

Waitangi Tribunal Claims Update

Section 8I Report 1 July 2020 To 30 June 2021



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

Photo credit: Erica Sinclair.



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Kei aku rangatira huri noa i Aotearoa me
Te Waipounamu rere atu ki Rēkohu, ki Rakiura
tēnā koutou katoa.

I am pleased to present the annual Section 8I report,
providing an update on the Government's progress
on addressing Waitangi Tribunal recommendations
during the 2020/21 year.



Māori Development Minister,
Willie Jackson.

Minister's Foreword

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 achieve the wellbeing of Māori.

This 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 a path towards real equity for Māori, underpinned by partnership, based on the articles of the Treaty of Waitangi. This report highlights two significant matters which occurred in the year under review:

- 1. The Waitangi Tribunal's refreshed Strategic Intentions.** There was steady progress at the Waitangi Tribunal in 2020/21 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 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.
- 2. The Ngāti Maniapoto settlement** (\$165 million) has taken 30 years of hard mahi. It is my hope that this settlement will support a thriving Maniapoto community that's achieving their aspirations. The Crown is building a relationship of trust and openness with Maniapoto to ensure wrongs of the past are not repeated.

The two Waitangi Tribunal reports released over the period 1 July 2020 – 31 June 2021 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 understand the issues that define our identity as a nation.

E tau ana,



Nāku iti nei, nā

Hon Willie Jackson

Te Minita Whanaketanga Māori

Abbreviations

Corrections	Department of Corrections
CPTPP	Comprehensive and Progressive Trans-Pacific Partnership
DHB	District Health Board
DoC	Department of Conservation
ISDA	International Swaps and Derivatives Protocol
LINZ	Land Information New Zealand
MAF	Ministry of Agriculture and Fisheries
MBIE	Ministry of Business, Innovation, and Employment
MCH	Ministry of Culture and Heritage
MDC	Māori Development Corporation
MFAT	Ministry of Foreign Affairs and Trade
MfE	Ministry for the Environment
MfMD	Minister for Māori Development
MFTOWN	Minister for Treaty of Waitangi Negotiations
MoE	Ministry of Education
MoH	Ministry of Health
MPI	Ministry for Primary Industries
MTA	Muaūpoko Tribal Authority
NHF	Nature Heritage Fund
NPS FM	National Policy Statement Freshwater Management
NWOMTB	Ngāti Whātua o Ōrākei Māori Trust Board
PHO	Primary Health Organisation
PVR	Plant Variety Rights
RMA	Resource Management Act
SILNA	The South Island Landless Natives Act
TAMA	Te Aitanga a Māhaki and Affiliates
TIMA	Tūhoronuku Independent Mandated Authority
TPK	Te Puni Kōkiri
TPP	Trans-Pacific Partnership
UPOV 91	International Convention for the Protection of New Varieties of Plants
UPR	Universal Periodic Review
WPCT	Whakatōhea Pre-Settlement Claims Trust

Section 8I reporting: Introduction

Tākiri te haeata, ka ao, ka awatea,
horahia mai ko te marama.

Dawn breaks, comes the daylight and the
world is a glow with brilliant light.



Photo by Te Rawhitiroa Bosch, Rawhitiroa Photography

Every year we shine a light on the claims from Waitangi Tribunal, as government agencies report on their progress on the findings.

The Section 8I report provides Parliament with an update on the Crown's progress on implementing Waitangi Tribunal recommendations. This report covers the period between 1 July 2020 and 30 June 2021.

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 Crown¹. 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.

This report presents the year's results of many government agencies that work to honour the Waitangi Tribunal's direction on claims. A wide range of government agencies have contributed to the Section 8I Report. At the end of the report is a summary on the status of all Waitangi Tribunal claims.

The report also highlights two significant matters which occurred during the reporting period; a refresh of the Waitangi Tribunal's Strategic Direction: Towards Better Access to Justice, and settlement of the Maniapoto Claim (Wai 898).

¹ 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

The Waitangi Tribunal's Strategic Direction: Towards Better Access to Justice

The Waitangi Tribunal has a central role in making recommendations on claims to establish if the Crown has breached the principals of Te Tiriti o Waitangi. It is working on a strategy to prioritise pressing issues to provide a better service for Māori. Established under the Treaty of Waitangi Act 1975, the Waitangi Tribunal is a standing commission of inquiry. It inquires into claims made by Māori relating to legislation, policies, actions or omissions of the Crown that are alleged to breach the principles of the Treaty of Waitangi/Te Tiriti o Waitangi. The role of the Tribunal is to determine whether a claim is well-founded, and the claimants have thereby suffered prejudice. The Tribunal reports its findings to the Minister of Māori Development and other responsible Ministers and makes recommendations to the Government on well-founded claims.

For the most part, the Tribunal does not settle claims and has no responsibility beyond completion of the report. It does, however, have limited powers to make binding recommendations for remedies in respect of Crown Forest land and Crown land transferred to state-owned enterprises or educational institutions.

The Tribunal's main focus remains on considering the claims which have been received and registered, and grouped for inquiry in its regular inquiry programmes, alongside rapid inquiries where urgency is granted.

Responsibility for considering and responding to Tribunal recommendations rests with the Government. The kaupapa of each inquiry and subsequent report determines the agencies involved in considering the recommendations.

Under the Treaty of Waitangi Act, it is the Minister for Māori Development who is required to report each year on the progress being made in the implementation of recommendations made to the Crown by the Waitangi Tribunal.

In 2014 the Tribunal issued its *Strategic Direction* setting its priorities and objectives for the period 2014-2025. The challenge, at that time, was for the Tribunal to continue to provide an independent, impartial, public, and accessible forum in which Māori Treaty claims could be heard and reported on. This challenge continues and was acknowledged when the Tribunal refreshed its *Strategic Direction* in 2020.

With the impending completion of the district inquiry programme, the overall work programme of the Tribunal continues to diversify. The kaupapa inquiry programme, which focuses on issues of national significance affecting Māori as a whole, is now firmly established, with a number of kaupapa inquiries underway at different stages.

The Tribunal has also introduced new innovations such as prioritising pressing issues for early hearing and reporting and taking a staged approach in kaupapa inquiries such as Health Services and Outcomes and Housing Policy and Services. The Military Veterans inquiry held a first round of hearings of claimant oral evidence while technical evidence was being prepared, an approach being followed by the Mana Wāhine inquiry.

In recent years the Tribunal's presiding officers have chosen to release their reports in pre-publication format and sometimes in parts. This enables claimants to have faster access to the report and, in turn, improved access to justice. Recent examples of pre-publication format releases include reports on claims concerning settlement negotiations, including mandate recognition (*Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims*), influencing the introduction of legislation ahead of the general election (*Māori Prisoners' Voting, He Kura Whenua Ka Rokohanga: Report on Claims about the Reform of Te Ture Whenua Māori Act 1993*), informing reports being completed by other commissions of inquiry (*Hauora: Report on Stage 1 of the Health Services and Outcomes Kaupapa Inquiry*) and being considered in the purpose and approach of government services (*He Pāharakeke, he Rito Whakakīkinga Whāruarua: Oranga Tamariki Urgent Inquiry*).

Even though the 2020 *Strategic Direction* reconfirmed the Tribunal's priorities and goals, it has, since 2014, demonstrated its ability to be agile and responsive to the changing nature of the claims before it. The Tribunal has positioned itself to effectively respond to urgent applications, ensuring claimants are provided with timely access to justice and confirming that the Tribunal remains a central component of the justice system in Aotearoa.

Tākiri te haeata, ka ao, ka awatea, horahia mai ko te mārāma.

Dawn breaks, comes the daylight and the world is a glow with brilliant light.

The Maniapoto Settlement



Iwi members of Ngāti Maniapoto and Waikato Tainui, image provided by Maniapoto Māori Trust Board.

Ngāti Maniapoto is an iwi based in Te Rohe Pōtae, in and around Taumarunui, Mōkau, Pureora, Te Kūiti, Ōtorohanga, Te Awamutu and Kāwhia. The iwi has an estimated 45,930 members, with more than 90 percent living outside of the rohe.

The Waitangi Tribunal inquired into Maniapoto claims as part of its Wai 898 inquiry and found breaches of Te Tiriti o Waitangi occurred. The Tribunal found extensive land was taken for public works, tribal authority was lost and Ngāti Maniapoto people had suffered hardship. The tribunal's recommendations for redress for Ngāti Maniapoto are summarised in its report under Wai 898 Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims. The progress report for Wai 898 covers July 2020 to June 2021, while this feature article looks to the future and the conclusion of this settlement.

In November 2021, the Maniapoto Deed of Settlement was signed. The Maniapoto Deed of Settlement is the final settlement of all historical Treaty of Waitangi claims of Ngāti Maniapoto resulting from acts or omissions by the Crown prior to 21 September 1992.

Due to the challenges and disruptions caused by COVID-19, signing of the Deed was delayed a number of times. As a result, the visit to the Maniapoto rohe for signing of the Deed was postponed and delayed the opportunity for the Crown apology to be conveyed in person. However, legislation to give effect to the settlement was introduced to the House in December 2021 and is currently progressing through Parliament.

The redress package is one of the largest negotiated

It includes:

- Financial and commercial redress of \$165 million
- The return of 36 sites of cultural significance in Crown ownership
- A greater role for Ngāti Maniapoto in the management of natural resources within the Maniapoto rohe
- The gift and gift back of 'Te-Ara-o-Tūrongo' - part of the North Island Main Trunk railway line
- Provision for new agreements with a range of Crown agencies

Following the settlement being embedded in legislation, assets will be transferred to Maniapoto's post-settlement governance entity, Te Nehenehenui, to nurture the future wellbeing and prosperity of Ngāti Maniapoto.

The settlement timeline:

- Claims on behalf of Maniapoto were filed the late 1980s to 2008 with the Waitangi Tribunal who conducted an inquiry into the claims between 2006 and 2020.
- Maniapoto obtained a mandate to negotiate in 2016 then reached an Agreement in Principle in 2017.
- The Deed of Settlement was initialled in 2020 ratified and signed in 2021.
- \$130 million in assets has been transferred to the post-settlement governance entity as an on-account to date.
- A bill was introduced to Parliament to enact the settlement into law on the 14 December 2021.

Ko te pō tūtanga nui o Pipiri e tū nei.

