

The Section 8I Report

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

For the period 1 July 2018 – 30 June 2019

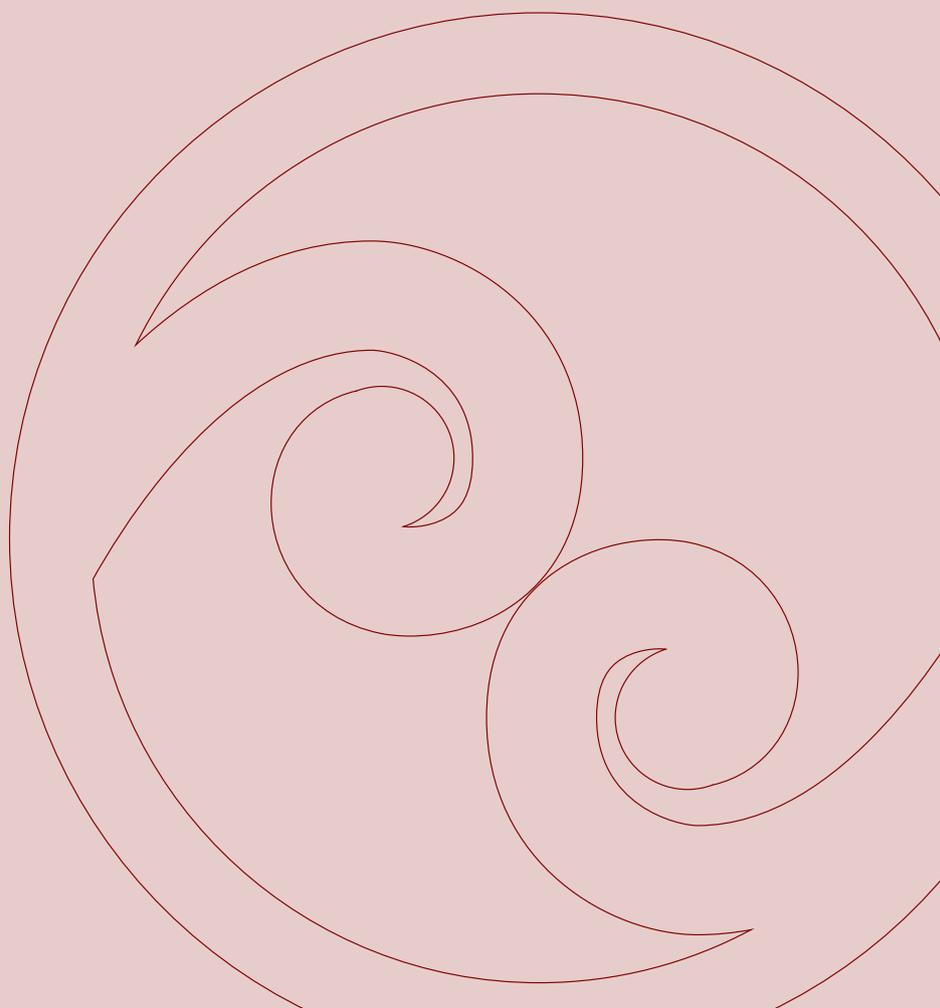


Summary

Section 8I of the Treaty of Waitangi Act 1975 requires the Minister for Māori Development to report to the House of Representatives each year on the progress being made in the implementation of recommendations to the Crown by the Waitangi Tribunal. This report covers progress from 1 July 2018 to 30 June 2019, and includes a feature presentation entitled Tūhonotanga ā Tiriti – Treaty Relationships: Strengthening relationships between Māori and the Crown.

Cover

The harakeke is often described as a metaphor for whānau who are central to the government's work in the Māori-Crown Relations space. Photo by Sampson Karst.



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Minister's Foreword



*Māori Development Minister,
Nanaia Mahuta.*

I am pleased to present the 2018/19 Section 81 Annual Report, providing an update on the Government's progress addressing Waitangi Tribunal recommendations. Last year I signalled that we would adopt a new approach to setting out how the Government is tracking, and this is our second annual report under the new format.

The Government is committed to creating the conditions for a productive, inclusive and sustainable economy that recognises the value of Te Ao Māori. We are embracing and supporting the contribution of culture, language, identity, and mātauranga to contribute towards wellbeing aspirations. We are including this perspective into the Living Standards Framework as we measure wellbeing across the four capitals – Natural, Social, Human and Financial/Physical. The first Wellbeing Budget was released this year and we will continue to refine our ambition to invest in outcomes that are good for our people, economy, the environment, the places we live and the type of society we belong to.

In September this year, the Prime Minister announced that New Zealand history will be taught in all schools and kura by 2022, which will include Te Tiriti o Waitangi, the New Zealand Land Wars and our full history. This decision underpins a growing sentiment across Aotearoa / New Zealand that there is a need to rectify omissions in our historical discourse that have affected how we see ourselves as a nation.

As we approach the conclusion of historical Treaty claims, the Tribunal is able to focus more and more on current contemporary claims that continue to challenge the foundation of our constitutional arrangements and our ability to give effect to the aspirations of partnership evident in Māori-Crown relations.

This year's feature section focuses on Tūhonotanga ā Tiriti – Treaty Relationships: Strengthening relationships between Māori and the Crown. The feature outlines steps being taken to improve the consistency, coordination, and coherence of the way the Crown approaches Treaty of Waitangi relationships. The management and development of the relationship will become increasingly important as we move into a post-settlement era.

The report also provides information on Tribunal reports whose status was recorded as 'unknown' in the 2017/18 report, and for the first time records the relevant portfolio or agency for a Tribunal report. The two Waitangi Tribunal reports released over the period 1 July 2018 – 30 June 2019 are also included: *Hauora: the Report on Stage One of the Health Services and Outcomes Kaupapa Inquiry* (Wai 2575); and further chapters of the Report on Te Rohe Pōtae inquiry (Wai 898): *Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims*.

As we continue to work on this new reporting format we encourage you to draw on the Tribunal reports as a rich source of knowledge, information and context to understanding the issues that define our identity as a nation.



He iti taki iti, nā

Hon Nanaia Mahuta

Te Minita Whanaketanga Māori

Abbreviations

CPTPP	Comprehensive and Progressive Trans-Pacific Partnership
DoC	Department of Conservation
Corrections	Department of Corrections
DHB	District Health Board
UPOV 91	International Convention for the Protection of New Varieties of Plants
ISDA	International Swaps and Derivatives Protocol
LINZ	Land Information New Zealand
MDC	Māori Development Corporation
MfMD	Minister for Māori Development
MFTOWN	Minister for Treaty of Waitangi Negotiations
MPI	Ministry for Primary Industries
MfE	Ministry for the Environment
MAF	Ministry of Agriculture and Forestry
MBIE	Ministry of Business, Innovation, and Employment
MCH	Ministry of Culture and Heritage
MoE	Ministry of Education
MFAT	Ministry of Foreign Affairs and Trade
MoH	Ministry of Health
MTA	Muaūpoko Tribal Authority
NHF	Nature Heritage Fund
NWOMTB	Ngāti Whātua o Ōrākei Māori Trust Board
PVR	Plant Variety Rights
PHO	Primary Health Organisation
SILNA	The South Island Landless Natives Act 1906
TAMA	Te Aitanga a Māhaki and Affiliates
TPK	Te Puni Kōkiri
TPP	Trans-Pacific Partnership
TIMA	Tūhoronuku Independent Mandated Authority
UPR	Universal Periodic Review
WPCT	Whakatōhea Pre-Settlement Claims Trust

Section 8I Reporting: Introduction

This report provides Parliament with an update on the Crown's progress implementing Waitangi Tribunal recommendations between 1 July 2018 and 30 June 2019.

The report includes a feature section on Māori Crown Relationships. Both Māori and the Crown are keen to move further forward in settling historical Treaty grievances. With improved relations and a focus on increased capability in the public service in dealing with Māori, further grievances can be avoided. Government can then make better progress on both historical and contemporary claims.

The Treaty of Waitangi Act 1975 provides for the observance and confirmation of the principles of the Treaty of Waitangi by establishing the Waitangi Tribunal. The Tribunal's role is 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 distinguish between historical and contemporary claims). The Minister for Treaty of Waitangi Negotiations has responsibility for negotiating settlements of 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 can provide a comprehensive starting point for engagement between the Crown and Māori on issues of importance to both parties.

Over the last three decades, the Waitangi Tribunal has often proposed that the Crown and claimants 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 well-founded claims on a good-faith, enduring basis.

