhiti**

Primary Findings and/or Recommendations	Status
<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> <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><b>Ongoing</b></p> <p>For some findings and recommendations, it is too soon to report on progress in implementation because the questions considered span both stages of the inquiry or are the subject of ongoing consultation with applicants.</p> <p><b>Cultural competency for staff</b></p> <p>The Ministry of Justice has introduced a Te Ao Māori capability framework for all employees. Te Kokenga (2020-2023), includes a learning and development framework, Kōkiri, to build individual cultural capability. The Ministry will also be working with its Māori engagement team to develop dedicated training for Court staff.</p> <p><b>Crown engagement strategy</b></p> <p>Te Arawhiti is consulting applicants on a draft engagement strategy which will help to address the Tribunal’s stage 1 concerns about Crown engagement policy, including overlapping applications. The draft strategy proposes a regional coastline approach to engagement which would progress all applications within selected areas at the same time.</p> <p><b>Applicant funding</b></p> <p>During the Stage 1 hearings, Te Arawhiti committed to seeking Ministerial agreement to a review of the financial assistance scheme for applicant groups. This agreement was obtained in September 2019 and the review is due to be completed by March 2021 following consultation with applications.</p>

**Wai 2660: The Marine and Coastal Area (Takutai Moana) Act 2011 Inquiry Stage 1 Report (2020) (cont.)**

Te Arawhiti

**Primary Findings and/or Recommendations**

**Status**

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.

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 cohesive, and consistent with the Crown's obligations as a Treaty partner.



Primary Findings and/or Recommendations	Status
<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 and instead endeavour to settle all outstanding non-Waikato-Tainui raupatu and non-raupatu Ngāti Apakura claims in this settlement.</li> <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 process, particularly the wording of ‘[a] quorum of 350 Maniapoto members’.</li> </ul>	<p><b>Ongoing</b></p> <p>Ngāti Maniapoto signed an agreement in principle with the Crown in August 2017.</p> <p>It is proposed that the Maniapoto Deed of Settlement be initialled in December 2020 and signed in 2021.</p> <p>The particular aspects of Ngāti Paretāpoto, Ngāti Paia, Ngāti Paretekawa and Ngāti Apakura’s identities will be recognised in the Maniapoto deed of settlement.</p> <p>The Crown is exploring an alternative outside settlement approach toward a Rangiaowhia package. This has been proposed by representatives of Ngāti Apakura as an alternative to their full inclusion in the Maniapoto settlement.</p> <p>The proposed post-settlement governance entity in the Maniapoto settlement provides for regional representation including for Ngāti Rereahu and Te Ihingārangi.</p> <p>How Ngāti Apakura will be included in the Maniapoto settlement is the subject of discussions currently underway between Ngāti Apakura and Maniapoto.</p> <p>Maniapoto has amended the text of the deed of mandate to clarify a petition of 350 signatures is required to call a Special General Meeting for mandate removal or amendment.</p> <p>All parties have been informed what funding is available for the mandate removal or amendment process, including what steps of the process funding would be considered for, who can apply for funding and at what stage funding will be considered.</p>

**Wai 2858: The Maniapoto Mandate Inquiry Report (2019) (cont.)**

Te Arawhiti

Primary Findings and/or Recommendations	Status
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| <ul style="list-style-type: none"> <li>• The Crown communicate to all parties to the trust board's mandate, the nature of the funding available to them should they wish to proceed with the removal or amendment of mandate process.</li> <li>• The Crown prioritise its Treaty relationship with Ngāti Maniapoto by having an active regard to its duty of whānaungatanga.</li> </ul> |  |
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**Wai 2840: The Hauraki Settlement Overlapping Claims Inquiry Report (2019)**

Te Arawhiti | Ministry for Primary Industries

Primary Findings and/or Recommendations	Status
<p>The Tribunal found that the claims of Ngāti Porou ki Hauraki were not well founded, but upheld the claims of Ngāi Te Rangi, Ngāti Ranginui, and Ngātiwai. It found the Crown had breached its Treaty obligations to these iwi in several ways and also criticised the policies and processes guiding the Crown’s actions.</p> <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>	<p><b>In progress</b></p> <p>The Waitangi Tribunal reported on Wai 2840 in December 2019. In February 2020, the Minister for Treaty of Waitangi Negotiations wrote to the claimants and Hauraki iwi to advise his support for tikanga-based engagement on the contested redress and that he did not intend to progress Hauraki settlement legislation at that time to allow for tikanga-based engagement.</p> <p>Some good progress has been made between Hauraki iwi and Ngātiwai. Engagement is ongoing.</p> <p>Progress between Pare Hauraki and Tauranga Moana iwi has been more limited. In June 2020, the Minister appointed a facilitator skilled in tikanga Māori to support engagement.</p> <p>Te Arawhiti is also reviewing the Red Book. In the first instance, Te Arawhiti is updating sections of the Red Book relating to policy and processes for mandate, overlapping interests and cultural redress. Te Arawhiti is working to publish a completely updated version of the Red Book, in hard copy and online, by April 2021.</p> <p><b>Government Response Strategy to Sea Change</b></p> <p>Development of the Government Response Strategy to Sea Change work programme has involved targeted Māori engagement with iwi of the Hauraki Gulf and engagement with Te Ohu Kaimoana. The engagement is providing an opportunity to hear the views of mana whenua of the area about the current governance arrangement in the Hauraki Gulf.</p>

### Wai 2840: The Hauraki Settlement Overlapping Claims Inquiry Report (2019) (cont.)

Te Arawhiti | Ministry for Primary Industries

Primary Findings and/or Recommendations	Status
	<p>The feedback on qualities for an effective revised or new governance entity will be captured in the Strategy for further consideration within the context of a future review of governance arrangements in the Gulf. It is not within the scope of the Strategy to do a full review of existing governance arrangements in the Gulf.</p> <p>Given the importance of the region to mana whenua, the timing of such a review will be influenced by developments in the Treaty settlements process.</p>

### Wai 2573: The Mana Ahuriri Mandate Report (2019)

Te Arawhiti

Primary Findings and/or Recommendations	Status
<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> <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>	<p><b>In progress</b></p> <p>The Ahuriri Hapū Claims Settlement Bill was introduced to the House of Representatives in December 2019 on the understanding that the Mana Ahuriri Trust would hold trustee elections prior to enactment of the settlement legislation.</p>

## Wai 45: The Muriwhenua Land Report (1997)

Waitangi Tribunal

### Primary Findings and/or Recommendations

This report covers seven claims in Muriwhenua, the country's most northerly district. The Tribunal concluded that the Muriwhenua claims were well-founded.

The claims relate to:

- The disposal of the pre-Treaty transaction land by grant or the presumptive acquisition of the scrip lands and surplus.
- Contemporaneous land purchases by the Government.
- Consequential impacts in terms of land tenure reform and disempowerment.

### Status

#### Ongoing

The Muriwhenua inquiry panel recused during its Ngāti Kahu remedies inquiry. The Tribunal has appointed a new inquiry panel which will hear all outstanding Muriwhenua claims before considering remedies for any Ngāti Kahu and Ngāpuhi claimants with well-founded claims. The Tribunal is currently in the preparation stages of its inquiry.