This whakataukī denotes 'change'. Ngāti Maniapoto oral histories speak of the longest night as the indicator of change. The days get longer and longer each day following 'te pō tūtanga'.

Progress implementing recommendations 2020/21

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 2020 and 30 June 2021 (2020/2021).

It 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).

It covers all claims that are 'in progress' or 'ongoing', and also includes 2019/20 items where there have been updates (noting that it can take up to five years to settle a claim).

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.

If you are viewing this document digitally you can use the Adobe Reader search function to look up your claim number or search using keywords.



In the top left hand corner of your browser you will see a set of tools like the ones to the left. Click on the magnifying glass to open the search dialogue box, then type your claim number or key word to locate in the document.

Wai 2915: He Pāharakeke, he Rito Whakakīkinga Whāruarua: Oranga Tamariki Urgent Inquiry (2021)

Oranga Tamariki

Primary Findings and/or Recommendations

The Waitangi Tribunal (the Tribunal) concluded that the disparity between the number of Māori and non-Māori entering State care could be attributed in part to the effects of land alienation and dispossession, but also to the Crown's failure to honour its Treaty guarantee to Māori of the right of cultural continuity. This is embodied in the guarantee of tino rangatiratanga over their kāinga.

The Crown must actively protect the availability and viability of kaupapa Māori solutions in the social sector and in mainstream services, in such a way that Māori are not disadvantaged by their choice. The Tribunal considered that the legislative and policy changes introduced since 2017 will not be sufficient to realise the kind of transformation required to achieve a Treaty (Tiriti)-consistent future.

The Tribunal refrained from overly prescriptive recommendations. The Tribunal's primary recommendation is for the establishment of a Māori Transition Authority led by Māori with support from the Crown, to identify the changes necessary to eliminate the need for State care of tamariki Māori, and to consider system improvements, both within and outside of the legislative and policy settings for Oranga Tamariki.

Status

In Progress

Hearings took place in late 2020 and early 2021.

The Tribunal's report includes many observations that the Crown will take forward reflecting the need for immediate action to reduce harm to children and whānau involved in the care and protection system and reduce the numbers of those who come to the attention of Oranga Tamariki.

The Crown is currently considering the future direction for Oranga Tamariki for the next two to five years. The development of this direction will be informed by the findings of the Tribunal's report, other reviews into Oranga Tamariki policies, practices and legislation, the Oranga Tamariki Ministerial Advisory Board's interim report and the voices of tamariki and whānau. The new direction for Oranga Tamariki will seek to address these findings and support the Ministry to focus on enhancing relationships with whānau and Māori, improving social work practice and continuing to transfer funding and decision-making to Māori and communities.

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 ā 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 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 policymaking where Māori interests were concerned.
- Any new allocation regime included regional allocations for iwi, Māori land, and for cultural purposes.

Status

In Progress

Comprehensive review of the Resource Management Act

The Government plans to repeal the Resource Management Act 1991 (RMA) and is developing three new pieces of legislation to replace the RMA. Together this suite of legislation will:

- Protect and restore the environment and its capacity to provide for the wellbeing of present and future generations.
- Better enable development within natural environmental limits.
- Give proper recognition to the principles of Te Tiriti o Waitangi and provide greater recognition of te ao Māori including mātauranga Māori.
- Better prepare for adapting to climate change and risks from natural hazards, and better mitigate emissions contributing to climate change.
- Improve system efficiency and effectiveness and reduce complexity while retaining appropriate local democratic input.

The reform is based on the findings of the comprehensive review of the resource management system carried out by the independent Resource Management Review Panel led by Hon Tony Randerson, QC. The Panel has come up with a large number of recommendations that will reorient the system to focus on delivery of specified outcomes, targets, and limits in the natural and built environments.

The proposed Natural and Built Environments Act (NBA) is intended to be the primary piece of legislation to replace the RMA. The exposure draft was released for public feedback in June 2021.

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>The NBA will improve recognition of te ao Māori and Te Tiriti o Waitangi. This includes reference to Te Oranga o te Taiao in the Act's purpose. This concept is intended to encapsulate the intergenerational importance of the health and well-being of the natural environment. Decision-makers would be required 'to give effect to' the principles of Te Tiriti, replacing the current RMA requirement to 'take into account' those principles.</p> <p>Essential Freshwater</p> <p>In June 2018 Cabinet approved the Essential Freshwater – Healthy Water, Allocated work programme in order to:</p> <ul style="list-style-type: none"> • Stop further degradation of New Zealand's freshwater resources and start making immediate improvements so that water quality is materially improving within five years. • Reverse past damage to bring New Zealand's freshwater resources, waterways, and ecosystems to a healthy state within a generation. • 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. <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 (FLG), Te Kāhui Wai Māori (KWM), the Science and Technical Advisory Group (STAG), and the Regional Sector Water Subgroup (RSWS).</p> <p>Draft proposals were released in an Action for Healthy Waterways discussion document and consultation occurred in September and October 2020, including 16 dedicated hui with iwi / Māori, and over 17,000 written submissions were received. An Independent Advisory Panel (IAP) assessed the submissions and recommended detailed refinements to the package to address feedback. The four advisory groups also provided further advice on refinements.</p>

Primary Findings and/or Recommendations	Status
	<p>New regulations came into force in September 2020. This included a revised National Policy Statement for Freshwater Management (NPS-FM), National Environmental Standards for Freshwater (NES), and section 360 regulations for excluding stock from waterways.</p> <p>The final regulations include:</p> <p>Enhancing Māori involvement</p> <ul style="list-style-type: none"> • Including a more comprehensive description of Te Mana o te Wai that encompasses the principles of mana whakahaere, kaitiakitanga, and manaakitanga • Requiring regional councils to ‘give effect to’ Te Mana o te Wai by: <ol style="list-style-type: none"> 1 Actively involving tangata whenua in freshwater management (including decision-making processes), such as making or changing regional and district planning documents so far as they relate to freshwater management, implementing the National Objectives Framework, identifying the local approach to Te Mana o te Wai, and undertaking freshwater monitoring. 2 Engaging with communities and tangata whenua to identify long-term visions, environmental outcomes, and other elements of the National Objectives Framework. 3 Applying the hierarchy of obligations of Te Mana o te Wai (to the health and wellbeing of water bodies and freshwater ecosystems first, then for the health needs of people, then for social, economic, and cultural well-being). 4 Enabling the application of a diversity of systems of values and knowledge, such as mātauranga Māori, to the management of freshwater. 5 Adopting an integrated approach, ki uta ki tai, to the management of freshwater. 6 Elevating mahinga kai (food gathering) to a compulsory value and requiring councils to work collaboratively with and enable tangata whenua to provide for this value and any other freshwater values identified by tangata whenua.

Primary Findings and/or Recommendations

Status

Monitoring and enforcement

- Requiring regional councils to work with tangata whenua to investigate and report on the use of mechanisms available under the RMA to involve tangata whenua in freshwater management, such as transfers of power, and Mana Whakahono-a-Rohe.

Water quality

- Requiring regional councils and land users to halt further loss of natural wetlands, protect their values and promote their restoration (NPS/NES).
- There are some provisions e.g., the Specified Vegetable Growing Areas provision that do allow targets to be set below bottom lines where necessary e.g., for domestic food supply/security.
- Introducing new controls on high-risk farm practices such as intensive winter grazing, feedlots, and other stockholding areas (NES).
- Restricting certain types of agricultural intensification by requiring a resource consent to change any farming land use to dairy farming, or to change from plantation forestry to pastoral farming, as well to expand irrigation on dairy farms (NES).
- Requiring certain types of stock to be excluded from grazing within a natural wetland, or within three metres of any lake or river (360 Regulations for stock exclusion).
- Capping application of synthetic nitrogen fertiliser (NES).
- Requiring mandatory and enforceable farm environment plans (NES/RMA).
- Making real-time measuring and reporting of data on water use mandatory.
- Requiring regional councils to monitor and report on all aspects of human health and ecosystem health, including its components - water quality, water quantity, habitat, aquatic life, and ecological processes.

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"> Introducing new national attributes for sediment, dissolved oxygen, and a higher standard for <i>E. coli</i> contamination at popular swimming sites during summer. Introducing a new compulsory value - threatened species - to the National Objectives Framework. Introducing requirements to manage in-stream structures for fish passage. <p>Tribunal recommendations not included in the Essential Freshwater regulations.</p> <p>Many of the Tribunal's recommendations concerning water quality were included in the Essential Freshwater regulations. However, there were some areas where the final package did not completely align with the Tribunal's recommendations.</p> <ul style="list-style-type: none"> Instead of making Te Mana o te Wai a compulsory value, the concept has been more clearly described and regional councils are required to 'give effect to' it. Instead of introducing national bottom lines for mahinga kai, it was made a compulsory value that is provided for at a regional level (allowing for regional interpretation of the value). Regional councils are required to work collaboratively with and enable tangata whenua to identify attributes, target attribute states and environmental outcomes that are appropriate measures for mahinga kai in their freshwater bodies. Instead of the Tribunal's proposed overall aim, the NPSFM includes an overarching objective to ensure that natural and physical resources are managed in a way that prioritises the hierarchy of obligations of Te Mana o te Wai.