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

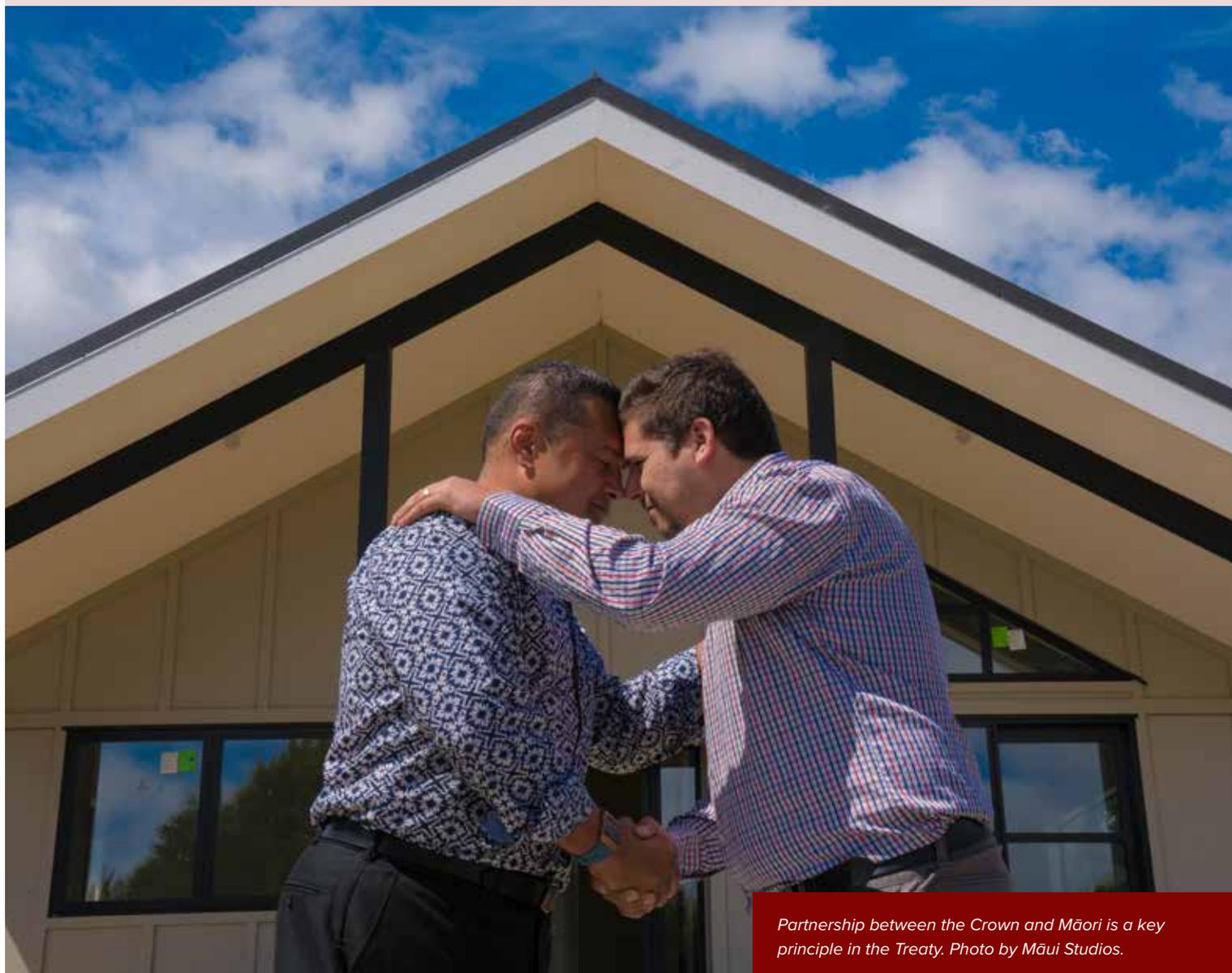
2018/19 Feature Presentation

Tūhonotanga Ā Tiriti – Treaty Relationships

Strengthening relationships between Māori and the Crown

Ko koe tēnā, ko ahau ki tēnei kīwai o te kete

You at that handle, and I at this handle of the basket



Partnership between the Crown and Māori is a key principle in the Treaty. Photo by Māui Studios.

Improving responsiveness to Treaty issues

Overview

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

Strategic changes to strengthen the Crown's approach to Māori Crown relationships

At a strategic level, expectations for Crown engagement on Treaty issues are being clarified in a number of ways. These include: establishing the Māori Crown Relations (MCR): Te Arawhiti portfolio; providing guidance on engaging with and building closer partnerships with Māori, releasing guidelines on Treaty of Waitangi matters; proposals for Public Service Reforms; clarification of the strategic positioning for Te Puni Kōkiri; and the emphasis on wellbeing, including for Māori, for budget purposes.

STATE SECTOR REFORM

A Public Service Bill was introduced to Parliament in November 2019. It contains a standalone clause that the role of the Public Service includes supporting the Crown in its relationships with Māori under Te Tiriti o Waitangi/ the Treaty of Waitangi.

To this end, the new Act has explicit provisions which put responsibilities on:

- public service leaders for developing and maintaining the capability of the public service to engage with Māori and to understand Māori perspectives; and
- the State Services Commissioner, when developing and implementing the state sector leadership strategy, to recognise the aims, aspirations and employment requirements of Māori, and the need for greater involvement of Māori in the public service.

Implementing a whole of government strategic approach to Wai 262 issues and taking a fresh approach to kaupapa inquiries provide key practical opportunities to put this new approach into practice.

The changing focus of the Waitangi Tribunal

There is a shift in the Tribunal's focus toward kaupapa inquiries and contemporary claims.² For the past two decades the Waitangi Tribunal has had a heavy focus on its district inquiry programme. These inquiries relate to various geographical districts and have focused on the range of (mostly historical) claims brought by Māori from particular areas. The Tribunal has indicated that it plans to complete its district inquiries by the end of 2020.

Contemporary claims relate to acts or omissions by the Crown after 21 September 1992. Kaupapa inquiries deal with nationally significant issues affecting Māori as a whole and group claims on a thematic basis. Although kaupapa inquiries include both historical issues (from 1840 to 21 September 1992) and contemporary issues, many are likely to have a significant contemporary policy focus. Five kaupapa inquiries are currently in progress. For three, the inquiry is well underway:

- Māori military veterans
- Health services and outcomes
- Marine and Coastal Area (Takutai Moana) Act

And two are in the early stages:

- Mana wāhine
- Housing policy and services

A “joined up” Crown approach

The Crown's participation in the inquiry programme needs to be consistent and meaningful. The key opportunity for the Crown is to emphasise relationships and partnerships in engaging with issues identified in kaupapa and contemporary inquiries. As Tribunal activity moves away from the historical settlement process and the Crown's focus turns to contemporary Treaty issues, the Crown needs to ensure it is taking an approach to resolving these issues that supports its ambitions for the Māori-Crown relationship.

The Crown is looking to develop a whole of government response to participation in kaupapa inquiries. This whole of government focus also characterises the Crown's initial response to the Wai 262 claim, which was the Tribunal's first “whole of government” inquiry.

² For more information see <https://www.waitangitribunal.govt.nz/inquiries/kaupapa-inquiries/>



Te Pae Tawhiti translates to 'the distant horizon'. Photo provided by Te Puni Kōkiri.

Moving Forward: Wai 262, Kaupapa Māori Issues and the Māori-Crown relationship

Wai 262 – Te Pae Tawhiti

The Wai 262 claims, which are the subject of the Waitangi Tribunal's report *Ko Aotearoa Tēnei*, share many characteristics with what are known as Kaupapa claims. *Ko Aotearoa Tēnei* was the Waitangi Tribunal's first whole of government inquiry. Progress on addressing the issues arising from this claim and *Ko Aotearoa Tēnei* was the subject of last year's feature section.

A central theme linking Wai 262 issues is how our nation should make decisions – and who should participate in decisions – that affect taonga Māori. Wai 262 issues encompass legislation and the Crown's policies and practices relating to intellectual property, indigenous flora and fauna, resource management, conservation, the Māori language, arts and culture, heritage, science, education, health, and the making of international agreements.

Since the 2017/18 Section 8I report was tabled, the Government has agreed to develop a whole of government approach to Wai 262 issues³, and has released preliminary proposals for organising itself to support this under the name Wai 262 – *Te Pae Tawhiti*.⁴

A whole of government approach to dealing with the issues raised in the Wai 262 claim and *Ko Aotearoa Tēnei* will involve coordinating the work of many government agencies, given the breadth of the issues covered. This is essential for the Government to be able to have genuine partnership conversations with Māori, who often ask for a more joined-up approach from the Crown.

³ See <https://www.tpk.govt.nz/a-matou-mohiotanga/cabinet-papers/developing-a-wholeofgovernment-strategy-for-wai-262>

⁴ See <https://www.tpk.govt.nz/en/a-matou-kaupapa/wai-262-te-pae-tawhiti>

The Crown's approach to kaupapa inquiries

A Cabinet Office circular⁵ now guides the Crown's approach to contemporary and kaupapa inquiries. This circular sets out the process for appointing lead Ministers and agencies and the reporting requirements for Ministers and agencies to ensure a consistent and coordinated approach across different agencies and inquiries. This work is supported by peer-learning groups at officials' level involving all the agencies leading Crown involvement in kaupapa inquiries.

This circular requires the *Cabinet Māori Crown Relations: Te Arawhiti Committee* to oversee the Crown's approach to kaupapa inquiries. It also establishes regular reporting from the Minister for Māori Crown Relations to the Committee on the Crown's response to significant contemporary Treaty of Waitangi issues.

The kaupapa inquiry process provides an opportunity for the Crown to take an approach which is collaborative, policy-focused, forward-looking, and focused on enduring relationships. Doing this well will enable Māori and the Crown to address issues jointly as part of work to support the Tribunal process.

Crown work within the kaupapa inquiry process is covered by the Government's guidelines for engagement with Māori⁶ and the recent Cabinet Office circular on Te Tiriti o Waitangi: CO (19) 5: *Te Tiriti o Waitangi / Treaty of Waitangi Guidance*⁷ released in October 2019.

5 Cabinet, (2019 April 2), Cabinet Office Circular - CO (19) 3 – Better Coordination of Contemporary Treaty of Waitangi Issues – refer <https://dpmc.govt.nz/publications/co-19-3-better-co-ordination-contemporary-treaty-waitangi-issues>

6 See <https://tearawhiti.govt.nz/assets/Māori-Crown-Relations-Roopu/6b46d994f8/Engagement-Guidelines-1-Oct-18.pdf>

7 See <https://dpmc.govt.nz/publications/co-19-5-te-tiriti-o-waitangi-treaty-waitangi-guidance>



Mana wāhine at He Rā Maumahara in Taranaki. Photo by Rāwhitiroa Photography and Trina Edwards.

MANA WĀHINE KAUPAPA INQUIRY (WAI 2700)

This inquiry formally commenced in December 2018, with the appointment of Judge Sarah Reeves as Presiding Officer. The remaining Panel members were appointed in August 2019.

The claimants allege prejudice against wāhine Māori arising from both historical (pre-September 1992) and contemporary Crown breaches of Te Tiriti o Waitangi. Over 165 claims have been filed raising issues related to the customary roles of wāhine Māori, their relationships with their lands and whakapapa, and the impact on their social, economic and cultural status and wellbeing.

The Panel has not yet determined the scope or phasing of the Inquiry. The claims touch on many areas of government including employment, leadership, family and sexual violence, the justice and welfare systems, health, housing and education.

Progress to date

The Government's response to the Mana Wāhine Inquiry is underpinned by a kaupapa of acknowledging the mana of wāhine Māori to

enable this, the Government is focusing on better understanding of, and making early progress on, the issues raised. A key Crown objective is to build stronger partnerships with and improve outcomes for wāhine Māori.

The Government has established mechanisms to provide cross-government leadership and coordination at ministerial and agency levels. The Minister for Women and the Minister for Māori Development are leading a whole of government response to the inquiry, supported by a group of ministers with relevant portfolios including Justice, Social Development, and Māori-Crown Relations.