The higher courts found errors in the Tribunal's decision making and directed a re-hearing. The Muriwhenua inquiry panel recused itself. The Tribunal has appointed a new inquiry panel which will hear all outstanding Muriwhenua claims, before considering remedies for any Ngāti Kahu and Ngāpuhi claimants with well-founded claims. The Tribunal is currently in the preparation stages of its inquiry.

## Wai 143: The Taranaki Report: Kaupapa Tuatahi (1996)

Te Arawhiti

### Primary Findings and/or Recommendations

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 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.

### Status

#### In progress

Settlement legislation passed for:

- Ngāti Ruanui (May 2003)
- Ngāti Tama (November 2003)
- Ngāa Rauru Kīitahi (June 2005)
- Ngāti Mutunga (November 2006)
- Te Ātiawa (Taranaki) (November 2016)
- Ngāruahine (November 2016)
- Taranaki Iwi (November 2016)

Ngāti Maru (Taranaki) is expected to initial a deed of settlement with the Crown in August 2020 and continue to work towards the final steps in the settlement process.

Ngā Iwi o Taranaki signed a Record of Understanding with the Crown in December 2017 in respect of Taranaki Maunga/Egmont National Park and are working towards signing a Collective Redress deed.

## Wai 201: The Mōhaka ki Ahuriri Report (2004)

Te Arawhiti | Ministry for Primary Industries

### Primary Findings and/or Recommendations

The Tribunal identified serious breaches of the Treaty and recommended that the Crown and claimants should negotiate for the settlement of these claims accordingly.

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.

### Status

#### In progress

The Crown and Ahuriri Hapū signed a deed of settlement in November 2016 and settlement legislation was introduced to the House of Representatives in December 2019.

The Māori Agribusiness Directorate has been engaging with Ngāti Pāhauwera since December 2019 to formalise an extension cluster for three land blocks in which they have interests, under the Māori Agribusiness Extension Programme.

The Directorate is also scoping another cluster for a further 5-10 land blocks under the same programme, building on work conducted between Ngāti Pāhauwera and AgResearch. The Māori Agribusiness Extension Programme focusses on providing shared, group-learning opportunities, and exploring sustainable system changes. Clusters collaborate or collectivise to work towards a common business goal or agreed outcomes.

**Wai 215: Te Raupatu o Tauranga Moana: Report on the Tauranga Confiscation Claims (2004)  
Tauranga Moana, 1886-2006: Report on the Post-Raupatu Claims Vol 1 & 2 (2010)**

Te Arawhiti

**Primary Findings and/or Recommendations**

The Tribunal found that the Crown was not justified in taking military action against Tauranga 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.

The Tribunal recommended that the Crown move quickly to settle the Tauranga claims with generous redress.

**Status**

**In progress**

Deeds of settlement signed, and legislation enacted for Ngāti Pūkenga (April 2013, August 2017).

Deeds of settlement signed, and legislation enacted for:

- Ngāi Te Rangi (and Ngā Pōtiki a Tamapahore) (December 2013, May 2016).
- Ngā Hapū o Ngāti Ranginui (June 2012, October 2015).

A Collective Redress deed providing redress relating to interests shared by the three iwi under the banner of the Tauranga Moana Iwi Collective (TMIC) was also signed (2015) and legislation introduced (October 2015). This legislation will be progressed once overlapping claims issues with neighbouring iwi are resolved and Tauranga iwi reinstate their support for the legislation. Settlement negotiations with Hauraki iwi are still underway and settlement will include redress for their land loss within the Tauranga raupatu district.

Ngāti Hinerangi and the Crown signed a deed of settlement in May 2019. It is expected that the Ngāti Hinerangi Claims Settlement Bill will be read for a second time on 21 July 2020 and will await its third reading.



**Wai 262: Ko Aotearoa Tēnei: A Report into the Claims Concerning New Zealand Law and Policy Affecting Māori Culture and Identity, Taumata Tuarua (Vol 1 and 2) (2011)**

Te Puni Kokiri | Ministry for Culture and Heritage | Ministry of Health | Ministry of Education  
Ministry of Business, Innovation and Employment

Primary Findings and/or Recommendations	Status
<p>Wai 262 claims are about Māori participating in decisions about taonga Māori. These encompass legislation, Crown policy and practices relating to intellectual property, indigenous flora and fauna, resource management, conservation, the Māori language, arts, culture, heritage, science, education, health and the making of international agreements.</p> <p>Following a comprehensive report on progress on Ko Aotearoa Tēnei in the 2017/18 Section 8I Report, the sections below focus only on the recommendations for which agencies have reported progress in the 2019/20 year.</p> <p>The Culture and Heritage recommendations included that Te Puni Kōkiri (TPK) and the Ministry for Culture and Heritage (MCH) take leadership roles to improve coordination and collaboration between themselves over mātauranga Māori and forming a Māori Crown partnership entity for the culture and heritage sector.</p> <p>In respect of the Protected Objects Act, the Tribunal recommended that:</p> <ul style="list-style-type: none"> <li>• Te Papa Tongarewa develop best-practice guidelines for private collectors of taonga who are willing to involve kaitiaki in the care of the objects they own.</li> <li>• Prima facie Crown ownership of newly discovered protected objects remain in place as a matter of practicality, but be statutorily renamed ‘interim Crown trusteeship’.</li> <li>• A body of Māori experts share in decision making with the Chief Executive of the MCH on applications for export of Māori objects; customary ownership of newly found taonga; and whether individual examples of ‘scientific material’ should qualify for protection as taonga tūturu.</li> </ul>	<p><b>In progress</b></p> <p>In April 2019 Cabinet invited the Minister for Māori Development to develop a whole of government strategy to address Wai 262 issues. Te Puni Kōkiri led out a significant amount of work in the subsequent twelve months under the banner of Te Pae Tawhiti-Wai 262. This included:</p> <ul style="list-style-type: none"> <li>• re-engagement and relationship building with the claimant representative rōpū</li> <li>• targeted engagement with Māori on the preliminary proposals for Crown organisation</li> <li>• developing a whole of government Cabinet Paper on a strategic approach for progressing Te Pae Tawhiti-Wai 262 kaupapa including Māori led engagement, and</li> <li>• an inter-agency budget bid for funding to support this approach that gained funding in Budget 2020</li> <li>• focussed engagement with Government workstreams to advance specific Wai 262 issues.</li> </ul> <p><b>Protection of mātauranga central to Māori cultural identity</b></p> <p>Budget 2020 provided \$20 million through Vote Arts, Culture and Heritage over 2020/21 to 2021/22 to support iwi, hapū and whānau to protect the irreplaceable mātauranga central to Māori cultural identity from the impact and ongoing threat of Covid-19.</p>

**Wai 262: Ko Aotearoa Tēnei: A Report into the Claims Concerning New Zealand Law and Policy Affecting Māori Culture and Identity, Taumata Tuarua (Vol 1 and 2) (2011) (cont.)**

Te Puni Kokiri | Ministry for Culture and Heritage | Ministry of Health | Ministry of Education  
Ministry of Business, Innovation and Employment

**Primary Findings and/or Recommendations**

- the Act be amended to exempt kaitiaki who reacquire taonga from having to register as collectors with the Ministry for Culture and Heritage.
- The Crown establish a restitution fund to help kaitiaki to reacquire their taonga on the open market. Iwi may wish to contribute to such a fund as their resources permit.