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"> While the regulations require regional councils to work with tangata whenua to investigate and report on the use of mechanisms available under the RMA to involve tangata whenua in freshwater management, they do not require these reports to go to the Parliamentary Commissioner for the Environment or a national co-governance body. <p>The regulations do not include national environmental standards for ecological or cultural flows. However, the single objective of the NPSFM is to ensure that water is managed in a way that applies the hierarchy of obligations contained within the concept of Te Mana o te Wai – wherein the health and well-being of water bodies and freshwater ecosystems is a priority.</p> <p>The regulations were not co-developed with a national Māori co-governance body or commission, although aspects of the regulations (such as Te Mana o te Wai and mahinga kai) were co-developed with KWM. A Freshwater Implementation Group (FIG) comprising representatives from KWM, the regional sector, the primary sector and NGOs was established in August 2020 to oversee the implementation of the new regulations.</p> <p>Freshwater Farm Plans</p> <p>The Government is developing a new freshwater farm plan system. This system has the potential to make a major difference to freshwater health and the restoration of Te Mana o te Wai.</p> <p>The Ministry for the Environment worked closely with iwi technicians, Ngā Kairapu - a Lead Special Interest Group within the Regional Sector, Māori agribusiness specialists, and the Kahui Wai Māori (the Government's Freshwater Māori Advisory Panel) in the preparation of the Freshwater Farm Plan Discussion Document.</p>

Primary Findings and/or Recommendations	Status
	<p>Under the Freshwater National Policy Statement (NPS), Regional Councils will involve tangata whenua in the regional freshwater planning process. In turn, the content of regional plans, such as limits or rules, will need to be reflected in freshwater farm plans. Certifiers of farm plans will be required to understand the significance of freshwater for Māori and to recognise mātauranga-Māori-based mitigations and evidence. Mātauranga Māori is recognised within freshwater farm planning as a credible source of information and evidence. This means that Māori will be able to effectively participate in the implementation of farm plans through familiar means.</p> <p>The Ministry for the Environment hosted workshops with tangata whenua between December 2020 and June 2021 to identify potential challenges and opportunities for Māori within the proposed Freshwater farm plan system.</p> <p>Implementation of Essential Freshwater</p> <p>Projects are now being implemented through the regional sector, MfE, MPI and Te Kāhui Wai Māori. The projects support councils, iwi and Māori, and the primary sector through implementation guidance, tools, and training, to deliver the on the ground change required to meet the freshwater objectives. Factsheets and webinars have been produced to support those using the NPS-FM and NES. A range of more detailed guidance and tools are under development.</p> <p>There is additional work underway in the following areas.</p> <ul style="list-style-type: none"> • Developing and delivering policy guidance for interpreting and applying Te Mana o Te Wai. Workshops for council staff and tangata whenua underway.

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"> • Developing policy guidance and best practice approaches to fulfilling the mana whakahaere (governance) principle in freshwater governance, management and care. • Developing policy and technical guidance for sediment and nutrient technical guidance to set target attribute states and a mahinga kai tool kete. • Interpretation guidance to support the NES including a definition for wetlands. • Guidance for Intensive Winter Grazing. • Guidance for applying the fertiliser cap. • A mapping methodology for wetlands. • A nationally consistent approach to calculate Fish Index of Biotic Integrity (IBI) scores for the NPS-FM. • Support to implement NPS and NES fish passage requirements. <p>Jobs for Nature and other funding</p> <p>The 'Jobs for Nature' programme is a \$1.254 billion programme funded through Budget 2020 (COVID-19 Response and Recovery Fund) which will support healthy waterways.</p> <p>Te Mana o te Wai fund opened in February 2021 and provided \$30 million investment with the purpose to:</p> <ol style="list-style-type: none"> 1 Help Māori to improve the health of freshwater bodies. 2 Create nature-based employment opportunities. 3 Build capacity and capability for Māori to participate in and make decisions for freshwater management, including in the implementation of Essential Freshwater reforms.

Primary Findings and/or Recommendations	Status
	<p>4 The government appropriated a \$30 million Rural Drinking Water Fund to improve rural drinking water supplies, including \$19.5 million targeted.</p> <p>Regulations and support for wastewater discharges and overflows</p> <p>The new NPSFM affirms the requirement on regional councils to maintain or improve water quality. It also introduces new provisions that require councils to meet a higher standard for E. coli contamination at swimming sites and work collaboratively with tangata whenua to identify attributes and bottom lines to give effect to the compulsory value of mahinga kai.</p> <p>MfE commissioned a report that documents the problems facing the wastewater sector in New Zealand, including information on Māori perspectives on, and interests in, wastewater, published by MfE in February 2021. Additional work includes conducting research on industrial and trade waste.</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	Status
<p>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.</p> <p>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.</p> <p>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.</p> <p>The Tribunal made a number of recommendations. The two overarching recommendations were that the New Zealand Public Health and Disability Act and its associated policies and strategies be amended to:</p> <ul style="list-style-type: none"> • 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. <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>	<p>In progress</p> <p>The Treaty of Waitangi and its principles</p> <p>The Government through the Ministry of Health has adopted the Hauora Report principles as applicable to the wider health and disability system. Te Tiriti and the principles provide the framework through which the Ministry of Health will meet its Treaty of Waitangi obligations in its day-to-day work. Meeting our obligations under Te Tiriti is necessary if the Ministry is to realise the overall aim of, He Korowai Oranga (the Māori Health Strategy) – Pae Ora (healthy futures for Māori).</p> <p>Treaty-compliant primary health care framework</p> <p>The Government through the Ministry of Health is committed to review, with a view to redesigning, its current partnership arrangements across all levels of the health and disability sector, including primary health care.</p> <p>Interim recommendations</p> <p>The Ministry of Health has been engaging with the Wai 2575 claimants to establish a good-faith relationship and 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 2020 to progress the two interim recommendations:</p> <p>i.) Māori Health Authority</p> <p>The Crown has committed to establishing a stand-alone Māori Health Authority as set out below. The Crown 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****Health and Disability System Review**

The Health and Disability System Review (HDSR) Report has also focused on these interim recommendations -

An independent Māori Health Authority is being established

In April 2021, the Government outlined its plans and priorities to build a fairer, more equitable health and disability system. A key area for the reform includes the establishment of an independent Māori Health Authority (MHA), to drive improvement in Hauora Māori across the health and disability system.

Although some health gains have been made in the past 20 years, addressing inequitable health outcomes for Māori has remained an ongoing challenge for the health and disability system, particularly where inequities are persistent or worsening. The Government is considering a Ministerial Advisory Group report on a review of the health and disability system indicated. This report recognises that the scale of change required is significant and will need immediate and long-term commitment, and a deliberate focus on how the new system will meet its obligations under Te Tiriti.

The Health Reform Transition Unit in the Department of Prime Minister and Cabinet (DPMC) is tasked with setting up the interim MHA and Health NZ, the crown health entity that will replace the 20 district health boards. The interim bodies of the MHA and Health NZ will establish the new entities under legislation which comes into force in July 2022. A Steering Group chaired by Tā Mason Durie has responsibility for nominations to the interim MHA and will also provide Māori specific advice and guidance across all new entities and structures.

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>Opportunities for the stage one claimants to influence and shape the Health Reform Implementation Programme continues through existing relationships with the Crown – Ministers and officials, and the Crown expects claimants to be key participants in the mahi to bring the independent Māori Health Authority into being.</p> <p>Alignment between Te Tiriti, Whakamaua, the Hauora Report and the Health Reforms</p> <p>Whakamaua: Māori Health Action Plan 2020-2025 (Whakamaua) the Government's 5-year plan to advance Māori health was published in 2020. Whakamaua is grounded in the Ministry's Tiriti framework. It focuses on four high-level outcomes that are underpinned by the articles and principles of Te Tiriti to achieve the vision of Pae Ora (healthy futures for Māori), from the Government's Māori Health Strategy, He Korowai Oranga.</p> <p>A year on from publishing Whakamaua, 41 of the total 46 actions are in train. These initiatives represent early gains that can support momentum for wider system change and future direction.</p> <p>The Ministry of Health is working to ensure better partnership, participation and protection for Māori health across the health and disability system.</p> <p>The alignment between Whakamaua, the Tiriti framework, and the two reports (HDSR and Hauora) is intentional and has emerged as a result of engagement through the kaupapa inquiry process and involvement in the HDSR Reform Implementation programme.</p> <p>For an integrated approach the Māori Health Directorate is working closely with the Māori Team within the Transition Unit to ensure Te Tiriti, Whakamaua and the Hauora Report are embedded across the transformed system.</p> <p>The Crown and claimants have provided a number of progress reports on the implementation of the interim recommendations to the Tribunal.</p>

Wai 898: Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims (2019)

Te Arawhiti | Ministry for Primary Industries

Primary Findings and/or Recommendations	Status
<p>Parts I and II of the pre-publication version of Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims were centrally concerned with the negotiations between the Crown and leaders of Te Rohe Pōtae – especially Ngāti Maniapoto (Maniapoto) – regarding land, land laws, the extension of the North Island Main Trunk Railway into their district, and the respective spheres of Crown and Māori authority within the district. These negotiations, and the agreements that resulted, are known by Te Rohe Pōtae Māori as Te Ōhāki Tapu. This term is derived from Te Kī Tapu (the sacred word), a phrase Maniapoto leaders used to describe the conduct they sought from the Crown.</p> <p>Parts I and II also reviewed numerous other aspects of the Crown's actions in Te Rohe Pōtae before 1905. The Tribunal found the claims covered in parts I and II of the report to be well founded. In summary, the Crown chose not to give practical effect to the Treaty principle of partnership in Te Rohe Pōtae from 1840 to 1900. It failed to recognise or provide for Te Rohe Pōtae Māori tino rangatiratanga before and during the negotiations collectively described as Te Ōhāki Tapu. This failure resulted in multiple breaches of the principles of the Treaty of Waitangi, and Te Rohe Pōtae Māori have suffered significant and long-lasting prejudice as a result.</p> <p>The Tribunal therefore recommended the Crown take immediate steps to act, in conjunction with the mandated settlement group or groups, to put in place means to give effect to their rangatiratanga.</p> <p>The Tribunal said that how this can be achieved will be for the claimants and Crown to decide. However, it recommended that, at a minimum, legislation must be enacted that recognises and affirms the rangatiratanga and the rights of autonomy and self-determination of Te Rohe Pōtae Māori.</p> <p>In the case of Ngāti Maniapoto, or their mandated representatives, the Tribunal recommended that legislation must take into account and give effect to Te Ōhāki Tapu, in a way that imposes an obligation on the Crown and its agencies to give effect to the right to mana whakahaere.</p>	<p>In Progress</p> <p>Ngāti Maniapoto initialled a deed of settlement with the Crown in December 2020.</p> <p>It is proposed that the settlement will partially or fully settle 188 of the claims reported on by the Tribunal. Many of the remainder fall within scope of the Waikato Tainui remaining claims negotiations which are currently underway. Terms of negotiation in relation to these claims were signed between the Crown and Waikato-Tainui in December 2020 and negotiations are ongoing.</p> <p>Fisheries</p> <p>The Ministry for Primary Industries (MPI) has reached agreement with Ngāti Maniapoto on the content of a relationship protocol with the trustees of Te Nehenehenui Trust, the post-settlement governance entity for Ngāti Maniapoto in respect of Te Rohe Pōtae.</p> <p>The protocol recognises the interest of Ngāti Maniapoto in all fisheries resources within the claim area and provides for:</p> <ul style="list-style-type: none"> • Input into and participation into the development of the MPI's national fisheries plans; • The development of a Ngāti Maniapoto iwi fisheries plan; • Participation in regional iwi fisheries forums; • Customary non-commercial fisheries management; • The right of Ngāti Maniapoto to apply rāhui to their fisheries; • Contracting for fisheries or aquaculture services; • Employment of MPI staff with customary non-commercial fisheries responsibilities; and • In respect of fisheries, aquaculture, agriculture, forestry, and biosecurity: <ul style="list-style-type: none"> – Effective information exchange; – Opportunities for the provision of services and research by Ngāti Maniapoto; and consultation on changes to policy and legislation which is led by MPI and which may affect Te Rohe Pōtae.