The Ministry for Women and Te Puni Kōkiri are the joint lead agencies. In November 2019, the two agencies established a joint rōpū to lead the Government's response and participation in the inquiry. The joint rōpū is supported by an interdepartmental steering group that provides strategic direction; and an inter-departmental working group provides the day-to-day link to government agencies.

Progress implementing recommendations 2018/19

In accordance with section 8I of the Treaty of Waitangi Act 1975, this section provides information on the progress of the implementation of Waitangi Tribunal recommendations by the Crown in the period between 1 July 2018 and 30 June 2019. This information was provided by Government agencies and is arranged by report.

The reporting template has been updated in two ways: firstly, it lists the relevant lead agency or agencies for a report. Secondly, a new status category (no further action) has been added.

A table listing the status of all Waitangi Tribunal reports is provided in the next section.

Status categories and definitions

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

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

No further action = indicates that the Crown has determined it is not required to take further action to implement recommendations. For example the claim may have been withdrawn, the Waitangi Tribunal made no recommendations, or the Crown has taken action to the extent that it considers appropriate.

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

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

Wai 9: Report of the Waitangi Tribunal on the Orakei Claim (1987)

Office for Māori Crown Relations: Te Arawhiti (Te Arawhiti)

Primary Findings and/or Recommendations	Status
<p>The Tribunal recommended:</p> <ul style="list-style-type: none"> • Ōkahu Park and Bastion Point be vested in Ngāti Whātua o Ōrākei Māori Trust Board (NWOMTB) but administration be vested in a statutory board: the Ngāti Whātua Ōrākei Reserves Board • Ōrākei Marae, Church and Urupā be vested in NWOMTB • Kitemoana Street housing-mortgage be settled by the Crown and \$200,000 liability to the Crown be abrogated • the Crown vest a Youthline Trust site, Community site and Housing Corporation Land in the NWOMTB • the Crown pay NWOMTB \$3,000,000 with inflation • that the purposes and powers of the NWOMTB be extended • legislation be drafted in consultation with NWOMTB to implement these recommendations • Housing Corporation provide a preferential policy for Ngāti Whātua persons in the allocation of State homes in the Ōrākei block. 	<p>In progress</p> <p>Deeds of settlement signed, and legislation enacted for:</p> <ul style="list-style-type: none"> • Ngāti Whātua o Ōrākei (2011) • Ngāti Whātua o Kaipara (2011) <p>Settlement is in progress for Ngāti Whātua who signed an agreement in principle with the Crown in 2017.</p>

Wai 10: Report of the Waitangi Tribunal on the Waiheke Island Claim (1987)	
Office for Māori Crown Relations: Te Arawhiti (Te Arawhiti)	
Primary Findings and/or Recommendations	Status
<p>The Tribunal found that the Crown acted contrary to the principles of the Treaty by enabling the disposal of the Waiheke Scheme through the Board of Māori Affairs without looking into the particular circumstances of Ngāti Paoa or providing them relief. It recommended that:</p> <ul style="list-style-type: none"> • that the Crown negotiate with the Board of Māori Affairs, the Waiheke Station and the Ngāti Paoa Development Trust with a view to release Waiheke Station to a Ngāti Paoa tribal trust. Failing this, the Crown should seek some other endowment of ancestral land for Ngāti Paoa • the Government consider the release of funds to the Board of Māori Affairs for the establishment of tribal land endowments • the Government pay \$5,000 to the Ngāti Paoa Marae Committee for costs of an abandoned Tribunal hearing. 	<p>In progress</p> <p>The Crown transferred the Waiheke Station Farm to Ngāti Paoa (via the Waiheke Station Trust) in 1989.</p> <p>Settlement of claims with Hauraki iwi are ongoing:</p> <ul style="list-style-type: none"> • Ngāti Paoa initialled their deed of settlement with the Crown in August 2017, and are working towards signing a deed of settlement. • Ngāti Paoa signed the Pare Hauraki collective redress deed with the Crown in 2019.

Wai 45: The Muriwhenua Land Report (1997)	
Te Arawhiti	
Primary Findings and/or Recommendations	Status
<p>This report covers seven claims in Muriwhenua, the country’s most northerly district. The Tribunal concluded that the Muriwhenua claims were well-founded.</p> <p>The claims relate principally to:</p> <ul style="list-style-type: none"> • the disposal of the pre-Treaty transaction land by grant or the presumptive acquisition of the scrip lands and surplus • contemporaneous land purchases by the Government • consequential impacts in terms of land tenure reform and disempowerment. 	<p>Ongoing</p> <p>Deeds of settlement signed, and legislation enacted for:</p> <ul style="list-style-type: none"> • Te Aupōuri (September 2015) • Te Rarawa (September 2015) • Ngāti Kuri (September 2015) • Ngāi Takoto (September 2015) • Ngāti Kahu ki Whangaroa (August 2017) <p>Settlement negotiations with Ngāti Kahu are paused as they are currently seeking binding recommendations in the Tribunal both in relation to Crown forest land and State-owned enterprise land.</p>

Wai 55: Te Whanganui-a-Orotū Report (1995)

Te Arawhiti

Primary Findings and/or Recommendations

This report addresses the loss and despoliation of Te Whanganui-a-Orotū, also known as Te Whanga, Ahuriri Lagoon, or the Napier Inner Harbour.

The Tribunal concluded that the Crown breached the principles of the Treaty in relation to the alienation of Te Whanganui-a-Orotū.

The Tribunal recommended:

- that compensation be paid to claimants for the loss of land and wāhi tapu
- the development of a new management regime for conservation land within Te Whanganui-a-Orotū that would ensure effective representation of claimants
- that local authorities ensure that claimants were given effective representation and roles in the Māori advisory standing committee structure
- the amendment of relevant legislation.

Status

In progress

Ahuriri Hapū deed of settlement was signed in November 2016.

There is currently an inquiry (Wai 2573) relating to mandate issues concerning the Mana Ahuriri Trust. The Tribunal heard the claim in February 2019 and is in the process of drafting their report. The expected release date for the report is December 2019. The Crown has advised it is not intending to introduce the Ahuriri Hapū Claims Settlement Bill while issues relating to Wai 2573 remain unresolved.

Wai 55: Te Whanganui-a-Orotū Report on Remedies (1998)

Te Arawhiti

Primary Findings and/or Recommendations	Status
<p>This report on remedies provides the Tribunal's recommendations for the remedial actions required to compensate claimants for the loss of Te Whanganui-a-Orotū.</p> <p>The Tribunal's recommendations included:</p> <ul style="list-style-type: none">• the return of land to claimants through a negotiated settlement• that claimants should receive substantial financial compensation for the loss of Te Whanganui-a-Orotū• that tangata whenua have greater control over the management of Te Whanganui-a-Orotū through a hapū authority and a Māori standing committee• amendments to relevant legislation.	<p>In progress</p> <p>Ahuriri Hapū deed of settlement was signed in November 2016.</p> <p>There is currently an inquiry (Wai 2573) relating to mandate issues concerning the Mana Ahuriri Trust. The Tribunal heard the claim in February 2019 and is in the process of drafting their report. The expected release date for the report is December 2019. The Crown has advised it is not intending to introduce the Ahuriri Hapū Claims Settlement Bill while issues relating to Wai 2573 remain unresolved.</p>

Wai 64: Rēkohu Report on Moriori and Ngāti Mutunga claims in the Chatham Islands (2001)

Te Arawhiti

Primary Findings and/or Recommendations	Status
<p>The Tribunal made a number of recommendations in favour of the Moriori people and Ngāti Mutunga o Wharekauri including that of negotiated compensation in relation to the three main Moriori claims: those on enslavement, land rights, and land tenure.</p>	<p>In progress</p> <p>The Crown has been working towards initialling a deed of settlement with Moriori in August 2019 and signing a deed of settlement in February 2020. The Moriori settlement includes financial, cultural, and Crown apology redress.</p> <p>The Crown is working towards signing an agreement in principle with Ngāti Mutunga o Wharekauri in 2020.</p> <p>The Moriori and Ngāti Mutunga o Wharekauri settlements include significant redress to be shared by both groups, including ownership of Te Whaanga Lagoon.</p>

Wai 143: The Taranaki Report: Kaupapa Tuatahi (1996)	
Te Arawhiti	
Primary Findings and/or Recommendations	Status
<p>The Tribunal made a number of comments in terms of settlement quantum, process and structure. Although the Tribunal considered that, based on legal principles, some billions of dollars were probably owed for the land, it accepted that such a quantum of damages would not be possible and recommended instead that generous reparation be made.</p>	<p>In progress</p> <p>Settlement legislation passed for:</p> <ul style="list-style-type: none"> • Ngāti Ruanui (May 2003) • Ngāti Tama (November 2003) • Ngāa Rauru Kiihahi (June 2005) • Ngāti Mutunga (November 2006) • Te Ātiawa (Taranaki) (November 2016) • Ngāruahine (November 2016) • Taranaki Iwi (November 2016) <p>Ngāti Maru (Taranaki) signed an agreement in principle with the Crown in December 2017 and is working towards signing a deed of settlement.</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	Status
<p>The Tribunal’s main finding was that the Crown seriously breached the Treaty in the Port Nicholson block causing prejudice to Te Ātiawa, Ngāti Toa, Ngāti Tama, Ngāti Rangatahi, Taranaki and Ngāti Ruanui.</p> <p>The Tribunal recommended that, given the relative complexities of the issues and the interrelationships of these groups affected by a number of Treaty breaches, the parties should clarify matters of representation and enter into negotiations with the Crown.</p>	<p>In progress</p> <p>Settlement legislation enacted for:</p> <ul style="list-style-type: none"> • Taranaki Whānui ki Te Upoko o Te Ika (July 2009) • Ngāti Toa Rangatira (April 2014). <p>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 iwi’s aspirations.</p> <p>Ngāti Rangatahi are currently seeking a mandate to enter into Treaty settlement negotiations with the Crown.</p>

Wai 153: Preliminary Report on the Te Arawa Representative Geothermal Resource Claims (1993)