The Tribunal's recommendations relevant to rongoā Māori included:

- Recognising that rongoā Māori has significant potential as a weapon in the fight to improve Māori health. This will require the Crown to see the philosophical importance of holism in Māori health, and to be willing to draw on both of this country's two founding systems of knowledge.
- Identifying and implementing ways of encouraging the health system to expand rongoā services.

The Tribunal's recommendations for the Ministry of Education (MOE) are:

- The establishment of a Crown Māori partnership entity in the education sector. Māori representatives to sit on it could be chosen via an electoral college.
- MOE develop specific indicators around mātauranga Māori in order to properly gauge it's activities.

**Status**

Throughout June 2020 Ministry for Culture and Heritage (MCH) in collaboration with Te Papa Tongarewa, Heritage New Zealand Pouhere Taonga, Creative New Zealand, Te Matatini and Ngā Taonga Sound & Vision, commenced the development of a funding framework to identify an approach for government support towards safeguarding mātauranga Māori from the impact of Covid-19.

**Repatriation**

MCH contracted Te Papa Tongarewa for an initial two years (July 2019-June 2021) to provide a range of support to the New Zealand museum sector to strengthen the approach to progress the repatriation of ancestral remains in museum collections to their source communities within New Zealand.

**Newly found taonga tūturu**

MCH has ongoing direct relationships with iwi around the country regarding newly found taonga tūturu and the export of taonga tūturu. MCH organised care for 70 newly found taonga tūturu during 2019/20 and submitted 6 applications to the Māori Land Court to have ownership of taonga tūturu vested in traditional owners.

MCH has also supported iwi to build capacity and capability to assist in the long-term conservation of taonga tūturu. MCH supported Te Rūnanga o Ōtākou in its ongoing development of a taoka conservation hub at Ōtākou Marae, a project aimed at building capacity and capability in the community, while also enabling MCH to continue to fulfil its obligations under the Protected Objects Act. This is an ongoing piece of work that will inform future operating models for care and conservation of taonga tūturu.

**Wai 262: Ko Aotearoa Tēnei: A Report into the Claims Concerning New Zealand Law and Policy Affecting Māori Culture and Identity, Taumata Tuarua (Vol 1 and 2) (2011) (cont.)**

Te Puni Kokiri | Ministry for Culture and Heritage | Ministry of Health | Ministry of Education  
Ministry of Business, Innovation and Employment

Primary Findings and/or Recommendations	Status
	<p>Where export applications are received for taonga tūturu that have known iwi affiliation, MCH will register the iwi on its Register of Expert Examiners (if not already registered) for the purpose of seeking an Expert Examiner opinion on the export.</p> <p><b>Rongoā Māori within the health and disability system</b></p> <p>The Ministry of Health is responsible for responding to the recommendations outlined in Chapter 7 of Ko Aotearoa Tēnei, relating to the place of rongoā Māori within the health and disability system.</p> <p>Over the last year, the Māori health directorate has developed Whakamaua: Māori Health Action Plan 2020-2025 through robust health and disability sector engagement, including engagement with the rongoā sector. Whakamaua is due for release in July 2020.</p> <p>The Ministry of Education redeveloped Tau Mai Te Reo, the strategy for Māori language in education.</p> <p>It is a cross education agency strategy for the education sector, written in conjunction with Te Aho o Te Kura Pounamu, New Zealand Qualifications Authority, Education New Zealand, Education Review Office, New Zealand Qualifications Authority, The Teaching Council Aotearoa and the Teaching Council.</p> <p>It reflects the Crown’s obligations to protect and promote the Māori language, and sets out the key actions required to grow te reo Māori through education, and to grow education through te reo Māori, in order to protect and promote the Māori language for future generations. The actions associated set out the education agencies’ contribution to the Maihi Karauna strategy.</p>

**Wai 262: Ko Aotearoa Tēnei: A Report into the Claims Concerning New Zealand Law and Policy Affecting Māori Culture and Identity, Taumata Tuarua (Vol 1 and 2) (2011) (cont.)**

Te Puni Kokiri | Ministry for Culture and Heritage | Ministry of Health | Ministry of Education  
Ministry of Business, Innovation and Employment

**Primary Findings and/or Recommendations**

**Status**

The three outcome domains of Tau Mai Te Reo are:

- Mihi Mai – value, acquire and use te reo Māori.
- Kōrero Mai – ability and confidence to learn and talk in te reo Māori.
- Tau Mai – Māori medium education services grow proficient users of te reo Māori.

The document twinned with Tau Mai Te Reo is Ka Hikitia – Ka Hāpaitia, the Government’s strategy to address educational achievement for Māori. It provides a vision of what progress is needed and how everyone in the system needs to contribute. It explicitly recognises and reflects whānau, hapū, iwi and Māori aspirations for success, and identifies actions to be implemented to achieve education success as Māori, so that Māori have the skills to participate in te ao Māori, Aotearoa, and the wider world.

**Plant Variety Rights Act**

The recommendations in relation the Plant Variety Rights Act (Chapter 2) have been addressed in the Plant Variety Rights Act review. Cabinet has agreed provisions to address the recommendations. These policy decisions were considered by the Tribunal in the Wai 2522 enquiry (Stage 2) in December 2019 and found to be compliant with the Crown’s Treaty/Tiriti obligations.

There are no further updates on either (i) the recommendation to establish a disclosure of origin requirement in the patents regime (Chapter 2), or (ii) the recommendations in relation to establishing a sui generis system for protection of taonga works (Chapter 1). It is proposed that these be considered as part of the whole of government response to Wai 262, Te Pae Tawhiti.

Wai 674: The Kaipara Interim Report (2002)   The Kaipara Report (2006)	
Te Arawhiti	
Primary Findings and/or Recommendations	Status
<p>The Tribunal recommended that the claimants should be invited to begin negotiations towards a settlement of their grievances with the Crown, on the basis that it is only fair that they should be treated in the same manner as Te Uri o Hau.</p>	<p><b>In progress</b></p> <p>Ngāti Whātua o Kaipara and the Crown signed a deed of settlement on 9 September 2011.</p> <p>Te Rūnanga o Ngāti Whātua and the Crown are in negotiations to settle any remaining Ngāti Whātua claims.</p>

Wai 789: The Mōkai School Report (2000)	
Land Information New Zealand	
Primary Findings and/or Recommendations	Status
<p>The Tribunal made specific recommendations concerning the reopening of Mōkai School. The Tribunal, however, put the onus on the community to ensure a stable and viable school roll.</p>	<p><b>In progress</b></p> <p>The Māori Land Court has yet to confirm an order vesting the former Mōkai School site in the proposed transferee, the Ruku Te Kauki Te Waharahi and Mereaina Waiapaopao Te Kauki Te Waharahi Ahu Whenua Trust, but such an order is expected to be made shortly.</p>

**Wai 796: The Report on the Management of the Petroleum Resource (2011)**

Ministry of Business, Innovation and Employment

**Primary Findings and/or Recommendations**

The Tribunal found that there are systemic flaws in the operation of the current regime for managing the petroleum resource. Its recommendations included that:

- settlement packages include petroleum assets for affected iwi
- petroleum royalties be used to establish a fund to assist iwi and hapū to participate in petroleum management processes
- the Crown produce National Policy Statements and National Environmental Standards to provide guidance to territorial authorities on enhancing and protecting taonga and wāhi tapu
- joint consent hearings by local authorities be put to greater use
- the Resource Management Act 1991 be amended to require decision-makers to act consistently with the Treaty principles
- the Crown Minerals Act 1991 be amended to require decision makers to act consistently with Treaty principles and provide greater protection to Māori land through compulsory notifications for applications concerning Māori land.