Wai 898: Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims (2019) (cont.)

Te Arawhiti | Ministry for Primary Industries

Primary Findings and/or Recommendations	Status
<p>In Part III of Te Rohe Pōtae Māori report the Tribunal recommended that during settlement negotiations with Te Rohe Pōtae Māori, the Crown should discuss a possible legislative mechanism (should they wish it) that will enable iwi and hapū to administer their lands, either alongside the Māori Land Court and Te Tumu Paeroa (the Māori Trustee) or as separate entities.</p> <p>The Tribunal released part IV of Te Mana Whatu Ahuru in 2019 which looked at how the rapid alienation of Māori land affected tribal authority and autonomy in the district. Part V, released in 2020, examined the effects of Crown policies and actions on health, education and te reo Māori in Te Rohe Pōtae. In Part IV of the report, the Tribunal found that the Crown failed to sustain Te Rohe Pōtae self-government in a Treaty compliant way. While Te Rohe Pōtae Māori participated in a succession of representative structures and institutions expected to provide them with at least a form of mana whakahaere, these spheres of influence were limited, and many did not prove enduring.</p> <p>The Tribunal found a number of Treaty breaches including:</p> <ul style="list-style-type: none">• The Crown's failure to ensure structures within local government enabled Te Rohe Pōtae to exercise their mana whakahaere and tino rangatiratanga.• The compulsory taking of Māori land for public works development purposes, alienated large tracks of Māori land and Te Rohe Pōtae tribal authority. Without meaningful consultation or meeting tests of last resort, the Crown undertook the largest individual takings for public works in New Zealand history in the inquiry district during the twentieth century.• Crown regulation of the natural environment further diminished Te Rohe Pōtae Māori tribal authority over many taonga and sites of significance, and Crown regulation and mismanagement of the natural environment likely resulted in significant damage to many of these important sites.	

Wai 898: Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims (2019) (cont.)

Te Arawhiti | Ministry for Primary Industries

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>In Part V of the report, the Tribunal found that breaches of the Treaty of Waitangi have led to long-term and ongoing poor health and wellbeing outcomes for many Māori in Te Rohe Pōtae.</p> <p>The Tribunal found that Crown policies relating to land contributed to the erosion of the economic and resource base that could otherwise have been drawn upon to provide for Te Rohe Pōtae Māori experiencing hardship. As a result, Māori were disadvantaged within the local economy, earned less than other population groups, had worse health and lower quality housing, migrated away from the district out of necessity, had an often-fragile hold on employment, and for many years were unable to exert social autonomy over the health and well-being of their communities, including on matters such as alcohol use and regulation.</p> <p>In the areas of education and te reo Māori the Tribunal found that the declining use of te reo Māori in the district throughout much of the twentieth century was clearly linked to the large-scale alienation of Te Rohe Pōtae land and the associated erosion of Māori mana whakahaere, customary ways of life and social organisation, as well as the spread of state-administered native and board schooling throughout the district.</p> <p>Part VI – Take a Takiwā was released in 2021 and is an inventory of all the claims in this district inquiry and of the Tribunal's claim specific findings.</p>	

Wai 2200: The Kārewarewa Urupā Report (2020)

Ministry of Culture and Heritage

Primary Findings and/or Recommendations

In the Kārewarewa Urupā Report, the tribunal found that treaty principles were systematically 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 (gravesites), 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.
- These should regard the relationship of Māori with their culture and traditions with their wāhi tapu.

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 Manatū Taonga.

Pouhere Taonga are developing operational policy for archaeological sites of interest to Māori, which will encompass the issues raised by the Tribunal.

Manatū Taonga will explore possible legislative options to address any remaining issues once this policy is in place.

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 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 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

In June 2020, the Electoral (Registration of Sentenced Prisoners) Amendment Act was enacted. This enables people who are serving prison sentences of less than three years to enrol and vote.

The Bill required the Department of Corrections (Corrections) to establish a process to engage with people in prison for the 2020 Election.

Corrections has established that process. During 2020 it asked prisoners if they want to enrol and, if so, collected their information and provided the completed Electoral Commission application forms to the Electoral Commission. For people sentenced to more than three years, this was offered prior to their release, when they became eligible to vote. People sentenced to less than three years were eligible to vote while in prison. Available data suggests that approximately 4,800 people in prison (including 3,150 on remand) were eligible to vote in October 2020.

Forms were made freely available to people in a number of ways, including on reception, through staff and in units.

Supporting people to enrol aligns with our strategic direction in Hōkai Rangi and Corrections' aim of assisting the people in its management to participate more fully in society.

In the approach to the election, people in prison had access to party political manifestos and policy materials, as well as eligibility and registration information.

Each prison site worked collaboratively with local election officers to ensure voting services for people in prison 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

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.

The Tribunal found that aspects of the procedural and resourcing regime did fall short of Treaty compliance. Among other things, the regime failed to:

- 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.
- 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.
- Provide adequate policies to ensure that the High Court pathway and the Crown engagement pathway operate cohesively.
- Actively and practically support efforts to resolve overlapping interests in the marine and coastal area
- Cover 100 per cent of all reasonable costs that claimants incur in pursuing applications under the Act.
- Manage real or perceived conflicts of interest in the administration of funding.
- Provide sufficiently independent, accessible, and transparent mechanisms for the internal reviewing of funding decisions.
- Enable timely access to funding for applicants in the Crown engagement pathway
- Fund judicial review for Crown engagement applicants and Māori third parties.

Status

In Progress

In response to the Stage 1 report, Te Arawhiti has taken steps to ensure the procedural arrangements supporting the Takutai Moana Act 2011 are fairer, clearer, more cohesive, and consistent with the Crown's obligations as a Treaty partner.

Engagement, cohesion between pathways, overlapping interests, and information for applicants.

During 2020, Te Arawhiti consulted Takutai Moana applicants on a draft Crown engagement strategy. Feedback from applicants resulted in changes. The Takutai Moana Engagement Strategy (the strategy) aims to address those issues of Crown procedure that the Tribunal found fell short of Treaty compliance. The Minister for Treaty of Waitangi Negotiations announced the Crown's new approach to engaging with and supporting applicants to progress their applications on 12 June 2021.

Under the strategy all Crown engagement applicants will have the opportunity to work with the Crown to progress their applications. For those Crown engagement applicants who may prefer their applications to be decided in the High Court (provided they have filed an application in that pathway), support from Te Arawhiti will be available for them to work with other groups to resolve overlapping interests prior to a High Court hearing. This will help ensure that the High Court and Crown Engagement pathways operate more cohesively.

Applicant funding

The Takutai Moana Financial Assistance Scheme was comprehensively reviewed in 2020-21 and Te Arawhiti will be seeking decisions from Ministers on changes to the scheme as a result of the review. The scheme included consultation with applicants, and their legal counsel, an independent review of the scheme's administration and consideration of applicants' views given during High Court case management conferences and substantive hearings.

Te Arawhiti

Primary Findings and/or Recommendations

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.

Status

Te Arawhiti has also made improvements to the scheme while the review has been underway, including improving administrative processes and information for applicants on accessing and using the scheme. Additional funding has been provided to groups participating in High Court hearings.

Cultural competency for registry staff

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. This includes dedicated training for Court staff.

Wai 2858: The Maniapoto Mandate Inquiry Report (2019)

Te Arawhiti

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">• 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.• The Crown disregard its qualification in the claimant definition that Ngāti Apakura claims are recognised only insofar as they are based on Ngāti Maniapoto whakapapa (genealogy) and instead endeavour to settle all outstanding non-Waikato-Tainui raupatu (land confiscation) and non-raupatu Ngāti Apakura claims in this settlement.• The Crown give serious consideration to the possibility of Te Ihingārangi combining in any prospective post-settlement governance entity with Ngāti Rereahu.• 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.• The Crown clarify point 3 of the removal or amendment of mandate.• Process, particularly the wording of '[a] quorum of 350 Maniapoto members'.	<p>In Progress</p> <p>Ngāti Maniapoto initialled a deed of settlement in December 2020.</p> <p>The particular aspects of Ngāti Paretāpoto, Ngāti Paia, Ngāti Paretekawa and Ngāti Apakura's identities have been recognised in the text of 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. Ngāti Apakura have agreed to be included in the Maniapoto settlement as huanga (relatives) and the deed of settlement has been amended to accommodate this.</p> <p>The proposed post-settlement governance entity in the Maniapoto settlement provides for regional representation including for Ngāti Rereahu and Te Ihingārangi.</p>

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

Te Arawhiti

Primary Findings and/or Recommendations

Status

- The Crown communicate to all parties to the Maniapoto Māori Trust Board's mandate, the nature of the funding available to them should they wish to proceed with the removal or amendment of the mandate process.
- The Crown prioritise its Treaty relationship with Ngāti Maniapoto by having an active regard to its duty of whanaungatanga.