Te Arawhiti

Primary Findings and/or Recommendations	Status
<p>This preliminary report addresses concerns relating to land and geothermal resources in the Rotorua area. The report primarily considers the claims presented in Wai 154 (The Rotokawa Baths Claim) and Wai 204 (The Whakarewarewa Claim). The report also addresses related claims, Wai 165, 193 and 197.</p> <p>The Tribunal recommended:</p> <ul style="list-style-type: none"> • amendments to relevant legislation • that the Crown impose a moratorium on the grant of resource consents, notification or making of regional plans, and the imposition of royalties or resource rentals in relation to the geothermal fields or resources until a hearing and determination is made • that the Crown enter into early discussions with claimants in the matter of entitlement to royalties and resource rentals. 	<p>In progress</p> <p>Deeds of settlement signed, and legislation enacted for:</p> <ul style="list-style-type: none"> • Affiliate Te Arawa Iwi and Hapū (September 2006, September 2008) • Te Arawa Lakes (December 2004, September 2006) • Central North Island Forests Iwi Collective (June 2008, September 2008). <p>An agreement in principle with Ngāti Rangitahi was signed in December 2018 and the Crown is working towards initialling a deed of settlement.</p>

Wai 201: The Mōhaka ki Ahuriri Report (2004)

Te Arawhiti

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, multiple-held fragments of land, such as those remnant holdings of Ngāti Pāhauwera, into a useable land base.</p>	<p>In progress</p> <p>Deeds of settlement signed, and legislation enacted for:</p> <ul style="list-style-type: none">• Ngāti Pāhauwera (December 2010, March 2012)• Maungaharuru Tangitū Hapū (May 2013, April 2014)• Ngāti Hineuru (Apr 2015, June 2016) <p>Deeds of settlement signed with:</p> <ul style="list-style-type: none">• Ahuriri Hapū (November 2016) <p>There is currently an inquiry (Wai 2573) relating to mandate issues concerning the Mana Ahuriri Trust. The Tribunal heard the claim in February 2019 and is in the process of drafting their report. The expected release date for the report is December 2019. The Crown has advised it is not intending to introduce the Ahuriri Hapū Claims Settlement Bill while issues relating to Wai 2573 remain unresolved.</p>

Te Arawhiti

Primary Findings and/or Recommendations	Status
<p>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.</p> <p>The Tribunal recommended that the Crown move quickly to settle the Tauranga claims with generous redress.</p>	<p>In progress</p> <p>Deeds of settlement signed, and legislation enacted for Ngāti Pūkenga (April 2013, August 2017).</p> <p>Deeds of settlement signed, and legislation enacted for:</p> <ul style="list-style-type: none"> • Ngāi Te Rangi (and Ngā Pōtiki a Tamapahore) (December 2013, May 2016) • Ngā Hapū o Ngāti Ranginui (June 2012, October 2015) <p>A Collective Redress deed providing redress relating to interests shared by the three iwi under the banner of the Tauranga Moana Iwi Collective (TMIC) was also signed (2015) and legislation introduced (October 2015). This legislation will be progressed once overlapping claims issues with neighbouring iwi are resolved and Tauranga iwi reinstate their support for the legislation.</p> <p>Settlement negotiations with Hauraki iwi are still underway and settlement will include redress for their land loss within the Tauranga raupatu district.</p> <p>Ngāti Hinerangi and the Crown signed a deed of settlement in May 2019.</p> <p>The Crown is currently working to introduce the Ngāti Hinerangi Claims Settlement Bill.</p>

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

Te Puni Kōkiri

Primary Findings and/or Recommendations	Status
<p>Following a comprehensive report on progress on <i>Ko Aotearoa Tēnei</i> in the 2017/18 Section 8I report, the sections below focus only on the recommendations for which agencies have reported progress in the 2018/19 year.</p>	<p>In progress</p> <p>In April 2019, the government initiated the development a whole-of-government approach to address the issues raised by the Wai 262 claim and <i>Ko Aotearoa Tēnei</i>. Cabinet authorised the Government to undertake targeted engagement on its proposals, including with representatives of the original Wai 262 claimants, Māori technical experts, various Māori advisory boards, national Māori bodies and subject specialists.</p> <p>At this stage, the Government intends to organise itself around three broad kete of issues. The names for the kete or baskets draw on key terms that feature in the <i>Ko Aotearoa Tēnei</i> report.</p> <ul style="list-style-type: none"> • Taonga Works me te Mātauranga Māori • Taonga Species me te Mātauranga Māori • Kawenata Aorere / Kaupapa Aorere (with an international focus). <p>Government intends to make decisions on next steps in early 2020.</p>

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

Ministry of Business, Innovation, and Employment (MBIE)

Primary Findings and/or Recommendations	Status
<p>Taonga Works</p> <p>In Chapter 1 of <i>Ko Aotearoa Tēnei</i>, the Waitangi Tribunal recommended a new system of protection for what it described as taonga works, taonga-derived works and mātauranga Māori, rather than protection within existing intellectual property frameworks like the Copyright Act 1994.</p> <p><i>Plant Variety Rights</i></p> <p>In Chapter 2 of <i>Ko Aotearoa Tēnei</i>, the Waitangi Tribunal recommended that:</p> <ul style="list-style-type: none"> the Commissioner of Plant Variety Rights (PVR) be empowered to refuse a PVR that would affect the kaitiaki relationship the Commissioner be supported by a Māori Advisory Committee in his/her consideration of the kaitiaki interest the level of human input into the development of a plant variety required for PVR protection be clarified (to address concerns that varieties may be ‘discovered’ in the wild) the Commissioner be empowered to refuse a proposed name for a plant variety if its use would be likely to offend a significant section of the community, including Māori. 	<p>Taonga Works</p> <p>As part of its review of the Copyright Act 1994, the Government began dialogue with Māori on ways Treaty partners might work together to develop policy in response to these recommendations. It did this by releasing an issues paper (with a section outlining the Tribunal’s findings and proposing a new separate work stream to develop policy on taonga works) for public consultation between 23 November 2018 and 5 April 2019, and by holding a targeted kōrero session in March 2019.</p> <p>This process also included consultation on the proposed objective of ensuring the Copyright Act is consistent with the Crown’s obligations under the Treaty of Waitangi. Summaries of the feedback received on taonga works from public workshops, written submissions and the targeted kōrero were published on the MBIE website shortly after the Government announced its intention to develop a whole-of-government approach to address issues raised by the Wai 262 inquiry.</p> <p><i>Plant Variety Rights (PVR) Act Review: July 2018-June 2019</i></p> <p>The policy process to determine what changes are needed to the PVR Act to comply with the Crown’s Treaty of Waitangi obligations continued during this year. The four recommendations in the Wai 262 report were the Government’s starting point for this, but MBIE also continued its engagement with Māori during this year to determine if there are other issues MBIE should be considering.</p> <p>The Government released an Issues paper and Māori engagement plan in September 2018 and several regional hui were held to hear about issues that are important to Māori in the PVR regime. MBIE then drafted an Options paper – a process which included holding a two day ‘options development’ hui in Wellington in April 2019 for Māori to input into this process – which was released in July 2019. The package of options for Treaty compliance proposed in the Options paper implements the Wai 262 recommendations, but also reflects other issues that MBIE heard were important (such as the need for early engagement between plant breeders and kaitiaki).</p>

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

Department of Conservation (DoC)

Primary Findings and/or Recommendations

Status

The Tribunal's recommendations relevant to Department of Conservation included:

4.1 a general review of conservation legislation aimed at bringing together and reconciling the differing approaches to conservation represented by mātauranga Māori and te ao Pākehā – to identify and respond to any statutory barriers to genuine partnership and the full exercise of kaitiakitanga.

4.2.1 an amendment of the Conservation General Policy (CGP) and General Policy for National Parks for partnership to be a “will” obligation; and for DoC’s conservation mission to be consistent with te tino rangatiratanga of iwi and hapū and also be a “will” obligation.

4.2.2 the establishment in law of a national Kura Taiao Council and conservancy Kura Taiao boards, with responsibilities for setting Kura Taiao strategies and plans at national and conservancy levels as part of conservation strategies and plans, and national park plans.

4.2.3 a review of conservation legislation to reconcile mātauranga Māori and te ao Pākehā approaches to conservation management, and to identify and respond to statutory barriers to kaitiakitanga.

4.3.1 amendment to the CGP and General Policy for National Parks to reflect the full range of Treaty principles that apply in law, consider those identified by the Tribunal, and reflect that Treaty principles evolve.

4.3.2 amendment of the Crown-Māori Relationship Instruments (CMRI) guidelines to allow statements that reflect the full range of Treaty principles and provide that CMRIs do not override statutory requirements.

4.1 At the direction of the Minister of Conservation and New Zealand Conservation Authority, DoC is undertaking partial reviews of the Conservation General Policy and the General Policy for National Parks to better reflect its responsibility to give effect to Treaty principles in conservation. The proposed draft terms of reference for the partial reviews provide for explicit consideration of relevant recommendations made by the Waitangi Tribunal in Ko Aotearoa Tēnei. The partial reviews also will identify limitations within wider policy settings, including legislation, and possible remedies to these.

The New Zealand Biodiversity Strategy is currently being developed. The new strategy intends to better reconcile Pākehā and te ao Māori approaches to conservation management and has been developed with input from a Te Ao Māori reference group. The New Zealand Biodiversity Strategy will set an overarching framework for the outcomes DoC and others aim to achieve for conservation within New Zealand.

4.2.2 The Pou network continue to stay in close contact with Māori, discussing conservation policies and strategies. DoC continues to use this network to deliver on the national strategies and commitments to partnership, and to bring regional learnings from iwi and hapū into national strategies and plans.

4.2.3 Legislative amendment is not currently proposed but could be considered in future. The new New Zealand Biodiversity Strategy may also provide future guidance for any legislative changes required. The partial review provides an opportunity to progress thinking on this recommendation and a potential vehicle to strengthen the way it is put into practise. The Terms of Reference for the partial review scope provides for recommendations for legislative change to the Conservation Act.