**Status**

**In progress**

**Annual Block Offers**

Since 2012, annual Block Offer notices have set out an expectation that permit holders will regularly engage with iwi on issues that are likely to affect iwi interests during the petroleum exploration process, particularly in relation to wāhi tapu sites.

In response to issues raised in submissions during consultation for Block Offer 2018, an additional engagement condition was included in the Invitation for Bids document for both Block Offer 2018 and Block Offer 2019.

The new condition explicitly requires permit holders to engage with iwi on an ongoing basis, with specific early engagement requirements in relation to activities to be undertaken within 200 metres of areas of significance to iwi.

MBIE proactively engages with iwi when block offers are being considered over their rohe. It also regularly engages with iwi who have existing petroleum and minerals operations in their rohe.

As part of ensuring compliance within the regulatory system, MBIE also undertakes random site visits of permit holders around the country. Recognising the status of iwi/hapū as mana whenua, New Zealand Petroleum & Minerals engages all iwi/hapū in the area before undertaking a site visit to give iwi/hapū an opportunity to raise any issues. New Zealand Petroleum & Minerals reports back to iwi/hapū on issues that may be of interests to them.

Primary Findings and/or Recommendations	Status
	<p>MBIE actively utilises Crown Minerals Protocols and other relationship instruments when engaging with relevant iwi. To date, 36 Crown Minerals Protocols and one Minerals Relationship Instrument have been issued to iwi. MBIE also has Relationship Agreements with three Taranaki iwi, which provide for specific annual fora for iwi to discuss matters related to petroleum exploration and mining activities. The Crown participates in five accords with iwi related to the wellbeing of the Waikato and Waipa Rivers and Taupō Waters.</p> <p>Over 2018/2019 MBIE engaged regularly with iwi partners pursuant to these protocols. In 2020, engagement with iwi with protocols was limited due to the effects of COVID-19.</p> <p>MBIE is continuing to negotiate relationship agreements with iwi in regions where petroleum and minerals grievances are highlighted by iwi, including in the greater Taranaki area and Hauraki regions.</p> <p>The Crown Minerals Act 1991 (the Act) is currently under a review (CMA Review). A discussion document was released in November 2019 and considered, among a wide range of issues, ways to improve Māori engagement under the Act, to enable more effective and meaningful engagement.</p> <p>In response, several issues were identified by Māori and others on the current and future Crown minerals regime. These included:</p> <ul style="list-style-type: none"> <li>• Māori feel there is a lack of quality engagement from the Crown during the permit allocation process.</li> <li>• Māori feel there is a lack of quality engagement with permit holders during the duration of the permit.</li> <li>• Resource constraints affect the capacity of iwi and hapū to effectively engage with other parties.</li> </ul>

**Wai 796: The Report on the Management of the Petroleum Resource (2011) (cont.)**

Ministry of Business, Innovation and Employment

**Primary Findings and/or Recommendations**

**Status**

The discussion document identified several proposals for addressing these issues:

- Maintain the legislative settings while evaluating the engagement condition in Block Offer 2018.
- Create, and make available, a clearer process for iwi and hapū to protect land under section 14(2)(c) of the Act.
- Stipulate required content for iwi engagement reports.

The CMA Review is ongoing, and thorough engagement and collaboration with iwi on the review remains a priority.



Ministry for Primary Industries	Status
<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><b>In progress</b></p> <p>Settlement legislation enacted for Rangitāne o Wairarapa and Rangitāne o Tāmaki Nui ā Rua in August 2017.</p> <p>The settlement includes \$32.5 million of financial and commercial redress, and cultural redress including vesting of discrete culturally significant sites and a gift and gift-back of Pukaha/Mt Bruce.</p> <p>Ngāti Kahungunu ki Wairarapa, ki Tāmaki nui-a-Rua initialled a deed of settlement in March 2018. The settlement was ratified by the claimant community in 2018 and is conditional on the enactment of settlement legislation. The redress package includes cultural redress over the Wairarapa Moana and other culturally significant sites.</p> <p>Binding recommendations from the Waitangi Tribunal for the return of the Ngaumu Crown Forest Licensed land were sought in June 2018. Closing submissions on those applications were heard in December 2019.</p> <p>Binding recommendations from the Waitangi Tribunal under section 8A of the Treaty of Waitangi Act for the return of specified land in the Pouakani Block were sought in 2017. Closing submissions were heard in November 2019.</p> <p>In March 2020, the Tribunal released ‘Determinations of the Tribunal Preliminary to Interim Recommendations under Sections 8A and 8HC of the Treaty of Waitangi Act 1975’.</p>

## Wai 863: Wairarapa ki Tararua Report (2010) (cont.)

Te Arawhiti | Ministry for Primary Industries | Land Information New Zealand

Ministry for Primary Industries

Status

**Fisheries kaitiakitanga**

Wairarapa and Tararua hapū and the Ministry for Primary Industries (MPI) have jointly established a regional iwi forum. This forum acts as an engagement platform to provide for the input and participation of the iwi into all fisheries sustainability processes that may affect the region. MPI has assisted the iwi to develop a regional iwi fisheries plan, which sets out the iwi objectives for the fisheries and gives expression to how Wairarapa and Tararua iwi and hapū exercise kaitiakitanga over their fisheries.

Hapū views are incorporated into fisheries sustainability decisions that affect their interests. Customary fishing is managed by hapū and marae across most communities in the region.

## Wai 953: Ahu Moana: The Aquaculture and Marine Farming Report (2002)

Ministry for Primary Industries

Primary Findings and/or Recommendations	Status
<p>The Tribunal recommended that:</p> <ul style="list-style-type: none"><li>the period before the introduction of the new Bill be used by the Crown to establish a mechanism (resourced by the Crown) for consultation and negotiation with Māori</li><li>the consultation should focus on the existence of Treaty rights in the coastal space, which include rights (the extent of which are yet to be determined) to aquaculture and marine farming.</li></ul>	<p><b>In progress</b></p> <p><b>Pre-commencement space obligations</b></p> <p>The Ministry for Primary Industries (MPI) has concluded the delivery of the Crown's pre-commencement space obligations under the Maori Commercial Aquaculture Claims Settlement Act 2004 (the Act).</p> <p><b>New space obligations</b></p> <ul style="list-style-type: none"><li>The Act requires the Crown to provide relevant Iwi Aquaculture Organisations with regional settlement assets that are representative of 20% of new aquaculture space created or anticipated from 1 October 2011.</li><li>MPI has settled all except Southland, Bay of Plenty and Waikato West.</li><li>A final regional agreement for Southland should be concluded by the end of April 2021.</li><li>The Crown is working very closely with Iwi and research providers to identify potential new space and viable new aquaculture opportunities for the region.</li></ul>

## Wai 1071: The Report on the Crown's Foreshore and Seabed Policy (2004)

Te Arawhiti

Primary Findings and/or Recommendations	Status
<p>The Tribunal disagreed with the Crown's proposed policy for the foreshore and seabed. It considered there were fundamental flaws in the policy, in particular in relation to the application of Treaty principles.</p> <p>The Tribunal offered recommendations it considered would address the Crown's position in Treaty terms, while at the same time achieving the objectives of public access and inalienability for the foreshore and seabed.</p>	<p><b>No further action.</b></p> <p>The Foreshore and Seabed Act 2004 was repealed and replaced with the Marine and Coastal Area (Takutai Moana) Act 2011. See Wai 2660 for the Tribunal's current inquiry into the legislative framework and applications process under the 2011 Act.</p>

**Wai 1200: He Maunga Rongo: Report on Central North Island Claims (2007)**

Te Arawhiti

**Primary Findings and/or Recommendations**

This report describes the Tribunal’s inquiry into approximately 120 claims from three districts: Rotorua, Taupō and Kaingaroa.