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 Rangī, Ngāti Ranginui, and Ngātiwai. It found the Crown had breached its Treaty obligations to the iwi in several ways and criticised the policies and processes guiding the Crown's actions.</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>In Progress</p> <p>Te Arawhiti has seen good progress made between Hauraki iwi and Ngātiwai and overlapping interests between Ngātiwai and Ngāti Paoa have been resolved between them. Engagement between Ngātiwai and other Hauraki iwi is ongoing.</p> <p>Progress between Pare Hauraki and Tauranga Moana iwi has been more limited. In 2020, the Minister appointed a facilitator skilled in tikanga Māori to support engagement, but this did not lead to progress. Since then, two kaumatua (elders) hui have been held between Pare Hauraki and Tauranga Moana iwi.</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.</p> <p>Government Strategy in Response to the Sea Change Plan</p> <p>The information MPI received during targeted engagement with iwi of the Hauraki Gulf on qualities for an effective governance entity has been captured in the Strategy. Feedback on an effective governance structure suggested it should be transparent and avoid overlap, be agile, have a legal mandate, have effective internal management, represent all interests, and look to develop effective public-private partnerships.</p> <p>This feedback will be further considered within the context of a future review of governance arrangements in the Hauraki Gulf.</p> <p>Fisheries New Zealand (FNZ) and the Department of Conservation (DOC) have met with the Ngātiwai Trust Board to hear their concerns about the iwi engagement process.</p> <p>DOC and MPI/FNZ recognise that follow-up communication on how engagement feedback shaped proposals would have improved the process. This will apply to the engagement programme planned for the implementation of the Strategy.</p>

Wai 2573: The Mana Ahuriri Mandate Report (2019)

Te Arawhiti

Primary Findings and/or Recommendations

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.

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.

The Tribunal also recommended:

- The Crown should pay the election costs and arrange independent oversight of election information.
- 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).

Status

In progress

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. The trustee elections were in mid-2021.

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.
- Land purchases by the Government.
- Impacts in terms of land tenure reform and disempowerment.

Status

Partially Settled

Settlements of the historical Treaty claims of four Muriwhenua iwi have been completed: Ngāti Kuri, Ngāi Takoto, Te Aupōuri and Te Rarawa.

Ongoing

Ngāti Kahu has decided to pursue its remedies through the Waitangi Tribunal rather than through a negotiated settlement with the Crown.

The Tribunal's Muriwhenua Land panel has resolved to hear all unsettled historical claims in Muriwhenua before considering remedies for any Ngāti Kahu, Ngāpuhi and Whangaroa claimants with remaining well-founded claims. The Renewed Muriwhenua inquiry panel is currently in the research preparation stage of its inquiry.

Wai 143: The Taranaki Report: Kaupapa Tuatahi (1996)	
Te Arawhiti	
Primary Findings and/or Recommendations	Status
<p>The Taranaki Report - Kaupapa Tuatahi dealt with 21 claims relating to issues including the Crown's purchase of land in Taranaki, the Taranaki land wars, the confiscation of 1.2 million acres of land under the New Zealand Settlements Act 1863, the Crown's invasion, and destruction of Parihaka in 1881, and the placement of reserves under the administration of the Public Trustee. The Tribunal described the history of Crown actions in Taranaki as "the antithesis to that envisaged by the Treaty of Waitangi" and found that the Taranaki claims could be the largest in the country. The Tribunal 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.</p>	<p>Partially Settled</p> <p>Settlement legislation passed for:</p> <ul style="list-style-type: none"> • Ngāti Ruanui (May 2003). • Ngāti Tama (November 2003). • Ngāa Rauru Kītahi (June 2005). • Ngāti Mutunga (November 2006). • Te Atiawa (Taranaki) (November 2016). • Ngāruahine (November 2016). • Taranaki Iwi (November 2016). <p>Ngāti Maru (Taranaki) signed a Deed of Settlement with the Crown on 27 February 2021. The Ngāti Maru (Taranaki) Claims Settlement Bill was introduced to the House of Representatives on 19 May and passed its First Reading on 6 July. The Bill has been referred to the Māori Affairs Committee for consideration.</p> <p>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.</p>

Wai 145: Te Whanganui a Tara me ōna Takiwā Report on the Wellington District (2003)

Te Arawhiti

Primary Findings and/or Recommendations

The Tribunal's main finding was that the Crown seriously breached the Treaty in the Port Nicholson block causing prejudice to Te Atiawa, Ngāti Toa, Ngāti Tama, Ngāti Rangatahi, Taranaki and Ngāti Ruanui.

The Tribunal recommended that, given the relative complexities of the issues and the interrelationships of these groups affected by a number of Treaty breaches, the parties should clarify matters of representation and enter negotiations with the Crown.

Status

Partially Settled

Settlement legislation enacted for:

- Taranaki Whānui ki Te Upoko o Te Ika (July 2009).
- Ngāti Toa Rangatira (April 2014).

As part of the settlement, the Crown agreed that should Ngāti Tama (Wellington) achieve a Crown-recognised mandate, the Crown will negotiate with those members of Ngāti Tama (Wellington) who consider that their historical claims are not represented by the Port Nicholson Block Settlement Trust. Ngāti Tama Mandate Limited achieved a Crown recognised mandate in September 2013

Settlement negotiations are currently on hold because of a gap between the Crown's settlement offer and the aspirations of the iwi.

Wai 201: The Mohaka ki Ahuriri Report (2004)	
Te Arawhiti Ministry for Primary Industries	
Primary Findings and/or Recommendations	Status
<p>The Tribunal identified serious breaches of the Treaty and recommended that the Crown and claimants should negotiate for the settlement of these claims accordingly.</p> <p>With respect to Ngāti Pāhauwera, the Tribunal recommended that the Crown take steps to negotiate a settlement of the Mōhaka River Claim. The Tribunal also recommended that in consultation with Ngāti Pāhauwera, the Crown continue to explore policy initiatives on how to turn the patchwork of small, multiply held fragments of land, such as those remnant holdings of Ngāti Pāhauwera, into a useable land base.</p>	<p>Settled</p> <p>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.</p> <p>The MPI Māori Agribusiness Directorate has been engaging with Ngāti Pāhauwera since December 2019 to formalise an extension cluster for land blocks in which they have interests under the Māori Agribusiness Extension Programme. The cluster, now comprising five land blocks, met for the first time in April 2021. The cluster is anticipated to be formalised before the end of the year.</p> <p>MPI approved \$448,000 through the Sustainable Land Management and Climate Change – Adaptation fund in February 2021 for AgResearch to partner with Ngāti Pāhauwera Development Trust to explore aspirations for fragmented land and next steps for implementing new primary sector enterprise options under climate change. The funding covers research, engagement, and capability building and will engage landowners across the Ngāti Pāhauwera rohe, including the Mohaka-Raupunga, Kotemaori, Waihua, Putorino and Putere communities.</p> <p>MPI approved an initiative led by Ngāti Pāhauwera Development Trust to investigate deploying a wide area network in remote areas of Hawke's Bay to enable farmers to use phones and other devices to remotely access farm environment data. Increased data access will help the four participating blocks to explore options to diversify into higher value uses.</p>

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

Settled

Settlement legislation enacted for Ngāti Hinerangi in April 2021.

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 Kōkiri | Ministry for Culture and Heritage | Ministry of Health | Ministry of Education
Ministry of Business, Innovation and Employment | Department of Internal Affairs

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>In summary the Tribunal recommended:</p> <ul style="list-style-type: none"> • Establishment of new partnership bodies in education, conservation, and culture and heritage. • A new commission to protect Māori cultural works against derogatory or offensive uses and unauthorised commercial uses; a new funding agent for mātauranga Māori in science. • Expanded roles for some existing bodies including Te Taura Whiri (the Māori Language Commission), the newly established national rongoā body Te Paepae Matua mō te Rongoā. • Māori advisory bodies relating to patents and environmental protection. • Improved support for rongoā Māori (Māori traditional healing), te reo Māori (language), and other aspects of Māori culture and Māori traditional knowledge. • Amendments to laws covering Māori language, resource management, wildlife, conservation, cultural artifacts, environmental protection, patents and plant varieties. <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 2020/21 year.</p> <p>The Tribunal's recommendations relating to Plant Variety Rights included legislative amendment to the Plant Variety Right Act to provide for:</p> <ul style="list-style-type: none"> • The commissioner to have more control over plant variety names. • the clarification that discovered varieties do not qualify for a plant variety right. 	<p>In Progress</p> <p>In April 2019 Cabinet invited the Minister for Māori Development to create a whole of government strategy to address Wai 262 issues. Te Puni Kōkiri (TPK) has since led out a significant amount of work under the banner of Te Pae Tawhiti. TPK is working closely with the claimant representative rūpū, Te Taumata Whakapūmau to inform the Māori led engagement strategy and to uphold the Mauri and the integrity of the claim and its original claimants.</p> <p>TPK has been carrying out cross-agency engagement to refocus the mahi and identify specific workstreams that address issues raised in the Waitangi Tribunal's Wai 262 report, Ko Aotearoa Tēnei.</p> <p><i>Whakamaui: Māori Health Action Plan 2020-2025</i> outlines the action "Strengthen evidence and expand access to rongoā Māori services in parallel with developing the rongoā Māori workforce".</p> <p>This year, the Ministry of Health contracted 30 rongoā Māori service providers. This is an increase of 10 new contracts to previous years.</p> <p>The Ministry commissioned the review of its 20 rongoā Māori providers in the year 2020/21. This review is in its final stages of development and is intended to inform future work for the Ministry with the rongoā Māori sector.</p> <p>The Ministry is currently co-developing a relational agreement with Te Kāhui Tāwharautanga o Ngā Rongoā, the national rongoā practitioner collective, to support the development and progression of the rongoā Māori sector.</p> <p>In July 2020, the Ministry of Education published the updated and refreshed Tau Mai Te Reo - the Māori language in education strategy to ensure there is a connected and cohesive approach to education sector contributions to support and strengthen the Māori language.</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 Kōkiri | Ministry for Culture and Heritage | Ministry of Health | Ministry of Education
Ministry of Business, Innovation and Employment | Department of Internal Affairs