Primary Findings and/or Recommendations	Status
<p>4.4.2 amendment to the CGP and GPNP to:</p> <ul style="list-style-type: none"> (i) make customary harvest and access a “will” obligation if appropriate conditions are met, with a presumption in favour of customary practices rather than by discretion (ii) remove requirement for an established tradition of customary harvest as a condition for customary use permits. <p>4.5.1 amend the Wildlife Act to provide:</p> <ul style="list-style-type: none"> (i) that no-one owns protected wildlife (ii) for shared management of protected species in line with partnership (iii) that the Crown does not own taonga works derived from protected wildlife, and for tangata whenua to have lawful ownership of the taonga crafted from natural materials. <p>4.6.1 amendment of DoC policies and practices to give tangata whenua interests in taonga a ‘reasonable degree of preference’ in decisions about commercial activities.</p> <p>4.6.2 formalisation of DoC policies for consultation with tangata whenua about concessions within the rohe.</p>	<p>4.4.2 Work is underway to create the simplest possible process for authorising the use of Toroa/albatross for cultural purposes. These birds are by-catch from the fishing industry and brought to the mainland for autopsy before distribution for cultural purposes. This resource supports retention and revitalisation of mātauranga and skills. The project is expected to yield learnings that can be applied to other authorisation processes.</p> <p>4.5.1 Legislative amendment is not currently proposed. Partnership approaches to management of protected species are being advanced in the absence of changes to the Wildlife Act.</p> <p>DoC is currently working on the issue of Ownership of Crafted Taonga, recognising iwi ownership rights to taonga derived from protected wildlife, for non-commercial purposes i.e. kiwi feathers in a kākahu. Tentative discussions have started with Māori.</p> <p>4.6.1, 4.6.2 <i>The Ngāi Tai ki Tāmaki v Minister for Conservation</i> judgment in the Supreme Court has underscored the importance of section 4 in all work DoC undertakes. It has also provided strong direction regarding the consideration of preference in commercial concessions decisions.</p> <p>DoC is undertaking a partial review of the General Policies to better give effect to section 4 throughout the documents and consider this will likely be an area of focus. It is engaging early with Māori to help them design a process to undertake the reviews in partnership.</p>

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

Ministry for Culture and Heritage (MCH) / Te Puni Kōkiri (TPK)

Primary Findings and/or Recommendations	Status
<p>The Culture and Heritage recommendations included that Te Puni Kōkiri (TPK) and the Ministry for Culture and Heritage (MCH) take leadership roles to improve coordination and collaboration between themselves over mātauranga Māori and forming a Māori-Crown partnership entity for the culture and heritage sector.</p> <p>In respect of the Protected Objects Act, the Tribunal recommended that:</p> <ul style="list-style-type: none"> • Te Papa Tongarewa develop best-practice guidelines for private collectors of taonga who are willing to involve kaitiaki in the care of the objects they own • 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 • 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. 	<p>MCH worked alongside Te Papa Tongarewa and the New Zealand Repatriation Research Network (representing major museums) on options to strengthen the approach to progress repatriation of ancestral human remains in museum collections to their source communities within New Zealand.</p> <p><i>Newly Found Taonga Tūturu</i></p> <p>MCH has ongoing direct relationships with iwi around the country regarding newly found taonga tūturu and the export of taonga tūturu.</p> <p>MCH organised care for 148 newly found taonga tūturu. During the year MCH submitted 9 applications to the Māori Land Court to have ownership of taonga tūturu vested in traditional owners. MCH has also supported iwi to build capacity and capability to assist in the long-term conservation of taonga tūturu.</p> <p>MCH has developed a new operational policy for seeking the view of iwi/Māori on export applications for objects that do not meet the definition of taonga tūturu but have an identified iwi interest. This is not in the form of Expert Examiner advice but is provided alongside at least two Expert Examiners’ opinions, for the Chief Executive to consider in their decision-making.</p> <p>For export applications of taonga tūturu that have a known iwi affiliation, MCH will register the iwi on its Register of Expert Examiners for the purpose of seeking an Expert Examiner opinion on the export.</p> <p><i>Te Ara Taonga</i></p> <p>A collaborative partnership approach taken by MCH, Department of Internal Affairs, Te Papa, Heritage NZ and Ngā Taonga Sound and Vision to working with iwi involved in the Treaty settlement process continues. This is known as Te Ara Taonga.</p>

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

Ministry of Health (MOH)

Primary Findings and/or Recommendations	Status
<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. This may involve subcontracting by Māori primary healthcare providers, or the District Health Boards (DHB) requiring primary healthcare organisations in areas with significant Māori populations to provide rongoā services, or some other model. In any case, the Crown must work in genuine partnership with Māori in identifying and implementing any such proposals • incentivising the health system to expand rongoā services. There are various ways in which this could be done – for example, by requiring every primary health care organisation servicing a significant Māori population to include a rongoā clinic • adequately supporting Te Paepae Matua to play the quality-control role that the Crown should not and cannot play itself • beginning to gather some hard data about the extent of current Māori use of services and the likely ongoing extent of demand • given the extent of environmental degradation and the challenges of access to the remaining bush, the Department of Conservation and the MOH should coordinate over rongoā policy. Mātauranga rongoā cannot be supported if there are no rongoā rākau left, or at least none that tohunga rongoā can access. 	<p><i>Government contracting of Rongoā providers/services:</i></p> <p>MOH manages 19 rongoā providers with 3-year contracts starting from 1 April 2018 to 31 March 2021.</p> <p>MOH is currently in negotiation with another provider based in Christchurch to deliver rongoā services in the Canterbury District Health Board (DHB) region. This contract will also expire on 31 March 2021.</p> <p>Before these contracts expire MOH must conduct an open and transparent tender process through the Government Electronic Tender Service. All 19 providers will be eligible to submit proposals for this service. DHBs and Primary Health Organisations (PHOs) can also hold contracts for rongoā services.</p>

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

Ministry of Education (MOE)

Primary Findings and/or Recommendations	Status
<p>The Tribunal’s recommendations relevant to the Ministry of Education (MOE) are:</p> <ul style="list-style-type: none"> • the establishment of a Māori-Crown partnership entity in the education sector. Māori representatives to sit on it could be chosen via an electoral college • MOE developing some specific indicators around mātauranga Māori in order to properly gauge its activities. 	<p>MOE published Tau Mai Te Reo (the Māori Language in Education Strategy) in 2013 to ensure there is a connected and cohesive approach to education sector contributions to support and strengthen the Māori language. Tau Mai Te Reo is currently being refreshed and updated as part of the overall Education Work Programme being undertaken by the Ministry of Education.</p> <p>It is expected that this work will be completed in mid-2020 and will incorporate key initiatives identified in the Review of Vocational Education, the National Education and Learning Priorities, the Tertiary Education Strategy and the Review of Tomorrow’s Schools.</p> <p>In the meantime, the current Māori Language in Education work programme was published as part of the Maihi Karauna Implementation Plan, which is available at: https://www.tpk.govt.nz/en/a-matou-mohiotanga/cabinet-papers/maihi-karauna-implementation-plan</p>

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

Ministry of Foreign Affairs and Trade (MFAT)

Primary Findings and/or Recommendations	Status
<p>Chapter 8 of <i>Ko Aotearoa Tēnei</i> examined the Crown’s obligations to engage with Māori during the negotiation and implementation of international instruments. The Waitangi Tribunal found that the Treaty of Waitangi requires Māori interests to be protected to the extent that it is reasonable and practicable in the international circumstances. The degree of protection will depend on the nature and importance of the interest when balanced alongside the interests of other New Zealanders. The Crown must properly inform itself of the scale of any Māori interests, their importance to Māori and the nature and extent of likely impacts on it to determine the degree of priority to be accorded to them. To help determine these questions, the Crown and Māori must always be talking to each other, whether through occasional consultation or something more regular, fixed and permanent.</p>	<p>The Crown’s practice is to consider engagement with Māori for all Government policy including non-binding international instruments. Cabinet Office Circular CO (19)5 Te Tiriti o Waitangi/Treaty of Waitangi Guidance of 22 October 2019 sets out guidelines agreed by Cabinet for policymakers to consider the Treaty of Waitangi in policy development and implementation.⁸</p> <p>Government agencies utilise a range of practises and tools for engagement with Māori and the public on international instruments, depending on the nature and strength of interest. These may include use of traditional and social media to disseminate information, distribution of materials via emails and websites, public submission processes, face-to-face meetings, dialogue with iwi and Māori representative bodies, public consultations, and formation of advisory bodies. As an example, an independent Māori Taumata was stood up in September 2019, in conjunction with the MFAT, to deepen Māori-Crown engagement on trade policy issues of priority interest to Māori.</p> <p>In accordance with the 2001 Strategy for Engagement with Māori on International Treaties, every six months MFAT sends to iwi and Māori organisations a report on international treaties currently under negotiation or consideration as a means of ensuring that Māori are, wherever possible, kept informed of developments in the government’s participation in the international legal framework. Reports were distributed in April and October 2019.</p>

8 <https://dpmc.govt.nz/publications/co-19-5-te-tiriti-o-waitangi-treaty-waitangi-guidance>

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

Ministry of Foreign Affairs (MFAT)

Primary Findings and/or Recommendations	Status
	<p>New Zealand Treaties Online provides more detailed information on international treaties to which New Zealand is party, or is in the process of negotiating, concluding, ratifying or acceding. National Interest Analyses are required to specify the economic, social, cultural and environmental effects of a proposed multilateral and some bilateral treaty action, which in practice includes any Treaty of Waitangi considerations.</p> <p>The Crown reports to a large range of international bodies as part of its obligations under various international instruments. These reporting mechanisms, as well as attendance at related meetings, involve regular international scrutiny of the Crown's engagement with Māori. For example, the Universal Periodic Review (UPR) is a state-to-state mechanism that reviews the human rights situation in all United Nations member states. New Zealand's third UPR took place in January 2019. New Zealand's report included progress and challenges in respect of indigenous rights in New Zealand. These issues also featured strongly in the comments and recommendations United Nations member states made to New Zealand. Māori engaged in the public consultation process that informed the drafting of the report. The draft report was released online for public feedback in mid-2018.</p> <p>Further work is being considered as part of the government's intention to develop a whole-of-government approach to the issues raised in the Wai 262 claim and resulting Waitangi Tribunal report. The proposed focus for Kete 3 is: how should the Crown work with Māori to identify Māori interests and the nature and strength of those interests when negotiating international instruments and participating in international forums?; how should Government agencies engage with Māori when representing New Zealand?; and how Māori should be represented in international forums?</p>

Wai 321: Appointments to the Treaty of Waitangi Fisheries Commission Report (1992)

Te Arawhiti

Primary Findings and/or Recommendations	Status
<p>Claimants argued that Ngāti Paoa and others were prejudicially affected by the consultation procedure and proposed ministerial policy surrounding appointment of commissioners to the Māori Fisheries Commission. Specifically, that the proposed policy of the Minister was not to consult collectively at a hui, and that such a policy was inconsistent with the principles of the Treaty.</p> <p>The Tribunal recommended that it would be appropriate for a hui to be called in the interests of transparency and to build confidence in the Commission.</p>	<p>In progress</p> <p>Ngāti Paoa initialled their deed of settlement with the Crown in August 2017, and are working towards signing a deed of settlement.</p>

Wai 686: The Hauraki Report (2006)

Te Arawhiti

Primary Findings and/or Recommendations

The Hauraki Report confirmed significant Treaty breaches by the Crown against the Marutūāhu and other Pare Hauraki tribes.

