

## In Confidence

Office of the Minister for Māori Crown Relations

Social Outcomes Committee

## Whole of System (Core Crown) Report on Treaty Settlement Delivery 2025

### Proposal

- 1 This paper seeks Cabinet agreement to publicly release the 2025 Whole of System (Core Crown) Report on Treaty Settlement Delivery (**Appendix One**), which provides a system-wide overview of how core Crown agencies<sup>1</sup> are delivering on Treaty of Waitangi settlement commitments.

### Relation to government priorities

- 2 This paper supports the Government's priorities of honouring Treaty settlement commitments and improving public services by identifying opportunities to strengthen implementation and oversight.

### Background

- 3 Settlements as a whole look ahead to a renewed relationship between Iwi and Māori, and the Crown.
- 4 Failure by the Crown to provide appropriate redress can damage the integrity of Treaty settlements. This can recalibrate current and future relationships between Treaty partners.
- 5 Settlements also create legal obligations for Crown agencies to deliver on the commitments they are responsible for. Neglecting these commitments creates a risk of litigation for the Crown that can have significant legal and financial consequences.
- 6 To have greater oversight of progress, the Crown uses the He Korowai Whakamana framework to enhance accountability for Treaty settlement delivery. Approved by Cabinet in 2022 [CAB-22-MIN-0597], He Korowai Whakamana establishes reporting requirements, guidance for settlement delivery and a resolution process to navigate post-settlement issues between core Crown agencies and post-settlement governance entities (**PSGEs**).<sup>2</sup>
- 7 He Korowai Whakamana also requires regular system-wide reporting, which in the first instance aims to provide transparency and assurance that core Crown agencies with Treaty settlement commitments are implementing their obligations effectively. Reporting on non-core Crown agencies to enhance the

<sup>1</sup> The term 'core Crown' refers to public service departments and departmental agencies, New Zealand Defence Force, New Zealand Police and New Zealand Geographic Board.

<sup>2</sup> Post-settlement governance entities are the legal entities established by Iwi to receive and manage Treaty settlement redress and to represent Iwi in their post-settlement relationship with the Crown.

system-wide view is still under active consideration by Te Puni Kōkiri. By highlighting where performance is exemplary or lagging, reports can act as a catalyst for the Crown to become a better Treaty partner.

- 8 The then Te Arawhiti submitted its first *Whole of System (core Crown) Report on Treaty Settlements* in December 2024.<sup>3</sup> The report showed that while most Treaty settlement commitments were complete or on track, agencies need to take action to resolve delivery issues. It also made recommendations to improve the overall effectiveness of the Treaty settlement system.
- 9 The oversight of Treaty settlement commitments has been strengthened by clarifying the role of Te Puni Kōkiri (and also Te Tari Whakatau), as agreed by Cabinet in August 2024 [CAB-24-MIN-0295]. Māori Crown Relations portfolio functions transferred to Te Puni Kōkiri on 24 February 2025, specifically including:
  - 9.1 Monitoring and reporting on the Crown's implementation of Treaty settlement commitments;
  - 9.2 Leading post-settlement relationships with PSGEs, including settlement relationship commitments such as Accords;
  - 9.3 Advising the Government and public service on the distinct rights, interests and responsibilities of Iwi, Hapū and of Māori;
  - 9.4 Ensuring the public service has capability to engage with Māori; and
  - 9.5 Coordinating major events.

### He Korowai Whakamana programme update

- 10 He Korowai Whakamana was included as part of the transfer of Māori Crown Relations functions. Since February 2025, Te Puni Kōkiri has focused on embedding and strengthening the framework to improve oversight and accountability for Treaty settlement delivery.
- 11 Key progress includes:
  - 11.1 **Public policy approach:** In 2025 Te Puni Kōkiri published Te Tautuhi ō Rongo, a public policy framework designed to support the public service in giving effect to the Treaty. It provides a structured approach to engagement, policy development, analysis and decision-making and is aligned to evidence-based approaches that work for and with Māori.
  - 11.2 **Strengthened monitoring and mentoring:** Te Puni Kōkiri has adopted a system-wide approach to support agencies to meet their obligations, including direct engagement with agencies with the highest number of commitments and delivery issues.

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<sup>3</sup> Te Arawhiti is now The Office of Treaty Settlements and Takutai Moana: Te Tari Whakatau.