Primary Findings and/or Recommendations	Status
<ul style="list-style-type: none"> A power to refuse a plant variety right on the ground it would affect kaitiaki relationships with taonga species. The commissioner to be supported by a Māori advisory committee. <p>Note that further details on Plant Variety Rights can be found under Wai 2522.</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>The Tribunal's recommendations relevant to rongoā Māori included:</p> <ul style="list-style-type: none"> 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. <p>The Tribunal's recommendations for the Ministry of Education (MOE) include establishing a Crown Māori partnership entity in the education sector, and developing specific indicators for mātauranga Māori (language, culture and knowledge).</p> <p>In respect of the Protected Objects Act, the Tribunal recommended that:</p> <ul style="list-style-type: none"> Prima facie Crown ownership of newly discovered protected objects remain in place as a matter of practicality, but be statutorily renamed 'interim Crown trusteeship'. 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. 	<p>In July 2020, the Ministry of Education published the updated and refreshed Tau Mai Te Reo - the Māori language in education strategy to ensure there is a connected and cohesive approach to education sector contributions to support and strengthen the Māori language.</p> <p>Tau Mai Te Reo Education Strategy</p> <p>Tau Mai Te Reo is Māori language in education strategy for all learners. It sets out the goals the education sector is seeking to achieve and provides a framework for coordinating programmes and services that support Māori language in Māori medium and English medium education. Tau Mai Te Reo is part of the education sector's contribution to the Maihi Karauna, the whole-of-government Māori Language Strategy.</p> <p>Tau Mai Te Reo is a cross-agency strategy for the education sector.</p> <p>The agencies include Ministry of Education; Te Aho o Te Kura Pounamu; Education New Zealand; Education Review Office; New Zealand Qualifications Authority; the Teaching Council Aotearoa New Zealand; Tertiary Education Commission; New Zealand School Trustees Association; and Education New Zealand. The education sector includes all early learning, schooling, and tertiary education provision.</p> <p>Tau Mai Te Reo 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, to protect and promote the Māori language for future generations. The actions associated set out the education agencies' contribution to the Maihi Karauna.</p> <p>The three outcome domains of Tau Mai Te Reo are:</p> <p>Mihi Mai – Our education services will support learners to value, acquire and use Māori language words, phrases, and other forms (for example, waiata and haka) that are used on a regular basis in New Zealand society.</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 | Department of Internal Affairs

Primary Findings and/or Recommendations	Status
<ul style="list-style-type: none"> 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. Te Papa Tongarewa develop best-practice guidelines for private collectors of taonga who are willing to involve kaitiaki in their care of the objects they own. 	<p>Kōrero Mai – Our education services will provide Māori language to support learners to develop the ability and confidence to talk about a range of things in the Māori language.</p> <p>Tau Mai – Our education services will ensure learners can access Māori Medium education services to develop high levels of Māori language proficiency and use.</p> <p>Tau Mai Te Reo and Ka Hikitia – Ka Hāpaitia, also refreshed in July 2020, are companion strategies and should be read in conjunction with each other. Tau Mai Te Reo is a strategy for all learners, while Ka Hikitia is a strategy for all Māori learners. Ka Hikitia outlines the systemic shifts needed in education for Māori to enjoy and achieve educational success as Māori.</p> <p>Mātauranga Māori and The New Zealand Curriculum Refresh</p> <p>In February 2021, Associate Ministers of Education Jan Tinetti and Kelvin Davis announced a refresh of the Te Marautanga o Aotearoa and The New Zealand Curriculum. In March 2021 a Rōpū Kaitiaki was established as part of a working group with a focus on mātauranga Māori development in the New Zealand Curriculum and making mātauranga-a-iwi, a-hapū and a-whānau strong in the local curriculum. The Rōpū has provided guidance on the weaving of mātauranga Māori grounded in te ao Māori and te reo Māori me ōna tikanga throughout all areas of the curriculum.</p> <p>Aotearoa New Zealand's Histories – Local Māori Critical Histories</p> <p>The Ministry of Education is updating the national curriculum to ensure that all ākonga (students) leave kura or school with an understanding of our history and how it has shaped our nation. The Aotearoa New Zealand's histories team seeks local Māori critical histories from local Māori, hapū and iwi through funding support for iwi to identify their local critical histories for teaching and learning in Aotearoa New Zealand. This process ensures that Mātauranga-a-iwi is delivered by Māori.</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 Kōkiri | Ministry for Culture and Heritage | Ministry of Health | Ministry of Education
Ministry of Business, Innovation and Employment | Department of Internal Affairs

Primary Findings and/or Recommendations	Status
	<p>Te Kawa Matakura</p> <p>Te Kawa Matakura, co-designed with mātanga Māori to provide development opportunities to rangatahi Māori who demonstrate a passion for tribal knowledge and participate in succession planning for their iwi and te ao Māori, is based on traditional education models, engages rangatahi with mātauranga ā iwi/hapū and marae, and exemplifies mātauranga ā-iwi. It is intended to grow leadership capability and maintain iwi-centric mātauranga and aims to give voice to the aspirations and hopes of whānau, hapū, marae and iwi.</p> <p>Te Kawa Matakura is being piloted in Te Tai Tokerau and the pilot learning programme has been designed and delivered by iwi.</p> <p>Te Aho Ngārahu</p> <p>Te Aho Ngārahu was established to improve access to quality te reo Māori localised curriculum resources to support ākonga, kaiako and Kāhui Ako learning in and through te reo Māori in both te reo Māori and English language learning pathways.</p> <p>Story ideas are sought from whānau, hapū and iwi. Selected stories and their respective whānau, hapū and iwi storytellers then work with te reo Māori curriculum resource developers to co-develop the stories into te reo Māori education resources.</p> <p>The intended outcomes of Te Aho Ngārahu include increased availability and use of localised te reo Māori resources, increased availability and use of curriculum resources to support the teaching and learning of Aotearoa New Zealand histories, and wider public appreciation, increased awareness, and deeper understanding of te reo Māori and local histories.</p> <p>Taonga and Mātauranga</p> <p>A wide range of Arts, Culture and Heritage initiatives support Māori to protect, retain, record and revitalise their taonga and mātauranga. Te Puni Kōkiri is coordinating with the Ministry of Culture and Heritage (MCH) as it develops the whole of government approach to Te Pae Tawhiti: Wai 262.</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 | Department of Internal Affairs

Primary Findings and/or Recommendations	Status
	<p>Newly found taonga tūturu</p> <p>MCH has ongoing direct relationships with iwi around the country regarding newly found taonga tūturu (original artifacts) and the export of taonga tūturu. MCH organised care for 21 newly found taonga tūturu during 2020/21 and submitted two applications to the Māori Land Court to have ownership of taonga tūturu vested in traditional owners.</p> <p>MCH has continued to develop its operating models for the care and conservation of newly found taonga tūturu. Over the year MCH transitioned away from a sole supplier of conservation services at the University of Auckland and established a panel of conservation suppliers based throughout the country. This new model aims to create a stronger network of specialist conservation suppliers for the future, ensure a greater level of iwi-Māori engagement and input when establishing and delivering projects, and to provide more opportunities for training and skills development in the longer term. This model provides flexibility to better support conservation projects near to where taonga tūturu are found, including on marae or in the same rohe, and to meet the needs and preferences of iwi and hapū.</p> <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>

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 | Department of Internal Affairs

Primary Findings and/or Recommendations	Status
	<p>Plant Variety Rights Bill</p> <p>The Plant Variety Rights (PVR) Bill is currently before Parliament. This is intended to replace the existing Plant Variety Rights Act 1987 (PVR Act).</p> <p>The Bill includes provisions intended to provide for the Crown's Treaty obligations, including the establishment of a Māori Plant Varieties Committee to assess the effect that a PVR may have on kaitiaki relationships and make a determination on whether an application should proceed.</p> <p>The Waitangi Tribunal in its Stage 2 report on Wai 2522 welcomed Cabinet's decision on the PVR Bill to not only implement the relevant findings and recommendations of the Tribunal's 2011 Ko Aotearoa Tēnei (Wai 262) report but go further by providing additional measures to recognise and protect the interests of kaitiaki (guardians) in taonga species and in non-indigenous species of significance.</p>

Wai 789: Wairarapa ki Tararua Report (2000)	
Land Information New Zealand	
Ministry for Primary Industries	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>Ongoing</p> <p>The Crown is seeking to return the former Mōkai School Site. The matter is before the Māori Land Court, which has yet to confirm an order vesting the land in the proposed transferee, the Ruku Te Kauki Te Waharahi and Mereaina Waiaapaopao Te Kauki Te Waharahi Ahu Whenua Trust.</p>

Wai 863: Wairarapa ki Tararua Report (2010)

Te Arawhiti | Ministry for Primary Industries

Primary Findings and/or Recommendations	Status
<p>The Tribunal recommended that:</p> <ul style="list-style-type: none">• 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.• The bed of the Wairarapa Moana be returned.• Te Reo Māori be better supported in the area.• 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.	<p>Partially Settled</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 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	
Primary Findings and/or Recommendations	Status
	<p>The Tribunal's Preliminary Determinations were judicially reviewed in the High Court. The High Court issued its judgment on 31 March 2021. Parties have appealed the High Court decision. The Court of Appeal is likely to hear the appeal in 2022.</p> <p>Fisheries</p> <p>All Wairarapa and Tararua hapū are now managing their customary fishing activities under regulations which provide for the hapū to autonomously manage their customary fishing rights.</p> <p>To enable the hapū to be actively involved in fisheries management processes which may affect their rights and interests, the hapū and the Ministry for Primary Industries (MPI) have jointly established a regional iwi fisheries 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.</p> <p>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.</p> <p>Resource Management Act 1991 Review</p> <p>The exposure draft of the Natural and Built Environments Bill includes a clause stating that “all persons exercising powers and performing functions and duties under this Act must give effect to the principles of te Tiriti o Waitangi”. This is consistent with the recommendation that the Resource Management Act 1991 be amended to provide Māori the level of input that recognises their status as a Treaty partner.</p>

Wai 903: He Whiritaunoka: Whanganui Land Report (2015)

Te Arawhiti

Primary Findings and/or Recommendations

The He Whiritaunoka: Whanganui Land Report identified a large number of Treaty breaches by the Crown, relating to issues including the Crown's military conduct between 1846 and 1848, its purchase of the Whanganui Block in 1848 and the Waimarino Block in 1887, the operation of the native land laws, the acquisition of Whanganui lands for scenic reserves, and the development of native townships. The Tribunal described the serious economic, social, and cultural damage that these breaches caused the iwi of Whanganui and recommended that the Crown take this serious prejudice into account when it negotiated Treaty settlements.

Status

Partially Settled

- Ngāti Rangi Trust signed a deed of settlement in August 2018, and the Ngāti Rangi Claims Settlement Act was enacted in August 2019.
- Uenuku Charitable Trust, representing Whanganui Central (Te Korowai o Wainuiārua) (February 2017) signed an agreement in principle in November 2018 and are now working towards initialling a deed of settlement.
- Ngāti Hauā Iwi Trust representing Ngāti Hauā in the northern Whanganui region (July 2017) are currently working towards signing an agreement in principle.
- Whanganui Land Settlement Negotiation Trust representing Whanganui South signed an agreement in principle in August 2019 and are now working towards initialling a deed of settlement.

