

12 October 2023

File Ref: OIA 47803

[REDACTED]

Tēnā koe [REDACTED]

Official Information Act request

Thank you for your information request dated 14 September 2023. You asked for the following information:

"[...] all information held by the Ministry regarding numerous complaints to the Maori Council regarding the triennial elections in 2018 and 2021, all information regarding the subsequent inquiry into the complaints about the last two Maori Council elections, and all funding granted by the Ministry to the Maori Council since 2018.

[...] all information the Ministry holds regarding allegations of fraud and misrepresentation regarding Matthew Tukaki, and complaints made in regard to Matthew Tukaki transferring a contract with the Ministry of Social Development from the Maori Council to the National Maori Authority, as reported at this link - <https://www.newsroom.co.nz/authority-of-government-contract-questioned>

[...] all information the Ministry holds regarding the matters reported on at this link and the complaints regarding Tukaki's unauthorised use of Maori Council funds and access to bank accounts. <https://www.newsroom.co.nz/mori-council-seeks-police-inquiry-into-bank-funds>

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

We have answered your request in five parts:

Part 1 - [...] all information held by the Ministry regarding numerous complaints to the Maori Council regarding the triennial elections in 2018 and 2021

We have interpreted this part of your request to mean complaints made to the New Zealand Māori Council (NZMC) regarding the triennial elections in 2018 and 2021 that are held by Te Puni Kōkiri. Two documents have been identified in scope of your request. The documents and my decisions with regard to the release of the information are set out in the table attached as Appendix A.

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

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

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

In making the decision to withhold information, I have considered the public interest considerations in section 9(1) of the Act.

Part 2 - all information regarding the subsequent inquiry into the complaints about the last two Maori Council elections

We have interpreted this part of your request to refer to any subsequent inquiry conducted by Te Puni Kōkiri regarding the last two elections of the NZMC. Te Puni Kōkiri did not undertake an inquiry into complaints about the last two NZMC elections, as such this part of your request is refused under section 18(e) of the Act as the information requested does not exist.

Part 3 - all funding granted by the Ministry to the Maori Council since 2018

The following table breaks down the total funding Te Puni Kōkiri granted to the NZMC since the 2017/18 financial year:

Year	\$ (excl GST)
2017/18	\$278,435
2018/19	\$196,000
2019/20	\$303,000
2020/21	\$316,000
2021/22	\$645,760
2022/23	\$396,000

The table below outlines the amount paid to the NZMC relating to travel re-imbursements.

Year	\$ (excl GST)
2018/19	\$7,637
2019/20	\$1,553

Part 4 – [...] all information the Ministry holds regarding allegations of fraud and misrepresentation regarding Matthew Tukaki, and complaints made in regard to Matthew Tukaki transferring a contract with the Ministry of Social Development from the Maori Council to the National Maori Authority, as reported at this link - <https://www.newsroom.co.nz/authority-of-government-contract-questioned>

On 5 October 2023 we notified you that this part of your request was transferred to the Ministry of Social Development as the information to which this part of your request relates is not held by us but is believed to be held by the Ministry of Social Development. In these circumstances, we are required by section 14 of the Act to transfer your request.

You will hear further from the Ministry of Social Development concerning part 4 of your request.

Part 5 – [...] all information the Ministry holds regarding the matters reported on at this link and the complaints regarding Tukaki's unauthorised use of Maori Council funds and access to bank accounts. <https://www.newsroom.co.nz/mori-council-seeks-police-inquiry-into-bank-funds>

Te Puni Kōkiri does not hold information regarding the matters reported on in this link, specifically, complaints regarding Mr Tukaki's unauthorised use of NZMC funds and access to bank accounts. As such this part of your request is refused under section 18(e) of the Act as the information requested does not exist.

I trust my response satisfies your request.

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

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

If you wish to discuss any aspect of your request with us, including this decision, please feel free to contact us at oiat@tpk.govt.nz.