The Tribunal found that substantial redress was necessary. It recommended that the Crown and claimants negotiate.

**Status**

In progress

A number of recommendations have been addressed through Treaty of Waitangi settlements with iwi. Settlements have been signed with the following claimant groups who have interests in the districts of Rotorua, Taupō and Kaingaroa:

- Te Pūmautānga o Te Arawa (2008)
- Ngāti Whare (2009)
- Ngāti Manawa (2009)
- Maraeroa Blocks (Rereahu) (2011)
- Waitaha (2011)
- Ngāti Mākinō (2011)
- Ngāti Ranginui (2012)
- Ngāti Rangiwewehi (2012)
- Tapuika (2012)
- Raukawa (2012)
- Ngāi Te Rangi & Ngā Pōtiki a Tamapahore (2013)
- Ngāti Rangiteaorere (2013)
- Ngāi Tūhoe (2013)
- Ngāti Pūkenga (2013)
- Ngāti Hineuru (2015); and
- Ngāti Tūwharetoa (2017).

The Crown is in active negotiations with:

- Ngāti Rangitihī; and
- Ngāti Maniapoto (Maniapoto).

The Crown and Maniapoto are working towards a proposed deed of settlement initialling in December 2020.

Negotiations towards agreement in principle with Ngāti Whakaue were placed on hold in 2016 because of a gap between the Crown’s settlement offer and Ngāti Whakaue’s aspirations.

Ngāti Rangitihī signed an Agreement in Principle with the Crown in December 2018 and anticipate initialling a deed of settlement in July 2020.

Wai 1353: The Te Arawa Settlement Process Reports (2007)	
Te Arawhiti	
Primary Findings and/or Recommendations	Status
<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 and policy operations are aligned with the Crown’s Treaty obligations</li> <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>	<p><b>In progress</b></p> <p>Negotiations towards agreement in principle with Ngāti Whakaue were placed on hold in 2016 because of a gap between the Crown’s settlement offer and Ngāti Whakaue’s aspirations.</p> <p>Ngāti Rangitihī signed an Agreement in Principle with the Crown in December 2018 and will initial a deed of settlement in July 2020.</p>

## Wai 2336: Matua Rautia: The Report on the Kōhanga Reo Claim (20013)

Te Arawhiti | Ministry of Education

### Primary Findings and/or Recommendations

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.

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.

It recommended that the Crown, through the Prime Minister, appoint an interim advisor to oversee the implementation of the Tribunal's recommendations to redevelop the engagement between Government agencies and the Trust.

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:

- i.) a policy framework for kōhanga reo
- ii.) policy and targets for increasing participation and reducing waiting lists
- iii.) identification of measures for maintaining and improving the quality in kōhanga reo
- iv.) supportive funding for kōhanga reo and the Trust
- v.) provision of capital funding to ensure that kōhanga reo can meet the standards for relicensing
- vi.) support for the Trust to develop the policy capability to collaborate with Government in policy development for kōhanga reo.

### Status

#### In progress

In March 2018, Cabinet agreed the scope of discussions between the Crown and the Trust.

Upgrades to Te Kōhanga Reo National Trust and kōhanga reo ICT infrastructure were carried out in 2020 from Crown funding received in 2019.

The Government has allocated the Trust and kōhanga reo almost \$200 million over four years in Budget 2020 to help secure the future of kōhanga reo, and support the revitalisation of te reo Māori.

The Crown and Trust continue to discuss claim matters, including qualification recognition and support for kōhanga reo Māori development objectives.

**Wai 2336: Matua Rautia: The Report on the Kōhanga Reo Claim (20013) (cont.)**

Te Arawhiti | Ministry of Education

Primary Findings and/or Recommendations	Status
<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, though 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>	

## Wai 2417: Whaia te Mana Motuhake / In Pursuit of Mana Motuhake: Report on the Māori Community Development Act Claim (2015)

Te Puni Kōkiri

### Primary Findings and/or Recommendations

The Tribunal recommended that any future review of the Māori Community Development Act be led by Māori – specifically the New Zealand Māori Council, in coordination with regional and urban iwi authorities, and bodies like District Māori Councils, Māori Wardens, the Iwi Chairs Forum, Māori Women’s Welfare League, and the Kīngitanga.

The Tribunal suggested that the review take the Kōhanga Reo review model, and through this report, could recommend the future directions of the New Zealand Māori Council and the institutions and kaupapa it is responsible for.

The Crown’s role would be to resource the review process and support the amendment process to the 1962 Act. It would also need to ensure that the review led by the New Zealand Māori Council was robust and the reforms were widely supported.

The Tribunal found that all reasonable costs flowing from the review and consultation process should be met by the Crown. This Crown should commit, through legislative amendment, to reasonable funding to give effect to the resulting strategic direction and to maintain the structure of the representative national body that is determined through the consultation process.

The Tribunal further recommended that the Māori wardens project continue but that an interim advisory group or governance board be appointed from among the New Zealand Māori Council and Māori wardens to provide Māori community oversight of the funding, training, and other support delivered under the project.

The Tribunal also recommended that the Crown enter into discussions with the New Zealand Māori Council for reimbursement of legal costs incurred by the New Zealand Māori Council that have not been covered by legal aid.

### Status

#### In progress

There has not been a review of the Māori Community Development Act.

The Minister for Māori Development has chosen to focus on modernising the Māori Wardens movement through a series of hui culminating in a vote from the Māori Warden membership at Tūrangawaewa Marae in July 2019.

Māori Wardens aspire to be self managing and autonomous and are currently looking to take greater responsibility for operational functions that are currently being managed by the Māori Warden Project. Over time it is anticipated that a Māori Warden national entity will receive the funding that the Project currently manages and take full responsibility for the annual budget.

They are also considering establishing a new piece of legislation specifically for Māori Wardens that would see them set aside from the New Zealand Māori Council and the Māori Community Development Act 1962.