The Tribunal considered that substantial restitution is due, and that the quantum should be settled by prompt negotiation.

Status

Ongoing

Settlement negotiations with a number of iwi that form the Hauraki Collective are well advanced:

- the Ngāti Pukenga Deed of Settlement was signed on 7 April 2013 and settlement legislation was enacted in August 2017
- the Ngāi Tai ki Tāmaki Deed of Settlement was signed on 7 November 2015 and settlement legislation was enacted in July 2018
- the Pare Hauraki Collective Redress Deed was signed in August 2018
- the Ngāti Tara Tokonui Deed of Settlement was initialled on 1 June 2017
- the Ngāti Rāhiri Tumutumu Deed of Settlement was initialled on 13 July 2017
- the Ngāti Hei Deed of Settlement was signed on 17 August 2017
- the Ngāti Paoa Deed of Settlement was initialled on 18 August 2017
- the Ngaati Whanaunga Deed of Settlement was initialled on 25 August 2017
- the Ngāti Maru Deed of Settlement was initialled on 8 September 2017
- the Ngāti Tamaterā Deed of Settlement was initialled on 20 September 2017
- the Marutūāhu Collective Redress Deed was initialled on 27 July 2018
- the Patukirikiri Deed of Settlement was signed on 7 October 2018.

Negotiations with Hako towards a deed of settlement are currently paused.

The Crown has also paused negotiations with Ngāti Porou ki Hauraki while they continue proceedings in the Tribunal regarding their settlement.

The Waitangi Tribunal is currently finalising the report of its urgent Wai 2850 Hauraki Overlapping Claims inquiry. The inquiry covers six claims in relation to the Crown's overlapping interests in relation to Hauraki redress offers.

Wai 692: The Napier Hospital and Health Services Report (2001)

Ministry of Health (MOH)

Primary Findings and/or Recommendations	Status
<p>The Tribunal primarily recommended that the Crown endow a community health centre in trust for Ahuriri Māori, assigning part of the proceeds from the transfer of the Napier Hospital site out of the ownership of the Hawke's Bay District Health Board.</p> <p>The Tribunal considered an early resolution of the claim to be possible within the framework of current government policy and health sector legislation.</p>	<p>In progress</p> <p>The deed of settlement for the contemporary aspect of Wai 692 was signed on 3 October 2008. The Crown's initial obligation to fund the provision of rongoā services under the deed of settlement has been met.</p> <p>Ahuriri District Health are currently contracted to deliver rongoā services from 1 April 2018 to 31 March 2021.</p> <p>MOH is also currently in negotiation with another provider based in Christchurch to deliver rongoā services in the Canterbury District Health Board region. This contract will also expire on 31 March 2021.</p>

Wai 785: Te Tau Ihu o Te Waka a Maui: Report on Northern South Island Claims (2008)

Te Puni Kōkiri / Te Arawhiti / Ministry for Primary Industries (MPI)

Primary Findings and/or Recommendations	Status
<p>The Tribunal found that the totality of Treaty breaches was serious and caused significant social, economic, cultural, and spiritual prejudice to all iwi of Te Tau Ihu. These breaches, the Tribunal considered, required large and culturally appropriate redress.</p> <p>In an attempt to assist Te Tau Ihu Treaty settlements, the Tribunal made several recommendations for remedies. Having regard in particular to the relatively even spread in terms of social and economic prejudice across all eight Te Tau Ihu iwi, the Tribunal recommended that the total quantum of financial and commercial redress be divided equally between them.</p> <p>The Tribunal's report highlighted a number of shortcomings with respect to the current 'offer-back' regime under the Public Works Act 1981. It recommended amendments to Te Ture Whenua Māori Act 1993 and the Public Works Act to address these issues.</p> <p>The Tribunal also highlighted problems with resource and fishery management regimes and recommended changes and improvements to ensure that these regimes were more consistent with the Treaty. The Crown admitted that the Resource Management Act 1991 was not being implemented in a manner that provided fairly for Māori interests.</p>	<p>In progress</p> <p>All eight Te Tau Ihu iwi have signed individual deeds of settlement and the following legislation was enacted to complete their settlements:</p> <ul style="list-style-type: none">• Ngāti Apa ki te Rā Tō, Ngāti Kuia and Rangitāne o Wairau Claims Settlement Act 2014• Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu and Te Ātiawa o Te Waka-ā-Māui Claims Settlement Act 2014• Ngāti Toa Rangatira Claims Settlement Act 2014• Haka Ka Mate Attribution Act 2014. <p>The Government is aware of the issues associated with the offer-back process for the return of former Māori land that is no longer required for public purpose and has instructed officials from Te Puni Kōkiri and LINZ to develop options to improve the offer-back process. Targeted engagement on possible options was carried out with Māori leadership groups, Māori landowner groups, local councils and network utility operators during November 2019 and announcements about the preferred approach will be made in due course.</p>

Wai 785: Te Tau Ihu o Te Waka a Maui: Report on Northern South Island Claims (2008) (cont.)

Te Puni Kōkiri / Te Arawhiti / Ministry for Primary Industries (MPI)

Primary Findings and/or Recommendations	Status
<p>Finally, the Tribunal made recommendations with respect to the customary interests of Te Tau Ihu iwi within the statutorily defined Ngāi Tahu takiwā. Te Tau Ihu iwi lost the ability to recover their interests in lands within the takiwā, which have been vested in Ngāi Tahu as a result of earlier Crown settlement. The Tribunal strongly recommended that the Crown take urgent action to ensure that these breaches did not continue. It also recommended that the Crown negotiate with those Te Tau Ihu iwi identified in the report as having customary interests within the statutorily defined Ngāi Tahu takiwā to agree on equitable compensation.</p>	<p>Te Puni Kōkiri continues to be involved in negotiations with Ngāti Rārua Ātiawa Iwi Trust (NRAIT) to resolve issues in relation to their Whakarewa lands. Te Tau Ihu iwi and the Ministry for Primary Industries (MPI) have jointly established a regional iwi Forum to act as an engagement platform to provide for the input and participation of the iwi into all fisheries sustainability processes that may affect Te Tau Ihu. MPI has assisted the iwi to develop a regional iwi fisheries plan, which sets out the iwi objectives for the fisheries of Te Tau Ihu and gives expression to how Te Tau Ihu iwi exercise kaitiakitanga over their fisheries. This plan has been in place for five years and has recently been reviewed by the iwi.</p> <p>As an expression of kaitiakitanga the plan is given particular regard when decisions are made regarding sustainability measures to manage fisheries in Te Tau Ihu.</p>

Wai 788/800: The Ngāti Maniapoto / Ngāti Tama Cross Claims Report (2001)

Te Arawhiti

Primary Findings and/or Recommendations	Status
<p>The Tribunal recommended that the status of the Kawau Pā historic reserve remain unchanged for the time being, and no statutory acknowledgement or deed of recognition in relation to this site should be included in the Ngāti Tama settlement.</p>	<p>In progress</p> <p>The Crown and the Maniapoto Māori Trust Board signed an agreement in principle in August 2017. Tripartite discussions between the Crown, Ngāti Tama and Ngāti Maniapoto are now underway regarding possible redress in relation to the Te Kawau Pā Historic reserve.</p>

Wai 789: The Mōkai School Report (2000)	
Land Information New Zealand (LINZ) / Ministry of Education	
Primary Findings and/or Recommendations	Status
<p>The Tribunal made specific recommendations concerning the reopening of Mōkai School. The Tribunal, however, put the onus on the community to ensure a stable and viable roll.</p>	<p>In progress</p> <p>A hearing was held in the Māori land Court at Taupo on 11 December 2018 at which the Court confirmed that it was satisfied that the Ruku Te Kauki Te Waharahi and Mereaina Waipaopao Te Kauki Te Waharahi Ahu Whenua Trust (Trust) is the appropriate entity for the land to be vested in to hold on behalf of all persons beneficially entitled to that land. The Māori Land Court has not yet confirmed the order to vest the land in the Trust as it is considering the appropriate form of a vesting order. A decision of the Court is expected to be made by March 2020.</p>

Wai 790: Taranaki Māori, Dairy Industry Changes, and the Crown (2001)	
Te Arawhiti	
Primary Findings and/or Recommendations	Status
<p>The Tribunal found that three claims of prejudice were not founded but for the fourth, that the cost to the claimants of entering the dairy industry on their land would increase as 'fair value' shares increased in value, was. The prejudice of this was compounded, they said, by the Crown's failure to respond to calls for relief, which was in breach of the Crown's duty to actively protect the rights promised in the Treaty. They also said that if the Crown had responded in a timely manner, the claimants would have been in a position to enter dairy farming.</p> <p>The Tribunal recommended that the Crown guarantee loans to allow claimants to purchase shares. They also recommended that if rents to the claimants' incorporation were reduced in real terms, then the Crown should make up the rental figure, with any monitoring and consultation necessary to allow this to happen.</p>	<p>In progress</p> <p>Settlement legislation passed for:</p> <ul style="list-style-type: none"> • Ngāti Tama (November 2003) • Ngāti Mutunga (November 2006) • Te Ātiawa (December 2016) • Taranaki Iwi (December 2016) • Ngāruahine (December 2016) • Ngāti Ruanui (May 2003) • Ngāa Rauru (June 2005) <p>Part of Ngāti Maru and Taranaki Maunga negotiations.</p>

Primary Findings and/or Recommendations	Status
<p>The Tribunal found that there are systemic flaws in the operation of the current regime for managing the petroleum resource. Its recommendations included that:</p> <ul style="list-style-type: none"> • 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. 	<p>In progress</p> <p><i>Annual Block Offers</i></p> <p>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.</p> <p>In response to issues raised in submissions during consultation for Block Offer 2018 an additional engagement condition in the Invitation for Bids document was included and has been included in the Invitation for Bids document for Block Offer 2019.</p> <p>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.</p> <p>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.</p> <p>As part of ensuring compliance within the regulatory system, MBIE also undertakes random site visits of permit holders around the country. Recognising the status of iwi/hapū as mana whenua, New Zealand Petroleum & Minerals now reports the results of these visits when they occur in their rohe with issues that may be of interest to iwi/hapū.</p>