Ngā mihi

A handwritten signature in dark ink, appearing to read 'Grace Smit', with a stylized flourish at the end.

Grace Smit

Hautū, Te Puni Whakahaere Tikanga | Deputy Secretary, Strategy, Finance and Performance

Appendix A – documents in scope of Part 1 - [...] *all information held by the Ministry regarding numerous complaints to the Maori Council regarding the triennial elections in 2018 and 2021*

Item	Date	Document description	Decision
1.	31/05/2021	Correspondence between Archdeacon Emeritus Harvey Ruru QSM, Roimata Minhinnick, Executive Member Chair Tamaki Ki Te Tonga and George Ngatai QSM, Founder and Director of The Whanau Ora Community Clinic.	Released with certain information withheld under section 9(2)(a)
2.	25/07/2021	Email from Archdeacon Emeritus Harvey Ruru QSM to various Labour ministers. Note: The attachments to this email are out of scope of part 1 of your request.	Released with certain information withheld under section 9(2)(a)

From: [George Ngatai](#)
 To: [Roimata Minhinnick](#)
 Cc: [harveygloria.ruru@gmail.com](#); 9(2)(a)

[REDACTED]

[Hon Willie Jackson](#); 9(2)(a)

Subject: Re: TRIENNIAL GENERAL MEETING NZ MAORI COUNCIL BRENTWOOD HOTEL, WELLINGTON 26/27 JUNE
 Date: Monday, 31 May 2021 1:05:31 pm

Thanks for your email Roimata

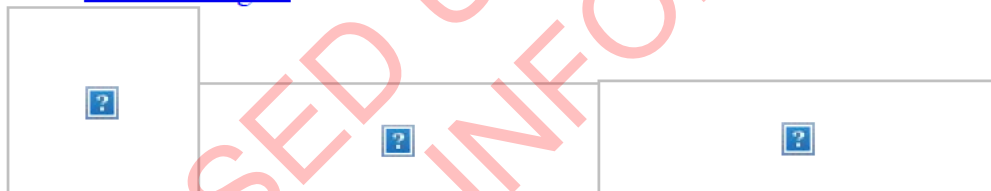
Noted your comments

George Ngatai QSM

Founder and Director of
 The Whanau Ora Community Clinic
 a network of medical centres across the country

Phone: 9(2)(a)

Web: www.toa.org.nz



On Mon, May 31, 2021 at 1:02 PM Roimata Minhinnick

9(2)(a) > wrote:

Tena Koe George

If the rules have been followed, there is nothing to worry about. That is, all members were given notice of the Election, the date, time and venue as required by the Act. It is not so much the fact that we had agreed on the 16th of April when we were going to have the meeting, it is once we had agreed, did we provide proper notice? My view is, you did not.

And were the procedures followed as advised by the Triennial Committee? Having received the final results and had sufficient time to assess them, I consider they were not followed.

We did not comply with the Act and the wise guidance of Sir Taihakurei Durie, Chair of the Triennia Committee was not followed.

Further, the meeting held on the 16th April is minuted as referring to an “AGM: 14th May, 2021 – 7:30pm”. The venue at that point had yet to be confirmed. This date appears to have been tentative not confirmation as you later relayed in your email dated 22nd April:

Tentatively we will be holding our Tamaki ki te Tonga District Maori Council AGM on the

14th of May, 2021 - venue to be confirmed.

On the 5th May, Raewyn Bhana (Administrator) posed the 16th of May for the “AGM”... “so they can come prepared to vote for committee members”, throwing even more doubt around the actual date for the election.

And then, on the 13th May we received your email stating:

We will be holding our AGM tomorrow night 14th of May, 2021 at Papakura Marae from 7:30pm.

In my view, that round of confusing email notifications does not meet the purposes of Section 23 (e) of the Maori Community Development Act 1962 where there is clarity around the purpose of the meeting, and the venue, date and time is provided with at least 3 days notice, not 1 day as was provided.