**Wai 2490: The Ngāpuhi Mandate Inquiry Report (2015)**

**Te Arawhiti**

Primary Findings and/or Recommendations	Status
<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 kaikōrero and hapū representatives on the board</li> <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>	<p><b>In progress</b></p> <p>In December 2019, the Crown discontinued its recognition of the Tūhoronuku Independent Mandate Authority (TIMA) mandate and invited mandate proposals from regional hapū groups.</p> <p>Ngā hapū o Ngāpuhi are in the process of forming regional groups and developing mandate proposals.</p> <p>The intention is for those mandated groups to negotiate both regional hapū specific redress and collective redress. It is anticipated that some shared redress (commercial, financial social redress, environmental redress, and te reo Māori, for example) will need to be discussed and/or negotiated collectively across regional hapū groups.</p>

## Wai 2540: Tū Mai te Rangi! Report on the Crown and Disproportionate Reoffending Rates (2017)

Department of Corrections

### Primary Findings and/or Recommendations

Among the Tribunal's recommendations was that the Department of Corrections revise the Māori Advisory Board's terms of reference to enhance the board's influence in high-level discussions with the Department of Corrections concerning the protection of Māori interests. There should be a continuing focus on widening iwi membership of this board.

It recommended that the department work with the enhanced board to design and implement a new Māori-specific strategic framework and that it set and commit to Māori-specific targets for the department to reduce Māori reoffending rates substantially and within reasonable timeframes. Progress towards this target should, the Tribunal said, be regularly and publicly reported on. The Tribunal also said the Crown must include a dedicated budget to appropriately resource the new strategic focus on Māori.

The Tribunal recommended that the department provide greater Treaty-awareness training for senior staff, in order to incorporate mātauranga Māori into Departmental culture, practice, and operations.

Finally, the Waitangi Tribunal recommended that the Corrections Act 2004 be amended to state the Crown's Treaty obligations to Māori due to their disproportionate presence in correctional facilities.

The Waitangi Tribunal has recommended not only greater levels of partnership between the Department and Māori, but also a re-orientation of the Department's approach to Māori re-offending.

### Status

#### In progress

##### Revision of the terms of reference of the Māori Advisory Board

In a previous reporting period (March 2018) the Māori Advisory Board was renamed as Te Poari Hautū Rautaki Māori (the Māori Leadership Board) and new terms of reference were agreed to. Since this preceded the release of the *Hōkai Rangi: Ara Poutama Aotearoa Strategy 2019-24*, the Department of Corrections and Te Poari agreed on a hui on 5 March 2020 that the terms of reference needed to be further updated.

The Poari provides strategic leadership around the development of policy and initiatives to improve outcomes and reduce Māori offending.

*Hōkai Rangi* recognises that partnership and governance mechanisms should be continually reviewed and improved to ensure they remain effective.

##### Shared leadership and governance

Planning work for co-design is underway for a shared leadership and governance structure across key levels of Ara Poutama Aotearoa (including further enhancement of the Māori Leadership Board) and across the sector where possible.

Initial work is focused on strengthening the Poari in terms of both membership structure and function. Production of a high-level approach is expected by the end of 2020.

**Wai 2540: Tū Mai te Rangi! Report on the Crown and Disproportionate Reoffending Rates (2017) (cont.)**

Department of Corrections

Primary Findings and/or Recommendations	Status
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**Design and implement a revised strategy with the Māori Advisory Board**

Hōkai Rangi was launched by the Department of Corrections on 19 August 2019, with its design and development taking place in the last reporting period.

Recommendations from *Tū mai te Rangi!* have been translated into actions in the *Hōkai Rangi* strategy. These include:

- A dedicated Budget.
- Further enhancement of the Board.
- Commitment to changes in legislation.
- New approaches: Partnership & leadership – Includes Treaty awareness training across Corrections.

Ara Poutama Aotearoa is currently in its first two years of the strategy, which involves establishing a clear view on the changes and investment required to start the transformative journey.

*Hōkai Rangi* outlines 37 short term actions Corrections need to do in the lifetime of this strategy to achieve the long-term outcomes and our desired future. Initial progress on the actions has focused on:

- embedding leadership commitment to change
- establishing a Māori business group and the Deputy Chief Executive Māori position
- ensuring appropriate resourcing is in place.

While significant focus has been placed on the above three actions, work is underway on a further 34 short term actions from *Hōkai Rangi*. Corrections have prioritised building trust and strengthening partnerships with Māori across all levels of the organisation in this reporting period.

**Wai 2540: Tū Mai te Rangī! Report on the Crown and Disproportionate Reoffending Rates (2017) (cont.)**

Department of Corrections

Primary Findings and/or Recommendations

Status

**Include measurable targets in the strategy and relationships agreement**

The strategy sets out next steps. One of these involved the identification of measurable targets. As the strategy explains:

*We need clear and robust measures and indicators for each outcome domain to help track our progress. These need to be drawn from a Māori perspective, as much as a Western perspective, and be agreed in partnership with Māori, in order to be meaningful to all parties.*

Corrections is currently developing an Outcomes-Led Performance Framework to ensure it is measuring progress appropriately and objectively. The Outcomes-Led Performance Framework is being co-designed with Māori, and will guide the collection of experience, evidence and insight data. This information is needed to inform decisions, and support conversations that will help track progress, learn, and direct efforts towards achieving Hōkai Rangī. These new measures require testing and refining over time and will be in place to report on in 2022.

*Hōkai Rangī* also sets out how Corrections will develop partnerships with specific Māori communities. This includes:

- engaging further iwi on mutual areas of focus
- working with mana whenua at each prison site ‘to confirm the mutual outcomes that we seek to achieve for and with the people in our care and management’
- the implementation of a Māori Partnership Framework.

**Wai 2540: Tū Mai te Rangi! Report on the Crown and Disproportionate Reoffending Rates (2017) (cont.)**

Department of Corrections

Primary Findings and/or Recommendations	Status
	<p>The issue of targets and measures will form part of these discussions.</p> <p><b>Include a dedicated budget</b></p> <p>There are some specific areas of focus in which Budget 19 and Budget 20 has, or will be, dedicated to work that directly gives effect to <i>Hōkai Rangi</i>:</p> <ul style="list-style-type: none"> <li>• Budget 2019 invested \$98 million of operating and capital funding over four years into a pathway for people to experience a kaupapa Māori and whānau centred approach for all their time with Ara Poutama Aotearoa, from pre-sentence to reintegration and transition in their community.</li> <li>• Corrections continues to provide Māori focused programmes and initiatives, such as five Te Tirohanga units, two Whare Oranga Ake facilities and the Tiaki Tangata reintegration service.</li> <li>• Budget 20 invested \$49.6m of operating and capital funding over four years into a pre-trial service that provides people remanded in custody (or at risk of being remanded) greater opportunities to achieve positive change earlier in their justice system journey, reducing additional harm.</li> </ul> <p><b>Provide greater Treaty awareness training for senior level Department staff</b></p> <p>Corrections' Executive Leadership Team (ELT) completed its first series of modules in Treaty awareness and mātauranga Māori in late 2019. They have since worked with the General Manager Cultural Capability to start preparing the Cultural Capability Uplift for our two Māori Pathways sites (Hawkes Bay and Te Tai Tokerau). This will then be delivered across the remainder of Corrections sites in 2021.</p>

## Wai 2561: The Ngatiwai Mandate Inquiry Report (2017)

Te Arawhiti

### Primary Findings and/or Recommendations

The Tribunal recommended that the negotiations process be paused, and that the following steps be undertaken:

- i.) Mediation or facilitated discussions be held to debate the unsatisfactory elements of the Deed of Mandate.
- 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.