Wai 953: Ahu Moana: The Aquaculture and Marine Farming Report (2002)	
Ministry for Primary Industries whiti	
Primary Findings and/or Recommendations	Status
<p>The Tribunal recommended that:</p> <ul style="list-style-type: none"> • 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. • 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. 	<p>Partially Settled</p> <p>The Ministry for Primary Industries has concluded the delivery of the Crown's pre-commencement space obligations under the Māori Commercial Aquaculture Claims Settlement Act 2004 (the Act).</p> <ul style="list-style-type: none"> • 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. • MPI has settled all except Southland, Bay of Plenty and Waikato West. • A final regional agreement for Southland should be concluded by the end of the calendar year. The Crown is working very closely with Iwi and research providers to identify potential new space and viable new aquaculture opportunities for the region. • MPI has worked closely with Bay of Plenty Iwi and research providers to identify opportunities for aquaculture in the Bay of Plenty region, including the development of opportunities assessments (stocktake of current research including species and technology) and an analysis of preferred options with the highest potential for aquaculture. Bay of Plenty Iwi will explore the development of a business case based on the analysis of options with highest potential for aquaculture in 2021/22. • MPI has undertaken 15 engagement hui with Iwi to discuss open ocean aquaculture with follow-up engagement expected in the first half of the 2021/22 year.

Wai 1130: Te Kāhui Maunga: The National Park District (2012)

Te Arawhiti

Primary Findings and/or Recommendations

The Tribunal noted that the Treaty principles of dealing fairly and with utmost good faith have been breached, that substantial restitution is due, and that the quantum should be settled by prompt negotiation.

The Tribunal recommended that the Crown undertake further research on the Ōkahukura 8M2 acquisition to ascertain whether compensation was ever paid to the owners.

The Tribunal recommended an expression of recognition and respect for the spiritual regard that the claimants express for Tongariro as a special maunga (mountain), in the form of joint management of the Tongariro National Park by the Crown and the former owners. It should be taken out of DOC control and managed jointly by a statutory authority of both Crown and Ngā Iwi o Te Kāhui Maunga representation. Title should also be held jointly between these two groups, in a new form of 'Treaty of Waitangi title'.

The land used for quarrying and metal extraction should not only be returned but be made clear and safe: returned in a usable condition at no cost to the former owners or their successors. The Tribunal further recommended that there be compensation for the damage and destruction caused to the land and ancestral remains.

Finally, the Tribunal recommended that waterways of Te Kāhui Maunga, including Lake Rotoaira, should be monitored, and the Crown should fund this research.

Status

In Progress

The Crown made the offer to enter collective negotiations over Tongariro National Park with all iwi with interests in Tongariro National Park.

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

Partially Settled

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 Pumautanga o Te Arawa (2008).
- Ngāti Whare (2009).
- Ngāti Manawa (2009).
- Maraeroa Blocks (Rereahu) (2011).
- Waitaha (2011).
- Ngāti Mākino (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 Rangitihi; and
- Ngāti Maniapoto (Maniapoto).

Ngāti Rangitihi signed a Deed of Settlement with the Crown in December 2020 and settlement legislation was introduced to the House of Representatives in March 2021.

Wai 1353: The Te Arawa Settlement Process Reports (2007)

Te Arawhiti

Primary Findings and/or Recommendations

The Tribunal has convened three inquiries into this settlement, with the first two examining mandate issues while negotiations were in progress.

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.

The Tribunal recommended that:

- 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.
- A number of non-exclusive redress items apply to groups outside the affiliate Te Arawa iwi/hapū.
- The Crown use a process to re-engage with non-affiliate groups to discuss redress sites.
- The Crown commence negotiations with Ngāti Makino.
- The Crown facilitate mandating hui with identified groups outside of the affiliate Te Arawa iwi/hapū mandate.

Status

Partially Settled

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 Rangitihi signed a Deed of Settlement with the Crown in December 2020 and settlement legislation was introduced to the House of Representatives in March 2021.

Wai 2336: Matua Rautia: The Report on the Kōhanga Reo Claim (2013)

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

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

As part of Budget 2021, the Crown set aside funding to support improved pay for kōhanga staff, at the same time that funding of additional pay was allocated for teachers in education and care services. This recognises the equitable funding principle referenced in the Tribunal's report.

Use of funding provided in Budget 2020 and earmarked for the Trust and property matters was agreed via a new Funding Agreement and is now being applied to further kōhanga reo goals.

Wai 2336: Matua Rautia: The Report on the Kōhanga Reo Claim (2013) (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, through TPK, the Ministry of Education, and the Trust, must inform Māori whānau of the relative benefits for mokopuna in attending kōhanga reo for te reo Māori and education outcomes.</p> <p>Finally, the Tribunal recommended that the Crown formally acknowledge and apologise to the Trust and kōhanga reo for the failure of its ECE policies to sufficiently provide for kōhanga reo. The Crown should also agree to meet the reasonable legal expenses of the Trust in bringing this claim.</p>	

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	Status
<p>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 Kiingitanga.</p> <p>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 (NZMC) and the institutions and kaupapa it is responsible for.</p> <p>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.</p> <p>The Tribunal found that all reasonable costs flowing from the review and consultation process should be met by the Crown. The Crown should commit, through legislative amendment, to reasonable funding to give effective to the resulting strategic direction and to maintain the structure of the representative national body that is determined through the consultation process.</p> <p>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.</p> <p>The Tribunal also recommended that the Crown enter 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.</p>	<p>In Progress</p> <p>A plan has been in place to move Māori Wardens toward autonomy and self-management since their national conference at Tūrangawaewae marae in 2019.</p> <p>The Covid pandemic did slow progress over the last 12 months, but forward momentum has been made.</p> <p>The Māori Warden Project has worked closely with NZ Māori Council representatives (Tukaki & Mason) with significant progress being made.</p> <p>A Working Group made up of Māori Wardens, NZMC, Police and Te Puni Kōkiri recommended substantial changes to the structure, national spread and regional make up of Māori Wardens nationally. As a result, the Māori Warden Project have 'shifted' focus and are in the process of contracting with six Māori Warden regional bodies to manage project funding and resources for the current financial year.</p> <p>Once the contract negotiations are complete the Project will begin discussions with Māori Wardens and the Māori Council to form a national entity. This body will represent at a national level their six regions and all their members.</p> <p>Discussions will continue in relation to the Māori Community Development Act and how or if Māori Wardens will remain under this legislation or continue kōrero (discussion) for a new piece of legislation specifically for the Māori Warden movement.</p>

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"> • That Ngāpuhi hapū had been able to discuss and confirm whether they wanted the Tūhoronuku IMA to represent them in negotiations. • That Ngāpuhi hapū who did want to be represented this way had been able to confirm (or otherwise) their hapū kaikōrero (speaker) and hapū representatives on the board. • That Ngāpuhi hapū had been able to discuss and confirm whether there was appropriate hapū representation on the board. • That there was a workable withdrawal mechanism. <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>In Progress</p> <p>In December 2019, the Crown discontinued its recognition of the Tūhoronuku Independent Mandated Authority (TIMA) mandate and invited proposals from Ngāpuhi hapū groupings to negotiate the settlement of their historical Treaty claims.</p> <p>Ngā hapū o Ngāpuhi have been forming hapū groupings and developing mandate proposals. In December 2020, the Minister for Treaty of Waitangi Negotiations confirmed Te Whakaaetanga Alliance as the first hapū grouping, and they are now developing their mandate strategy.</p> <p>The intention is for mandated hapū groupings to negotiate both hapū specific redress and collective redress. It is anticipated that some shared redress (including financial, commercial, social, environmental and te reo Māori) will need to be discussed and/or negotiated collectively across hapū groupings.</p> <p>The Crown has also established Tupu Tonu – Ngāpuhi Investment Fund Limited to acquire and grow a portfolio of commercial assets that can be offered to ngā hapū o Ngāpuhi in negotiations.</p>

Wai 2522: Report on the Trans-Pacific Partnership Agreement (2016, 2020)

Ministry of Foreign Affairs and Trade | Ministry of Business, Innovation and Employment | Ministry for Primary Industries

Primary Findings and/or Recommendations

Following its 2016 report on stage one of this inquiry (which concerned the Treaty exception clause in the Trans-Pacific Partnership (TPP)), the Tribunal set down four issues for stages two and three of the inquiry. The first and second issues, which concerned Crown engagement with Māori during the negotiation of the TPP and the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), were settled in a mediation between the Crown and claimants in October 2020. The Tribunal conducted a hearing on the fourth issue, which concerned claims regarding the e-commerce chapter of the CPTPP, in November 2020 and is currently writing its report.

The Tribunal held a hearing on the third issue in November 2019 (for stage two of the inquiry). The third issue 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.

In its report released in May 2020, the Tribunal found that both the Crown's engagement with Māori during the Plant Variety Rights Act review was conducted in good faith and was 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.

The Tribunal concluded the Crown's actions were consistent with its Tiriti obligations and therefore made no recommendations.

Status

Partially Settled

Although the Tribunal did not make any recommendations to the Crown in its report on the Crown's review of the plant variety rights regime, the review of the Plant Variety Rights Act 1987 that commenced in 2017 is relevant and ongoing in light of the Wai 262 Tribunal's recommendations on plant variety rights. The review is led by the Ministry of Business, Innovation and Employment with assistance from the Ministry of Primary Industries.

As part of the review, the Plant Variety Rights Bill 2021 was introduced on 11 May 2021 and completed its first reading on 19 May 2021. It was referred to the Economic Development, Science, and Innovation Committee for six months, and reported back on 19 November 2021. The Bill is designed to modernise the plant variety rights (PVR) regime, which is now over 30 years old, through bringing it in line with international standards (as required under the CPTPP) whilst implementing the Crown's obligations under the Treaty of Waitangi in relation to PVRs.

Part 5 of the Bill provides additional provisions that apply to indigenous plant species and non-indigenous plant species of significance. It is intended to give effect to the Crown's Treaty obligations that require kaitiaki relationships with taonga species to be given a reasonable degree of protection. The Bill also proposes to establish a Māori Plant Varieties Committee that will determine whether an application involves a taonga species and if kaitiaki relationships will be adversely affected by the grant of a PVR.