On the 20th April I received “the final results” from Karen Waterrus for seven Māori Committees who held elections in our district” and on the basis of those results considered we ought to reconsider the previous decision of the 16th April. This was based on an analysis of the results whereby it appears only 1 of the 4 Committees that held elections at Druces Road met the recommendation of having 7 members present in addition to failing to comply with the instruction of the Triennial Committee to not cross over into other hui. Of course, this may not matter technically, and it may not affect the end the result, because I am uncertain as to where the idea of needing 7 members present at elections derived from or the basis for the recommendation by the Triennial Committee. However, it is what we were advised and from the review of the 4 Committee election meetings held at Druces only 1 Committee, had seven members present. Accordingly, only 1 of those 4 committees would be valid and able to vote or to have voted at the District Council meeting.

I fully understand your views and appreciate the work that you and Raewyn do in our community. I simply consider the process in which those elections occurred failed miserably in terms of meeting the kind of standards we all expect of each other.

Nga mihi roi

On Monday, 31 May 2021, 10:03:17 am NZST, George Ngatai <george.ngatai@toa.org.nz> wrote:

Tena koe Romata,

As you would be aware our Tri-Annual meeting for Tamaki ki Te Tonga was supposed to be held on 16 April 2021 however through discussion we had decided as a Council committee to postpone this meeting until 14 May 2021.

Maybe you forgot that the meeting that was held on 14 May 2021 was confirmed at our meeting that was held on 16 April 2021 and was sent out a few days later to those members who were not at that council meeting for Tamaki ki Te Tonga.

At the 16 April 2021 meeting which you chaired it was announced that the Tri annual meeting for Tamaki ki Te Tonga District Maori Council was to be held on 14 May 2021. The email on 13 May 2021 was a reminder from myself to everyone as the secretary. What you also didn't mention was that you brought up issues of why the meeting on the 16 April 2021 couldn't go ahead which from my recollection and I am sure the rest of our committee that were present can confirm, these issues were discussed at length and voted upon. It was agreed that those issues you brought up were able to be addressed and closed and that it was agreed that the tri-annual meeting would be held on 14 May 2021. At that time you and everyone in attendance agreed that the tri-annual meeting for Tamaki ki Te Tonga would be held on Friday 14 April 2021 at 7.30pm at Papakura Marae.

Again the panui sent on the 13th May 2021 was a reminder of this meeting.

That said, we held the meeting and we got the result of newly elected committee members for Tamaki ki Te Tonga.

George Ngatai QSM

Founder and Director of
The Whanau Ora Community Clinic
a network of medical centres across the country

Phone: 9(2)(a)

Web: www.toa.org.nz



On Sun, May 30, 2021 at 8:34 PM Roimata Minhinnick 9(2)(a) > wrote:

Tena ano rawa atu kia koe, e te Rangatira, e Harvey

Nau ra i whakarangatira i nga mahi mo nga Watene Maori, i tautoko hoki i te tu o Tamaki Ki Te Tonga me te oranga o ngai tatou i runga i te roa hoki o ou mahi ma tatou. E hara teneke, he mea ki te whakaiti i nga mahi nau i hapai. Ko te ahuatanga o enei awangawanga, ko te whakahaere e kore i atawhai a o tikanga, purongo me nga ture.

In light of the Hon. Minister Willie Jackson's letter dated 27th May 2021 (**Appendix A**), the letter from the NZMC Executive in a response dated 28th May 2021 (**Appendix B**), and the legal opinion you requested from Felix Geiringer as provided to the NZMC Executive on 28th May 2021 (**See Attachment A**), please consider my response as follows. Whilst focused on issues of national importance, it does so through issues raised within Tamaki Ki Te Tonga.

Legal Opinion of Felix Geiringer.

Mr Geiringer considers the NZMC Executive has no authority. It is uncertain what evidence was used in forming that view as the "instructions" from yourself appear to tell only part of the story. This is evident in the way the Elections for the Maori Committees and District Council for Tamaki Ki Te Tonga were held and appear to be excluded from Mr Geiringer's consideration.