Wai 796: The Report on the Management of the Petroleum Resource (2003) (cont.)	
Ministry of Business, Innovation, and Employment	
Primary Findings and/or Recommendations	Status
	<p><i>MBIE Crown Minerals Protocols</i></p> <p>MBIE actively utilises Crown Minerals Protocols and other relationship instruments when engaging with relevant iwi. There are currently 36 Crown Minerals Protocols and one Minerals Relationship Instrument that have been issued to iwi, four Energy and Resource Accords and three Relationship Agreements with three Taranaki iwi, of which the latter provide specific annual fora for iwi to discuss matters related to petroleum exploration and mining activities.</p> <p>Over 2018/2019 MBIE engaged regularly with iwi partners pursuant to these protocols.</p> <p>MBIE is continuing to negotiate relationship agreements with iwi in regions where petroleum and minerals grievances is highlighted by iwi, including in the greater Taranaki area and Hauraki regions.</p>

Wai 814: Tūranga Tangata Tūranga Whenua Report of the Tūranganui a Kiwa Claims (2004)

Te Arawhiti / Te Puni Kōkiri

Primary Findings and/or Recommendations	Status
<p>The Tribunal found that the Crown failed to act reasonably and with the utmost good faith in much of its dealings with the iwi of Tūranga, that it breached the principles of the Treaty on a number of occasions, and that the Tūranga claims were well-founded.</p> <p>The Tribunal expressed a view that there was an urgent need for community education on the history of race relations in New Zealand in hope that the Government would ensure that the stories of the people of Tūranga would be told.</p> <p>The Tribunal recommended that the Crown should negotiate with claimants and, if it were feasible, the parties should consider the benefits of a single district-wide negotiation process which would result in the creation of several settlement packages.</p>	<p>In progress</p> <ul style="list-style-type: none"> • Settlement legislation passed for: • Rongowhakaata (July 2012) • Ngāi Tamanuhiri (July 2012) • Ngāti Porou (March 2012) <p>Negotiations with the Māhaki cluster (Te Aitanga a Māhaki, Ngā Ariki Kaipūtahi and Te Whānau a Kai) were paused while the Waitangi Tribunal heard the application for remedies in relation to the Mangatū No.1 block. (refer Mangatū Remedies report below). That remedies inquiry remains ongoing.</p> <p>In 2008, the Crown offered to provide the Tūranga Post-Settlement Governance Entity with capacity building funding of \$500,000 per annum, for 10 years, outside of the Treaty settlement framework.</p>

Wai 814: Mangatū Remedies Report (2013)	
Te Arawhiti / Department of Conservation	
Primary Findings and/or Recommendations	Status
<p>The Mangatū Remedies Report (the Report) was the result of separate applications by the Mangatū Incorporation (the Incorporation), Te Aitanga a Māhaki and Affiliates (TAMA), Ngā Ariki Kaipūtahi and Te Whānau a Kai. Each sought binding recommendations from the Tribunal for the return of Mangatū Crown Forest Licensed lands as a remedy for historical claims.</p> <p>The Tribunal dismissed three of the four applications. The fourth (made by TAMA) was adjourned. The Tribunal concluded that it could not be certain that a binding recommendation for the return of Mangatū Crown forest licensed land to the Incorporation would provide redress proportionate to the prejudice suffered. The Tribunal considered that redress that seemed to favour one group over others would risk creating fresh grievances and might undermine the chances of achieving a durable Treaty settlement of the claims.</p> <p>The Tribunal urged all applicants to re-unite and return to settlement negotiations with the Crown, noting that mandates would need to be stabilised/re-confirmed. The Tribunal noted that it reserved leave to the claimant groups to return to the Tribunal for a comprehensive remedies inquiry and report if negotiations were not successful.</p>	<p>Ongoing</p> <p>A Tribunal re-consideration of the applications for binding remedies continues and the Waitangi Tribunal will issue a decision in due course.</p> <p>As noted in the 2017/18 report, mandate work for Te Aitanga a Māhaki and Ngā Ariki Kaipūtahi was, however, paused when a Ngā Ariki Kaipūtahi claimant, Te Aitanga a Māhaki and the Mangatū Incorporation commenced proceedings in the High Court, seeking judicial review of the Tribunal’s report.</p>

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; and 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>In progress</p> <p>Settlement legislation enacted for:</p> <ul style="list-style-type: none"> Rangitāne o Wairarapa and Rangitāne o Tāmaki Nui ā Rua, August 2017. <p>Ngāti Kahungunu ki Wairarapa ki Tāmaki nui-a-Rua initialled a deed of settlement in March 2018. 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>Fisheries New Zealand is in the process of undertaking discussions with iwi on the best approach to provide for input and participation of post-settlement governance entities in sustainability processes conducted under the Fisheries Act 1996. Discussions to date support continuation of input and participation through regional iwi fisheries forums, but more focussed involvement in planning research and management. These discussions and a refresh of the engagement process with tangata whenua will continue in 2019.</p>

Wai 894: Te Urewera Report Volumes I – VIII (2017)

Te Arawhiti

Primary Findings and/or Recommendations	Status
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This report addresses major historical and contemporary claims brought by the peoples of Te Urewera. The report was first released online in six parts, and through the course of its report the Tribunal made multiple findings of breaches of the principles of the Treaty.

However, early in its report the Tribunal said its general approach was that it would be premature to make remedial recommendations before the completion of its inquiry into all Te Urewera claims. Later, the Tribunal noted that Ngāi Tūhoe, Ngāti Manawa and Ngāti Whare, Ngāti Hineuru, and the Crown had since reached a settlement, and this meant that its jurisdiction to make recommendations was largely gone.

However, the Tribunal made some specific recommendations relating to certain claims.

In respect of the Mokomoko whānau claim, the Tribunal recommended the terms of Mokomoko’s pardon be revisited. It recommended that redress be provided in the form of a statutory pardon, along with a further tangible tribute, to be decided between the claimants and the Crown.

In relation to the Crown’s acquisition and retention of land at Onepoto, Lake Waikaremoana, the Tribunal recommended that the Crown begin a process whereby it would be returned to the original owners.

On the failure of a 1924 survey to include all urupā within the Maungapōhatu Burial Reserve, the Tribunal recommended that this important matter be investigated.

The Tribunal recommended that the Crown and appropriate claimants assess the present kererū population in Te Urewera and monitor it over a period to establish its viability. If this could be established, the Crown should discuss with appropriate claimants whether a culturally appropriate and limited take would be sustainable.

The Tribunal also recommended that the New Zealand law of waterway ownership be reformed as a matter of urgency so that it could be made consistent with Treaty principles.

In progress

Settlement legislation enacted for:

- Ngāti Awa (March 2005)
- Affiliate Te Arawa Iwi and Hapū (September 2008)
- Ngāti Manawa (March 2012)
- Ngāti Whare (March 2012)
- Ngāi Tūhoe (July 2014); and
- Te Tira Whakaemi o Te Wairoa (September 2018).

The Crown expects to recognise a mandate to negotiate with Ngāti Ruapani in October 2019.

Wai 903: Combined Record of Inquiry for the Whanganui Claims (2015)

Te Arawhiti

Primary Findings and/or Recommendations	Status
<p>The Tribunal recommended that the Crown take active steps to provide redress for the many breaches of the Treaty in settlement negotiations.</p>	<p>In progress</p> <ul style="list-style-type: none">• 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 (MPI)	
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>In progress</p> <p>The Ministry of Primary Industries (MPI) has concluded the delivery of the Crown’s pre-commencement space obligations.</p> <p><i>New space obligation</i></p> <p>The Act requires the Crown to provide the Trustee with settlement assets that are representative of 20% of new space created or anticipated from 1 October 2011.</p> <p>MPI has settled in Northland, Auckland, Waikato East, Tasman, Marlborough and Canterbury.</p> <p>The only current outstanding regional agreement is for Southland. Negotiations are favourable and this agreement should be concluded by the end of May 2020. Additional time has been spent finalising the Southland agreement due to Ngāi Tahu’s strong desire for a spatial settlement and the time needed to identify a suitable marine farm site.</p>

Wai 958: The Ngāti Awa Settlement Cross-Claims Report (2002)

Te Arawhiti

Primary Findings and/or Recommendations	Status
<p>This report addresses the outcome of an urgent hearing into cross-claims to a settlement offer made by the Crown to Ngāti Awa.</p> <p>The cross-claims were made on behalf of Ngāti Haka Patuheuheu, Ngā Rauru o Ngā Pōtiki, Wai 36 Tūhoe claimants, and Ngāti Rangitihī.</p> <p>The cross-claimants opposed certain items of redress offered to Ngāti Awa on the basis that they also had customary interests in those areas that had not been heard by the Tribunal. The counter-claimants alleged that the Crown breached the Treaty of Waitangi by offering these items to Ngāti Awa.</p> <p>The Tribunal found that the Crown did not breach the Treaty by offering these items to Ngāti Awa.</p> <p>The Tribunal noted that the cross-claimants' grievance in relation to the offer stemmed from the Crown's failure to properly communicate its policy with affected Māori groups, which intersected with a period whereby the Crown was reviewing its policies. The Tribunal cautioned such actions could exacerbate inter-tribal conflict, and recommended Crown agencies to improve their understanding of ways to resolve such relationships.</p>	<p>In progress</p> <p>Deeds of settlement signed, and legislation enacted for:</p> <ul style="list-style-type: none"> • Ngāti Awa (March 2003, March 2005); and • Tūhoe (June 2013, July 2014). <p>An agreement in principle with Ngāti Rangitihī was signed in December 2018 and the Crown is working towards initialling a deed of settlement.</p>

Wai 996: The Ngāti Tūwharetoa ki Kawerau Settlement Cross-Claim Report (2003)