- 11.3 **Te Haeata upgrades:** Improvements are underway, including expanding dashboard reporting for non-core Crown agencies such as local government and Crown entities.
- 11.4 **Issue resolution:** Te Puni Kōkiri is actively supporting the resolution of significant settlement issues, using the He Korowai Whakamana resolution pathway to broker solutions and uphold the integrity of settlements.
- 12 In April 2025, the Auditor-General released a performance audit report on how public organisations are fulfilling Treaty settlements. The report found that public organisations need to make a significant shift in the way they manage Treaty settlement commitments to realise the potential in, and purpose of, historical Treaty settlements. The report reinforced that Treaty settlements are the basis for long-term relationships with Iwi and Hapū.
- 13 The report made two sets of recommendations. One set related to the leadership role of Te Puni Kōkiri in improving the integrity of the Treaty settlement system and the other set is directed to all public organisations to strengthen their accountability for meeting Treaty settlement commitments. Several recommendations are also directed to the Public Service Commission.
- 14 Te Puni Kōkiri and other government agencies are implementing a phased response to the Auditor-General's recommendations. The 2025 report demonstrates progress towards several of these recommendations, and shows where further improvement is needed. I expect that the effect of the Auditor-General's report will continue to be realised in future reports. Te Puni Kōkiri will use the evidence gathered for the 2025 report to guide its approach to system monitoring and mentoring.

### The 2025 Whole of System Report

- 15 The 2025 Report shows progress, with 83.3% of commitments either complete or on track, up from 76.7% in 2024.<sup>4</sup> Delivery issues have decreased from 4.9% to 3.5% of commitments.<sup>5</sup> Agencies that resource and integrate Treaty settlement commitments into business-as-usual are better positioned to monitor progress and address issues.
- 16 For the first time, the report includes qualitative insights from 24 PSGEs, representing 31% of settlements included in Te Haeata. Feedback from these PSGEs indicates broadly constructive relationships with the Crown, though progress on commitments remains mixed. Some PSGEs expressed concern that certain Government reforms (particularly those related to conservation, resource management, and Treaty principles) could undermine the integrity of settlement commitments.

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<sup>4</sup> The 2025 Report incorporates 14,751 commitments across 78 settlements, and reports the status of 157 additional commitments compared with 2024 (14,594 commitments across 74 settlements).

<sup>5</sup> A delivery issue means that an agency has not been able to fulfil a Treaty settlement commitment as required; this could be due to delays, missing documentation, or other challenges.

- 17 Where structured relationship mechanisms exist, such as through Accords or other formal frameworks, PSGEs view these as enabling and strengthening the Treaty relationship, supporting delivery of settlement commitments.
- 18 The report asserts that the system can be strengthened by agencies appropriately resourcing and prioritising PSGE relationships. System accountability can be enhanced by improving Te Haeata functionality and continuing engagement with PSGEs to refine future reporting.

### **Next steps**

- 19 Implementing Treaty settlements requires sustained effort across the system. As Ministers with portfolios responsible for settlement commitments, we all have a role to ensure contractual and statutory obligations made through Treaty settlements are delivered.
- 20 I propose to continue reporting on an annual basis to track progress and trends over time, incorporating reporting from agencies as well as the views of PSGEs.
- 21 Following publication of the report, Te Puni Kōkiri will continue to support agencies through mentoring, monitoring, and system improvements, including embedding Te Tautuhi ō Rongo as a public policy framework.

### **Cost-of-living Implications**

- 22 This paper does not have cost-of-living implications.

### **Financial Implications**

- 23 This paper does not have financial implications.

### **Legislative Implications**

- 24 This paper does not have legislative implications.

### **Impact Analysis**

#### **Regulatory Impact Statement**

- 25 There are no regulatory proposals in this paper, and therefore Cabinet's impact analysis requirements do not apply.

#### **Climate Implications of Policy Assessment**

- 26 This paper does not have climate implications.

### **Population Implications**

- 27 This paper does not have population implications.

## Human Rights

- 28 This paper is consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

## Consultation

- 29 Te Puni Kōkiri consulted with the 27 relevant core Crown agencies in preparing this paper. A draft was also provided to the Public Service Commission and Office of the Auditor-General seeking feedback. Overall, feedback was supportive and the paper and report were updated with minor feedback from agencies.

## Communications

- 30 Following Cabinet approval, I will work with officials to publish the report and make a public announcement at an appropriate time.

## Proactive Release

- 31 I intend to release this Cabinet paper proactively in full, with any necessary redactions, to coincide with the publication of the report, within 30 business days.

## Recommendations

The Minister for Māori Crown Relations recommends that the Committee:

- 1 **note** the 2025 Whole of System (Core Crown) Report on Treaty Settlement Delivery (the report), attached as Appendix One, provides a system-wide overview of the Crown's delivery of Treaty settlement commitments;
- 2 **note** the report shows improved delivery since 2024, with an increase from 76.7% to 83.3% of commitments either complete or on track, and a decrease in delivery issues from 4.9% to 3.5%;
- 3 **note** the report includes, for the first time, insights from post-settlement governance entities, providing a broader view of the Crown's performance;
- 4 **note** Te Puni Kōkiri has assumed responsibility for the development of the report and is supporting agencies to improve delivery and accountability;
- 5 **approve** the public release of the report.

Authorised for lodgement

Hon Tama Potaka

Minister for Māori Crown Relations

**Appendix One – Whole of System (core Crown) Report on Treaty Settlement  
Delivery 2025**

Released by the Minister for  
Māori Crown Relations