Mr Geiringer specifically mentioned that my tenure would cease on 31st May as a result of the Triennial elections of Tamaki Ki Te Tonga. This opinion fails to look at the process by which those Elections occurred and therefore how the Elections meeting that was called failed to comply with Clause 5 of the Maori Community Development Regulations 1963.

The meeting was advertised by George Ngatai (Secretary, Tamaki Ki Te Tonga) on 13th May to be held on the 14th May without consulting myself as the Chair beforehand. Mr Ngatai was elected Chair at that hui. I emailed Mr Ngatai prior to the meeting advising against the meeting as at least 3 days-notice was required as well as the notice including the date, time and place. (See **Appendix C** for email from Mr Ngatai and **Appendix D** for response by myself)

Section 5 of the 1963 Regulation says that at least 3 days' notice must be given which were not in this case:

"Notice in writing of the date, time, and place appointed for any ordinary meeting of a Maori Association shall be given to every member in sufficient time for the notice to reach him by the ordinary course of post at least 3 days before the member would, using the normal means of transport, have to leave his ordinary place of residence to attend the meeting."

Therefore, the recently held Tamaki Ki Te Tonga elections are invalid in my view and the process by which elections were held in our District is left wanting in some major respects. The failure to comply with this regulation, coincides with other irregularities regarding the way Maori Committee elections were held in Tamaki Ki Te Tonga that similarly led to the previous NZMC taking legal action during the previous elections. In particular, the holding of 4 Maori Committee elections hui in Tamaki Ki Te Tonga, at the same address, same venue and same day where members crossed over into each other's meetings against the strict procedures recommended by the Triennial Committee.

On this basis, the opinion posed by Mr Geiringer is respectfully refuted in relation to Tamaki Ki Te Tonga and the decision of the Hon Minister Jackson to work through these issues welcomed.

Assuming the role as Chair of the NZMC

As you will recall, on 16th May I wrote thanking you for your email dated 14th May stating you "have been confirmed by 86% of the NZMC DMC's as the Chair" and requesting evidence to demonstrate the hui appointing yourself as the new chair met the criterion of "two-thirds" and whether the person calling the hui had the authority to do so.

Your response dated 18th May (**Appendix E**) admits:

I actually was wrong in saying I received 86% support of DMC's throughout Aotearoa.

Therefore, we still have no evidence to support the Chairpersonship role you have assumed and it would be negligent for the Executive and indeed the Council as a whole to support that role without evidence supporting the position particularly when the role has been challenged.

Was there a quorum?

In regard, to meeting the statutory requirements, Section 23 (e) of Community Development Act states that:

no business shall be transacted at any meeting of any Maori Association unless a quorum of not less than half its members is present.

By Section 23 (d), says that in case any member is unable to attend, the Association by which the member was appointed may appoint another of its members by way of proxy.

By Section 4, (5) of the Maori Community Development Regulations 1963, says that "every such proxy shall be notified to the appropriate Maori Association."

And the NZMC Policy Manual specifically states at Clause 1.8 that:

The proxy shall be notified in writing to the Secretary ahead of the meeting.

I refer you to the email dated 11th April 2021 from Interim Secretary, Raewyn Harrison (**Appendix F**) and delivered to yourself and 38 other members. Importantly, Raewyn stated that

she had not received any proxies prior to the meeting. Therefore, any proxies presented at the meeting would be invalid. Raewyn wrote:

I have reviewed both copies of minutes received of a meeting suggested to be a Special Meeting of NZ Maori Council on 6 April 2021. The minutes record those present at the meeting.

I have reviewed those listed as present at the meeting against the records I hold of the members of NZ Māori Council—18 members were personally in attendance at the meeting on 6 April 2021.

If a member is unable to attend a meeting, the District Council who appointed the member may appoint a proxy for that meeting and that proxy must be notified in writing to the Secretary ahead of the meeting. I confirm that as Secretary I have received no proxies for the meeting.

The records show that there are 46 members of NZ Maori Council.