In the event these mediated discussions proposed changes, the Tribunal recommended that these would need to be put to hapū for approval.

### Status

#### **In progress**

The Crown has confirmed funding to support a 12-month mediation process between the Ngātiwai Trust Board and three hapū groups (Patuharakeke, Te Waiariki-Ngāti Korora-Ngāti Takapari and Te Whakapiko).

Wai 2200: Horowhenua: The Muaūpoko Priority Report (2017)	
Te Arawhiti	
Primary Findings and/or Recommendations	Status
<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 lake bed owners, and all of 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>	<p><b>In progress</b></p> <p>In 2013 the Crown recognised the Muaūpoko Tribal Authority's (MTA) mandate to represent Muaūpoko in Treaty settlement negotiations. Negotiations were placed on pause in 2015 due to the gap between the Crown's settlement offer and the iwi's aspirations.</p> <p>The Wai 2200 Porirua ki Manawatu District Inquiry is still underway and further Muaūpoko Treaty claims are likely to be heard or reported on.</p>

## Wai 2662: The Whakatōhea Mandate Inquiry Report (2018)

Te Arawhiti

### Primary Findings and/or Recommendations

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.

The Tribunal also found that:

- 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
- 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.

The Tribunal's main recommendation was that the Crown meet the reasonable costs of 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:

- suspend substantive work on the Whakatōhea negotiations until completion of the vote
- commit to maintaining the baseline redress offered in the Whakatōhea AIP
- pay interest at commercial rates on the cash component of the settlement offer.

### Status

#### In progress

In response to the Tribunal's recommendation, the Crown has implemented a vote process. The results of the 2018 vote were balanced, showing strong support for the Tribunal inquiry and a slight majority of support for settlement negotiations to continue.

On 26 June 2019, the Waitangi Tribunal initiated a district inquiry for Whakatōhea claims – the North-Eastern Bay of Plenty district inquiry. The inquiry is currently in the planning and research stage.

On 30 September 2019, the Minister for Treaty of Waitangi Negotiations notified Whakatōhea that the Crown will continue negotiations with the WPCT while the district inquiry proceeds. The letter proposed that the Tribunal inquiry continue and that the Tribunal be empowered to make findings in relation to historical claims if the historical claims of Whakatōhea are settled before the inquiry reports.

The Crown has engaged with the Mokomoko and Te Kahika whānau about the inclusion of their claims in the Whakatōhea settlement.



# Status update for all Waitangi Tribunal claims 2019/20

This final section lists all reports that have been released by the Waitangi Tribunal. It allows progress with implementation of recommendations to be tracked over time.

The table below lists the Crown's position on the status of the reports according to the categories in the previous section. Some reports have changed their status since 2018/19 because of new information.

Wai	Report	Year	Status
1	Report of the Waitangi Tribunal on a Claim by J P Hawke and others of Ngāti Whātua, concerning the Fisheries Regulations	1978	No further action
2	Report of the Waitangi Tribunal on the Waiau Pa Power Station Claim	1978	No further action
3	Report on Proposed Discharge of Sewage at Welcome Bay*	1990	No further action
4	Report of the Waitangi Tribunal on the Kaituna River Claim	1984	In progress
5	Report on Imposition of Land Tax*	1990	No further action
6	Report of the Waitangi Tribunal on the Motunui–Waitara Claim	1983	Settled
8	Report of the Waitangi Tribunal on the Manukau Claim	1985	In progress
9	Report of the Waitangi Tribunal on the Orakei Claim	1987	In progress
10	Report of the Waitangi Tribunal on the Waiheke Island Claim	1987	In progress
11	Report of the Waitangi Tribunal on the Te Reo Māori Claim	1986	Partially settled
12	Report of the Waitangi Tribunal on a Mōititī Island Claim*	1985	Partially settled
13	Report on Fisheries Regulations*	1990	Settled
14	Report on Tokaanu Building Sections*	1990	No further action
15	Report of the Waitangi Tribunal on the Te Weehi Claim to Customary Fishing Rights*	1987	No further action
17	Report of the Waitangi Tribunal on the Mangonui Sewerage Claim	1988	In progress

18	Report of the Waitangi Tribunal on Lake Taupo Fishing Rights*	1986	Settled
19	Report of the Waitangi Tribunal on a Claim Relating to Maori 'Privilege'*	1985	No further action
22	Interim Report to Minister of Māori Affairs on State-Owned Enterprises Bill*	1986	Settled
22	Report of the Waitangi Tribunal on the Muriwhenua Fishing Claim	1988	Settled
25	Report of the Waitangi Tribunal on a Claim Relating to Māori Representation on the Auckland Regional Authority*	1987	Settled
26, 150	Radio Frequencies	1990	No further action
27	The Ngāi Tahu Report 1991 (3 volumes)	1991	Settled
27	The Ngāi Tahu Claim: Supplementary Report on Ngāi Tahu Legal Personality*	1991	Settled
27	The Ngāi Tahu Sea Fisheries Report 1992	1992	Settled
27	The Ngāi Tahu Ancillary Claims Report 1995	1995	Settled
32	The Ngāti Rangiteaorere Claim Report 1990	1990	Settled
33	The Pouakani Report 1993 Part 1, Part 2	1993	Settled
34	Report on Proposed Sewage Scheme at Kakanui*	1990	No further action
38	The Te Roroa Report 1992	1992	Settled
45	Report on Kaimaumuau Lands*	1991	No further action
45	Muriwhenua Land Report	1997	Settled
45	The Ngāti Kahu Remedies Report	2013	Ongoing
46	Report on Disposal of Crown Land in the Eastern Bay of Plenty	1995	Settled
46	The Ngāti Awa Raupatu Report	1999	Settled
55	Te Whanganui-a-Orotū Report	1995, 1998	In progress
64	Rēkohu: A Report on Moriori and Ngāti Mutunga o Wharekauri claims in the Chatham Islands	2001	In progress
67	Report on the Oriwa 1B3 Block*	1992	No further action
83	Report on the Waikawa Block*	1989	Settled
84	The Turangi Township Report	1995	Settled

84	Turangi Township Remedies Report	1998	Settled
103	Report on Roadman's Cottage, Mahia*		Settled
119	The Mohaka River Report	1992	Settled
143	The Taranaki Report: Kaupapa Tuatahi	1996	In progress
145	Te Whanganui a Tara me ona Takiwa: Report on the Wellington District	2003	In progress
153	Preliminary Report on the Te Arawa Representative Geothermal Resource Claims	1993	In progress
167	Interim Report and Recommendation in Respect of the Whanganui River Claim*	1993	Settled
167	The Whanganui River Report	1999	Settled
176	Report on Broadcasting Claim*	1994	No further action
201	The Mohaka ki Ahuriri Report	2004	In progress
202	Report on the Tamaki Māori Development Authority Claim*	1991	No further action
212	Interim Report on the Rangitaiki and Wheao Rivers Claim*	1993	Settled
212	Te Ika Whenua – Energy Assets Report	1993	Settled
212	Te Ika Whenua Rivers Report	1998	Partially settled
215	Te Raupatu o Tauranga Moana: Report on the Tauranga Confiscation Claims	2004	In progress
215	Tauranga Moana, 1886–2006: Report on the Post-Raupatu Claims volume 1, volume 2	2010	In progress
261	Interim Report on the Auckland Hospital Endowments Claim*	1991	Settled
262	The Interim Report of the Waitangi Tribunal in Respect of the ANZTPA Regime*	2006	No further action
262	The Further Interim Report of the Waitangi Tribunal in Respect of the ANZTPA Regime*	2006	No further action
262	Ko Aotearoa Tēnei: A Report into Claims concerning New Zealand Law and Policy Affecting Māori Culture and Identity, Taumata Tuatahi (Volume 1)	2011	In progress
262	Ko Aotearoa Tēnei: A Report into Claims concerning New Zealand Law and Policy Affecting Māori Culture and Identity, Taumata Tuarua (Volume 2)	2011	In progress
264	Report on Auckland Railway Lands*	1992	No further action
264	Report on Wellington Railway Lands*	1992	Settled
264	Report on Railway Land at Waikanae*	1992	Settled