Wai 2540: Tū Mai te Rangī! 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, 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

Designing and implementing a Māori-specific framework with the Māori Advisory Board

Hōkai Rangī was launched in 2019 as the department-wide strategy, with a particular focus on addressing the significant over-representation of Māori in our prisons, and on community sentences and orders. Recommendations from Tū Mai te Rangī! were translated into actions within the strategy.

In 2020 and early 2021, initiatives were developed to implement 37 short-term actions outlined in Hōkai Rangī. Nineteen short-term actions were prioritised, with the first phase of each to be completed by 30 June 2021.

The following is a small sample of developments from some of the 19 prioritised actions:

- We have completed an initial assessment of relationships with Māori service providers and a high-level assessment of iwi considered likely to have a strong interest and the capability and capacity to participate in co-design processes.
- Literature reviews and a desktop analysis of incidents in Te Tirohanga Units have been undertaken to inform our approach to safety.
- Desktop research about impacts and outcomes of community-based sentences is complete
- Communications guidance material for whānau is being piloted
- A Māori language strategy and a draft reo Māori policy are complete.

Primary Findings and/or Recommendations	Status
	<p>Revision of the terms of reference of the Māori Advisory Board</p> <p>The terms of reference for the Māori Advisory Board were revised in 2018, and the Board was renamed Te Poari Hautū Rautaki Māori / the Māori Leadership Board (the Poari). The purpose of the Poari is to provide strategic leadership around the development of policy and initiatives to improve outcomes and reduce Māori offending.</p> <p>In 2020, the Department and the Poari agreed that the terms of reference needed to be further updated to reflect Hōkai Rangi.</p> <p>Currently, work is focused on strengthening the Poari in terms of membership structure and function.</p> <p>Measurable targets in the strategy and relationships Agreement</p> <p>Development of a Hōkai Rangi Measurement Framework (previously the Outcomes Led Performance Framework), to help track progress towards our strategic aspirations, is well underway, and an initial set of measures was endorsed in 2020. These are currently being trialled.</p> <p>Hōkai Rangi also sets out how the Department will develop partnerships with specific Māori communities. This includes:</p> <ul style="list-style-type: none"> • 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’ and • The implementation of a Māori Partnership Framework. <p>A partnerships framework has been developed and is currently being trialled. The issue of targets and measures will form part of partnership discussions.</p>

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
	<p>Including a dedicated budget</p> <p>Because Hōkai Rangī is the department-wide strategy, it is envisaged that the entirety of Corrections budget will be used to achieve the long-term goals of the strategy.</p> <p>Some areas that give effect to Hōkai Rangī follow:</p> <ul style="list-style-type: none"> • 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 Corrections, from pre-sentence to reintegration and transition in their community. • Corrections continues to provide Māori focused programmes and initiatives, including five Te Tirohanga units, two Whare Oranga Ake facilities and the Tiaki Tangata reintegration service. • Budget 2020 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. <p>Providing greater Treaty awareness training for senior level Department staff</p> <p>Corrections' Executive Leadership Team (ELT) completed modules in Treaty awareness and mātauranga Māori in 2019/20, to maintain the momentum of the organisation in its delivery of Hōkai Rangī, and measure competency and confidence for itself and frontline leadership teams.</p> <p>Amendment to the Corrections Act 2004</p> <p>Consideration has been given to amending the Corrections Act 2004 to state the relevant Treaty obligations to Māori at both a strategic and operational level, including those articulated in Tū Mai te Rangī. This work has considered legislative models such as the Children, Young People, and their Families (Oranga Tamariki) Act 2017 (s7AA amendments and new principles in section 13(2)) and the Public Health and Disability Act 2000. We are also considering operational changes to greater support Corrections to give effect to its Treaty obligations.</p>

Wai 2561: The Ngātiwai 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 (congress).

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

Crown funding and support is available for a proposed mediation process between the Ngātiwai Trust Board and three hapū groups (Patuharakeke, Te Waiariki-Ngāti Korora- Ngāti Takapari and Te Whakapiko).

Wai 2662: The Whakatōhea Mandate Inquiry Report (2018)

Te Arawhiti

Primary Findings and/or Recommendations	Status
<p>The Tribunal found that the Crown should not have recognised the Pre-settlement Trust mandate in December 2016 and that the decision to recognise the Whakatōhea Pre-Settlement Claims Trust (WPCT) mandate was not fair and reasonable, and breached the Treaty principle of partnership.</p> <p>The Tribunal also found that:</p> <ul style="list-style-type: none">• Including the Mokonoko whānau claim in the Pre-Settlement Trust mandate without the whanau'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. <p>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:</p> <ul style="list-style-type: none">• Suspend substantive work on the Whakatōhea negotiations until completion of the vote.• Commit to maintaining the baseline redress offered in the Whakatōhea Agreement-In-Principle.• Pay interest at commercial rates on the cash component of the settlement offer.	<p>In Progress</p> <p>In response to the Tribunal's recommendation, the Crown implemented a vote process in October 2018. 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 commenced a district inquiry the North-Eastern Bay of Plenty to hear the historical claims of Whakatōhea and others with claims in the district. 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.</p> <p>The Whakatōhea Pre-settlement Claims Trust and the Crown will initial a deed of settlement once the deed of settlement is complete and overlapping interests have been addressed, which is anticipated for late 2021. After the deed is initialled, Whakatōhea members will be given the opportunity to decide whether to support the settlement and proposed post-settlement arrangements by voting in a ratification process.</p> <p>.</p>

Wai 2200: Horowhenua: The Muaūpoko Priority Report (2017)

Te Arawhiti

Primary Findings and/or Recommendations

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.

The Tribunal further recommended that the Crown legislate as soon as possible for a contemporary Muaūpoko governance structure to act as kaitiaki for Lake Horowhenua and the Hōkio Stream, and associated waters and fisheries, following negotiations with the Lake Horowhenua Trustees, the lakebed owners, and all Muaūpoko on the detail.

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.

Status

Ongoing

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 iawi's aspirations. The Wai 2200 Porirua ki Manawatu District Inquiry is still underway and further Muaūpoko Treaty claims are likely to be heard or reported on.

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

While MBIE has not directly addressed some of the broader issues raised by the Waitangi Tribunal for Wai 796, MBIE has gone some way towards addressing elements of them by focusing its efforts on changes to the Crown minerals permitting regime to improve how iwi interests are accommodated under the current regime.

Improving Crown engagement with iwi

MBIE actively utilises Crown Minerals Protocols and other relationship instruments when engaging with relevant iwi. To date, 37 Crown Minerals Protocols and one Minerals Relationship Instrument have been issued to iwi. MBIE also has Relationship Agreements with four 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.

Over 2020/2021 MBIE engaged regularly with iwi partners pursuant to these Treaty Settlement instruments. 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.

In 2021, the Minerals and Petroleum Programmes were amended to set out how those exercising power and functions under the Crown Minerals Act 1991 (CMA) will have regard to the principles of the Treaty, in accordance with the section 4 Treaty clause. This goes some way towards ensuring decision makers act consistently with Treaty principles.

Ensuring permit holders are engaging with iwi

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.

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
	<p>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. These changes are consistent with elements of the Wai 796 recommendations to ensure greater protection for Māori land through compulsory notifications for applications concerning Māori land.</p> <p>In 2012, the CMA was amended to create a requirement for Tier 1 permit holders to provide annual reports on their engagement with iwi or hapū whose rohe intersects with the area of a permit. Tier 1 permits include all prospecting, exploration and mining permits that relate to petroleum.</p> <p>Crown Minerals Act 1991 Review</p> <p>The CMA is currently under ongoing review (CMA Review). A discussion document was released in November 2019 and considered, among a wide range of issues, ways to address the following issues identified by Māori:</p> <ul style="list-style-type: none">• Māori feel there is a lack of quality engagement from the Crown during the permit allocation process.• Māori feel there is a lack of quality engagement with permit holders during the duration of the permit.• Māori feel there is insufficient protection of sites of significance.• Resource constraints affect the capacity of iwi and hapū to effectively engage with other parties.

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
	<p>The discussion document identified several proposals for addressing these issues:</p> <ul style="list-style-type: none">• 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 CMA.• Stipulate required content for iwi engagement reports. <p>The CMA Review is ongoing, and thorough engagement and collaboration with iwi on the review remains a priority.</p> <p>Resource Management Act 1991 Review</p> <p>The exposure draft of the Natural and Built Environments Bill includes a clause stating that “all persons exercising powers and performing functions and duties under this Act must give effect to the principles of te Tiriti o Waitangi”. This is consistent with the recommendation that the Resource Management Act 1991 be amended to require decision-makers to act consistently with the Treaty principles.</p>

Status update for all Waitangi Tribunal claims 2020/21

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 2020/21 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	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 Mōtiiti Island	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 Māori '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

Wai	Report	Year	Status
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
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	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	Partially settled
145	Te Whanganui a Tara me ona Takiwa: Report on the Wellington District	2003	Partially settled
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

Wai	Report	Year	Status
201	The Mohaka ki Ahuriri Report	2004	Settled
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	Settled
215	Tauranga Moana, 1886–2006: Report on the Post- Raupatu Claims volume 1, volume 2	2010	Settled
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	In progress
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

Wai	Report	Year	Status
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	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	Ongoing
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 Wairarapaki Tararua Report (3 volumes)	2010	Partially settled
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	Partially settled
953	Ahu Moana: The Aquaculture and Marine Farming Report	2002	Partially settled
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

Wai	Report	Year	Status
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 1177	Te Arawa Mandate Report: Te Wahanga Tuarua The Interim Report of the Waitangi Tribunal on the Te Tai Hauāuru by-election	2005 2004	Refer above No further action
1200	He Maunga Rongo: Report on Central North Island Claims: Stage One (4 volumes)	2008	Partially settled
1298	The Report on the Aotearoa Institute Claim concerning Te Wānanga o Aotearoa	2005	Settled
1353	The Te Arawa Settlement Process Reports	2007	Partially settled
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	Partially settled
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	In Progress

Wai	Report	Year	Status
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 VI)	2020	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
2915	He Pāharakeke, he Rito Whakakīkinga Whāruarua: Oranga Tamariki Urgent Inquiry	2021	In progress

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