Accordingly, I confirm that the requirement for a quorum in section 23(e) of the Maori Community Development Act 1962 was not met for the meeting of 6 April 2021.

As the record shows there are 46 members of the NZMC and only 18 members are recorded as present at the meeting, and “a quorum of not less than half its members” was not present as required by S23 of the Act.

This shows sufficient concern not only due to the failure to follow the correct procedures but also because of the uncertainty assuming the role of Chair has created within our decision-making process which appears to be pulling us apart as opposed to strengthening our waka.

Did the Chair or Two-Thirds of Members call the hui?

Additionally, by Clause 3.2 of the NZMC Policy Manual, the calling of a special meeting is limited to either “the Chairperson at any time or on the request of not less than two-thirds of the members”.

The meeting was called by your-self and Sir Taihakurei as relayed in Sir Taihakurei’s email (**Appendix G**) dated 31st March 2021 stating:

“a special and urgent meeting of the Council is now called for by zoom on Tuesday 6 April at 6pm.”

We can safely assume that this calling of the special Council hui was not called by the Chair or two-thirds of the members and is another glaring failure to follow our policy manual guidelines.

Based on the evidence, the role you have assumed as the Chairman of the NZMC appears to be invalid because:

- the Council zoom hui dated 6th April 2021 was not called by either the Chairman of the NZMC or by two-thirds of the members (Clause 3.2, NZMC Policy Manual)
- proxies were not provided to the secretary prior to the hui (Clause 1.8, NZMC Policy Manual)
- the numbers present did not constitute a quorum (Section 23 Maori Community Development 1962 and communication by the Secretary)

Lastly, I note, you considered the issues I raised ought to have been pursued and answered by those who succeeded me in Tamaki Ki Te Tonga:

The issues which you raise in this email, will now be pursued and answered by those whom have succeeded you in Tamaki ki te Tonga, and I wish them and you every success.

That course of action is highly incongruous for the following reasons.

Firstly, the issues raised ought to be addressed by Council not a single District i.e the issue of Chairpersonship and whether or not the special zoom hui complied with our legislative and policy imperatives. These issues ought to now be part of the issues for mediation.

Secondly, as relayed above, the Tamaki Ki Te Tonga elections were fraught with error and failed to comply with the Maori Community Development Regulations 1963.

It's unfortunate that things have gone the way they have, because, I have like yourself, been honored to have worked alongside every member of our Executive over the past 3 years and am proud of the progress the Council has made for our people through its leadership. And consider the work that the Tamaki Ki Te Tonga District Council has achieved over the past 3 years, working alongside our Maori Wardens in supporting the completion of over 100 registered Maori Wardens in our district to have been exceptional.

Nga manaakitanga kia tatou.
Roimata Minhinnick
Executive Member
Chair Tamaki Ki Te Tonga
Chair Law, Justice & Corrections Committee
Chair Environment and Climate Change Committee

On Monday, 24 May 2021, 01:29:49 am NZST, <harveygloria.ruru@gmail.com> wrote:

TRIENNIAL GENERAL MEETING NEW ZEALAND MAORI COUNCIL

**BRENTWOOD HOTEL, KILBERNIE, WELLINGTON:
SATURDAY 26TH JUNE 10AM – SUNDAY 27TH JUNE
CONCLUDE AFTER LUNCH.**

Tena Koutou Nga Mema Te Kaunihera Maori o Aotearoa,

Hopefully all Maori Committee and Executive Committee delegates to their District Maori Councils have held their Triennial Election meetings and appointed their 3 delegates to the NZ Maori Council and will notify Lynne Raumati 9(2)(a) of the results or if you have any concerns.

There is usually a huge manual of papers that come in for the Triennial General Meeting, traditionally held at the Brentwood Hotel, Wellington and we've all experienced board paper overload.

Lynne Raumati will send you the papers as they arrive and have been checked for circulation.

Most can be dealt with quickly, without too much debate.

A couple have already come in and all NZ Maori Council Members are encouraged to contribute.