264	Report on South Auckland Railway Lands*	1993	In progress
273	Report on Tapuwae 1B and 4 Incorporation*	1993	Settled
276, 72, 121	Interim Report on Sylvia Park and Auckland Crown Asset Disposals*	1992	Settled
304	Ngāwhā Geothermal Resource Report	1993	Ongoing
307	The Fisheries Settlement Report	1992	Settled
315	Te Maunga Railways Land Report	1994	Settled
321	Appointments to the Treaty of Waitangi Fisheries Commission Report*	1992	In progress
322	Report of the Waitangi Tribunal on the Tuhuru Claim*	1993	Settled
350	Māori Development Corporation Report	1993	Partially settled
411	The Tarawera Forest Report	2003	In progress
413	Māori Electoral Option Report	1994	In progress
414	Te Whānau o Waipareira Report	1998	No further action
449	Kiwifruit Marketing Report	1995	No further action
655	Report on Aspects of the Wai 655 Claim	2009	Settled
663	The Te Aroha Maunga Settlement Process Report	2015	No further action
674	The Kaipara Interim Report	2002	In progress
674	The Kaipara Report	2006	In progress
686	The Hauraki Report (3 volumes)	2006	Ongoing
692	The Napier Hospital and Health Services Report	2001	In progress
718	The Wānanga Capital Establishment Report	1999	Settled
728	The Hauraki Gulf Marine Park Report	2001	Partially settled
758, 142	The Pakakohi and Tangahoe Settlement Claims Report	2000	Settled
776	Radio Spectrum Management and Development, Interim and Final Report	1999	Partially settled
785	Te Tau Ihu o te Ika a Maui: Preliminary Report on Customary Rights in the Northern South Island	2007	In progress
785	Te Tau Ihu o te Ika a Maui: Preliminary Report on Te Tau Ihu Customary Rights in the Statutory Ngāi Tahu Takiwā	2007	In progress
785	Te Tau Ihu o te Ika a Maui: Report on Northern South Island Claims (3 volumes)	2008	In progress

788, 800	The Ngāti Maniapoto/Ngāti Tama Settlement Cross-Claims Report	2001	In progress
789	The Mōkai School Report	2000	In progress
790	Taranaki Māori, Dairy Industry Changes, and the Crown	2001	In progress
796	The Petroleum Report	2003	In progress
796	The Report on the Management of the Petroleum Resource	2011	In progress
814	Turanga Tangata Turanga Whenua: The Report on the Turanganui a Kiwa Claims (2 volumes)	2004	In progress
814	The Mangatū Remedies Report	2013	Ongoing
863	The Wairarapa ki Tararua Report (3 volumes)	2010	In progress
893	The Preliminary Report on the Haane Manahi Victoria Cross Claim	2005	No further action
894	Te Urewera (8 volumes)	2017	In progress
903	He Whiritaunoka: The Whanganui Land Report	2015	In progress
953	Ahu Moana: The Aquaculture and Marine Farming Report	2002	In progress
958	The Ngāti Awa Settlement Cross-Claims Report	2002	In progress
996	The Ngāti Tūwharetoa ki Kawerau Settlement Cross-Claim Report	2003	In progress
1024	The Offender Assessment Policies Report	2005	In progress
1040	He Whakaputanga me te Tiriti/The Declaration and the Treaty: The Report on Stage 1 of the Te Paparahi o Te Raki Inquiry	2014	Ongoing
1071	Report on the Crown's Foreshore and Seabed Policy	2004	No further action
1090	The Waimumu Trust (SILNA) Report	2005	No further action
1130	Te Kāhui Maunga: The National Park District Inquiry Report	2013	In progress
1150	The Te Arawa Mandate Report	2004	Settled
1150	Te Arawa Mandate Report: Te Wahanga Tuarua	2005	Refer above
1177	The Interim Report of the Waitangi Tribunal on the Te Tai Hauāuru by-election	2004	No further action
1200	He Maunga Rongo: Report on Central North Island Claims: Stage One (4 volumes)	2008	In progress
1298	The Report on the Aotearoa Institute Claim concerning Te Wānanga o Aotearoa	2005	Settled
1353	The Te Arawa Settlement Process Reports	2007	In progress
1362	The Tāmaki Makaurau Settlement Process Report	2007	In progress

2190	The East Coast Settlement Report	2010	In progress
2235	The Port Nicholson Block Urgency Report	2012	Ongoing
2336	Matua Rautia: The Report on the Kōhanga Reo Claim	2013	In progress
2358	The Stage 1 Report on the National Freshwater and Geothermal Resources Claim	2012	Ongoing
2391, 2393	The Final Report on the MV Rena and Motiti Island Claims	2015	Ongoing
2417	Whaia te Mana Motuhake/In Pursuit of Mana Motuhake: Report on the Māori Community Development Act Claim	2015	In progress
2478	He Kura Whenua ka Rokohanga: Report on Claims about the Reform of Te Ture Whenua Māori Act 1993	2016	In progress
2490	The Ngāpuhi Mandate Inquiry Report	2015	In progress
898	The Priority Report concerning Maui's Dolphin	2016	No further action
2522	Report on the Trans-Pacific Partnership Agreement	2016	In progress
2540	Tū Mai te Rangī! Report on the Crown and Disproportionate Reoffending Rates	2017	In progress
2561	The Ngātiwai Mandate Inquiry Report	2017	In progress
2662	The Whakatōhea Mandate Inquiry Report	2018	In progress
898	Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims parts III	2019	Ongoing
2575	Hauora: Report on Stage One of the Health Services and Outcomes Kaupapa Inquiry	2019	Ongoing
2358	The Stage 2 Report on the National Freshwater and Geothermal Resources Claim	2019	In progress
898	Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims (Part IV and Part V)	2019	In progress
2200	The Kārewarewa Urupā Report	2020	In progress
2200	Horowhenua: The Muaūpoko Priority Report	2017	Ongoing
2870	He Aha I Pera Ai The Māori Prisoners Voting Report	2020	In progress
2660	The Marine and Coastal Area (Takutai Moana) Act 2011 Inquiry Stage 1 Report	2020	In progress
2858	The Maniapoto Mandate Inquiry Report	2019	In progress
2840	The Hauraki Settlement Overlapping Claims Inquiry Report	2019	In progress
2573	The Mana Ahuriri Mandate Report	2019	In progress

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