You will get some of them this week from Lynne.

Lynne Raumati is the NZ Maori Council Secretary and Lynne was reaffirmed by NZ Maori Council in 2018.

The Executive Director purported to replace Lynne with Raewyn Harrison, but the NZ Maori

Council did not approve the changeover.

I used to say to Sir Graham & Lady Latimer that I come from the far north of the.... "South Island" and I actually abide in Nelson the sunniest city in Te Waipounamu. May the sun shine on us all wherever we abide !!

Thank you

Harvey

9(2)(a)

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

From: harveygloria.ruru@gmail.com
To: 9(2)(a) [REDACTED] Office Davis; "Rachel Boyack"; Hon Willie Jackson; office@grantrobertson.co.nz; J Ardern (MIN); Hon Damien O'Connor
Cc: newsdesk@nelsonmail.co.nz; "george.ngatai@toa.org.nz"; 9(2)(a) [REDACTED]
Subject: FW: Email Correspondence from Matt Tukaki
Date: Sunday, 25 July 2021 8:07:10 pm
Attachments: [REDACTED]

Out of scope

Tena Koutou Nga Minita Paremata Aotearoa,

Under MP Parliamentary Privilege I forward details of the most abusive emails that I've ever received in my lifetime from Mr Matthew Tukaki formerly of the NZ Maori Council and also other members of NZ Maori Council who supported Mr Tukaki.

Also abusive emails from Mr Tukaki to Hon Sir Eddie Durie former distinctive High Court Judge and Principal Lawyer to NZ Maori Council Donna Hall acting on behalf of Woodward Law. Including abusive emails to senior respected Rangatira throughout our NZ Maori Council Maori Communities in Aotearoa.

I call upon Minister Kelvin Davis to veto immediately the appointment of Matthew Tukaki as the Ministerial Appointment of Hon. Kelvin Davis as Chair of Oranga Tamariki.

Mr Tukaki Ministerial appointment as Executive Director is not and was not supported by the full NZ Maori Council or the full NZ Maori Executive in which I was member at the time.

I warned an official of Minister Kelvin Davis that Mr Tukaki was not the appointed spokesperson on behalf of NZ Maori Council he also was not the Executive Director of NZ Maori Council, when Mr Davis was last in Nelson in my company and many of our local iwi at Whakatu Marae Nelson. NZ Maori Council Co-Chairs George Ngatai and Harvey Ruru plus Deputy Chair Anne Kendall are available to korero with our NZ Maori Council Mangai and Woodward Law NZ Maori Council Lawyers to discuss this further with our dear Ministers and officials "kanohi ki te kanohi" in Wellington at the Ministers demand.

The Co-Chairs and Deputy Chair also seek an appointment with Minister Mr Jackson to seek a pathway and renew our NZ Maori Council Government yearly financial privileges and discuss issues of concern regarding NZ Maori Council matters, particularly Maori Wardens and other roles and responsibilities which are carried out under The Maori Community Development Act 1962 and The Regulations of 1963.

We have written to Minister Jackson to seek an Inquiry in relation to discrepancies of irregularities in some of the District Maori Council Triennial Elections and to date we have had no response from Minister Jackson. NZ Maori Council are under High Court orders to action the irregularities within NZ Maori Council Members Manual of 2017 with amendments 2021.

Thank you.

Archdeacon Emeritus Harvey Ruru QSM
0273489715

From: Darsheka Ranchhod <darsheka@mokoia.co.nz>

Sent: Friday, 23 July 2021 9:22 am

To: harveygloria.ruru@gmail.com

Subject: Email Correspondence from Matt Tukaki

Tēnā koe Harvey

Donna has asked me to forward you copies of the emails sent to yourself, Tā Taihākurei and Woodward Law. Please see attached.

Ngā mihi

Darsheka Ranchhod (she/her)

Solicitor

--

On behalf of Donna Hall

Woodward Law

www.woodwardlaw.co.nz

04 560 3680

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