Te Arawhiti

Primary Findings and/or Recommendations	Status
<p>This report addressed the urgent inquiry into a cross-claim made on behalf of Ngāti Rangitahi in objection to the Crown’s settlement with Ngāti Tūwharetoa ki Kawerau.</p> <p>Claimants argued that their customary interests overlapped with Ngāti Tūwharetoa ki Kawerau, and they were prejudiced by the Crown’s provision of redress to Ngāti Tūwharetoa ki Kawerau in advance of any hearing of Ngāti Rangitahi’s claims.</p> <p>The report focuses on the Crown’s policy and practice relating to cross-claims to cultural redress.</p> <p>The Tribunal concluded that the Crown’s practice fell short in several key ways, particularly in its process, focus and consultation. The Tribunal found the Crown breached the principles of the Treaty due to these factors.</p> <p>The Tribunal found that only Wai 996 claimants, and not all Ngāti Rangitahi, had been prejudiced by these breaches. The Tribunal noted that an internal division within Ngāti Rangitahi needed to be resolved.</p> <p>The Tribunal recommended that:</p> <ul style="list-style-type: none"> the Crown implement a policy to ensure consultation with cross-claimants commences at an early stage in negotiations; and the door be left open for Ngāti Rangitahi to join an advisory board. 	<p>In progress</p> <p>Deed of settlement signed, and legislation enacted for:</p> <ul style="list-style-type: none"> Ngāti Tūwharetoa (Bay of Plenty) (June 2003, May 2005) <p>Ngāti Rangitahi signed an agreement in principle with the Crown in December 2018 and the Crown is working towards initialling a deed of settlement with them.</p>

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

Te Arawhiti

Primary Findings and/or Recommendations	Status
<p>The Tribunal disagreed with the Crown’s proposed policy for the foreshore and seabed. It considered there were fundamental flaws in the policy, particularly in relation to the application of Treaty principles.</p> <p>The Tribunal offered recommendations it considered would address the Crown’s position in Treaty terms, while at the same time achieving the objectives of public access and inalienability for the foreshore and seabed.</p>	<p>In progress</p> <p>The deadline for making an application under the Marine and Coastal Area (Takutai Moana) Act 2011 (the 2011 Act) was 3 April 2017. The Crown received 385 applications for recognition agreements under the 2011 Act including five applications transferred from the Foreshore and Seabed Act. The High Court has received 202 applications for recognition orders.</p> <p>A Crown engagement strategy to process the large number of Crown engagement applications is being finalised for approval by the Minister for Treaty of Waitangi Negotiations (the Minister).</p> <p>The Minister is responsible for administering te Takutai Moana Act and is currently in formal engagement with nine groups.</p> <p>The Minister offered to enter into a recognition agreement with Ngāti Pāhauwera recognising customary marine title. A recognition agreement was initialled by Ngāti Pāhauwera. However, the ratification results were not accepted by the Minister.</p> <p>The Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, which gives effect to a deed of settlement between the Crown and ngā hapū o Ngāti Porou in respect of the takutai moana within a defined area known as Ngā Rohe Moana o Ngā Hapū o Ngāti Porou, came into force on 30 May 2019.</p> <p>The High Court has made its first determination under the 2011 Act finding customary marine title in <i>Re Tipene</i> [2016] NZHC 3199.</p>

Primary Findings and/or Recommendations	Status
<p>The Tribunal noted that the Treaty principles of dealing fairly and with utmost good faith have been breached, that substantial restitution is due, and that the quantum should be settled by prompt negotiation.</p> <p>The Tribunal recommended that the Crown undertake further research on the Ōkahukura 8M2 acquisition to ascertain whether compensation was ever paid to the owners.</p> <p>The Tribunal recommended an expression of recognition and respect for the spiritual regard that the claimants express for Tongariro as a special maunga, in the form of joint management of the Tongariro National Park by the Crown and the former owners. It should be taken out of DoC control and managed jointly by a statutory authority of both Crown and Ngā Iwi o te Kāhui Maunga representation. Title should also be held jointly between these two groups, in a new form of 'Treaty of Waitangi title'.</p> <p>The land used for quarrying and metal extraction should not only be returned but be made clear and safe: returned in a usable condition at no cost to the former owners or their successors. The Tribunal further recommended that there be compensation for the damage and destruction caused to the land and ancestral remains.</p> <p>Finally, the Tribunal recommended that waterways of te kāhui maunga, including Lake Rotoaira, should be monitored, and the ground should fund this research.</p>	<p>In progress</p> <p>The Crown made the offer to enter collective negotiations over Tongariro National Park with all iwi with interests in Tongariro National Park.</p> <p>Iwi and the Crown are currently in discussions about appropriate representation in future negotiations.</p>

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

Te Arawhiti

Primary Findings and/or Recommendations

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

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

Status

In progress

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

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

The Crown is in active negotiations with:

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

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

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

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

Te Arawhiti

Primary Findings and/or Recommendations	Status
<p>The Tribunal has convened three inquiries into this settlement, with the first two examining mandate issues while negotiations were in progress.</p> <p>This report focuses on mandating and overlapping claims, noting that the Tribunal has separately heard and will report on matters associated with licensed Crown forestry land.</p> <p>The Tribunal recommended that:</p> <ul style="list-style-type: none"> the Minister of Māori Affairs commission annual audits of Office of Treaty Settlements (OTS) 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 Mākinō the Crown facilitate mandating hui with identified groups outside of the affiliate Te Arawa iwi/hapū mandate. 	<p>In progress</p> <p>The Crown has signed deeds of settlement with the following groups:</p> <ul style="list-style-type: none"> Ngāti Rangiwewehi Deed of settlement signed 2012, legislation enacted in April 2014 Ngāti Rangiteaorere Deed of settlement signed 2013, legislation enacted in April 2014 Tapuika Deed of settlement signed 2012, legislation enacted in April 2014; and Waitaha Deed of settlement signed 2011, legislation enacted in June 2013. <p>Negotiations towards an agreement in principle with Ngāti Whakāue were placed on hold in 2016 because of a gap between the Crown’s settlement offer and the iwi’s aspirations.</p> <p>Ngāti Rangitīhi signed an agreement in principle with the Crown in December 2018 and are working towards initialling a deed of settlement.</p>

Wai 1362: The Tāmaki Makaurau Settlement Process Report (2007)

Te Arawhiti

Primary Findings and/or Recommendations	Status
<p>This report concerns the 2006 agreement in principle signed between the Crown and Ngāti Whātua Ōrākei and claims by other tangata whenua groups with interests in the Tāmaki Makaurau area. The report found that these interests would have been prejudiced by Crown actions in respect of the proposed settlement.</p> <p>The Tribunal recommended that:</p> <ul style="list-style-type: none"> • the proposed settlement with the Ngāti Whātua o Ōrākei Trust be put on hold until other tangata whenua groups within the region have similarly negotiated agreements in principle with the Crown • the Crown should take steps to facilitate the entry of these groups into the settlement process. In doing so the Crown will need to investigate the customary interests that were not adequately prepared prior to the draft agreement with Ngāti Whātua o Ōrākei • the Tribunal further recommended that the Office of Treaty Settlements (OTS) elaborate on its policy regarding managing tangata whenua groups other than the settling group: <ol style="list-style-type: none"> i. the Crown should hold hui to determine who to engage with ii. engagement should take the form of a programme of hui throughout the negotiations. Letters should only supplement face to face communication iii. OTS should make a commitment to understand customary interests underpinning tangata whenua positions, through engagement written and oral Māori sources of knowledge iv. OTS should operate upon the principle that if material of any kind is to be relied upon in settlement negotiations, that material must be available to all. <p>The Tribunal recommended that the Crown fund non-negotiating tangata whenua groups to commission research and obtain advice on legal and commercial matters that affect them.</p>	<p>In progress</p> <p>Negotiations on individual deeds of settlement continue to progress across the region. Deeds of settlements have been signed with the following claimant groups who have interests in the region:</p> <ul style="list-style-type: none"> • Ngāti Whātua o Kaipara (2011) • Ngāti Manuhiri (2011) • Ngāti Whātua o Ōrākei (2011) • Te Kawerau ā Maki (2014) • Ngāi Tai ki Tāmaki (2015) • Ngāti Tamaoho (2017); and • Te Patukirikiri (2018). <p>Deeds of settlement have also been initialled with the following claimant groups who have interests in the region:</p> <ul style="list-style-type: none"> • Ngāti Paoa initialled a deed of settlement on 18 August 2017 • Ngāti Whanaunga initialled a deed of settlement on 25 August 2017 • Ngāti Tamatera initialled a deed of settlement on 8 September 2017; and • Ngāti Maru initialled a deed of settlement on 8 September 2017. <p>The following claimant groups who have interests in the region are working towards initialling a deed of settlement:</p> <ul style="list-style-type: none"> • Te Rūnanga o Ngāti Whātua • Te Ākitai Waiohua. <p>The Marutūāhu Collective and the Crown initialled the Marutūāhu Iwi Collective Redress Deed in July 2018.</p> <p>Ngāti Te Ata and Ngāti Koheriki negotiations are currently on hold because of a gap between the Crown’s settlement offer and the aspirations of iwi.</p>

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

Ministry of Education / Te Arawhiti

Primary Findings and/or Recommendations	Status
<p>The urgent inquiry was triggered by the publication in 2011 of the report of the Early Childhood Education Taskforce, which, the claimants said, they had not been consulted on and had seriously damaged their reputation. They argued that the report, and government policy development based on it, would cause irreparable harm to the kōhanga reo movement.</p> <p>The Tribunal endorsed the conclusion of the Wai 262 report that urgent steps were needed to address recent Crown policy failures if te reo is to survive. The Tribunal noted that survival requires both Treaty partners – Māori and the Crown – to collaborate in taking whatever reasonable steps are required to achieve the shared aim of assuring the long-term health of te reo as a taonga of Māori.</p> <p>It recommended that the Crown, through the Prime Minister, appoint an interim advisor to oversee the implementation of the Tribunal’s recommendations to redevelop the engagement between government agencies and Te Kōhanga Reo National Trust.</p> <p>The Tribunal recommended that the Crown, through the Department of the Prime Minister and Cabinet and the Independent Advisor, oversee the urgent completion of a work programme addressing:</p> <ul style="list-style-type: none"> • a policy framework for kōhanga reo • policy and targets for increasing participation and reducing waiting lists • identification of measures for maintaining and improving the quality in kōhanga reo • supportive funding for kōhanga reo and the Trust • provision of capital funding to ensure that kōhanga reo can meet the standards for relicensing • support for the Trust to develop the policy capability to collaborate with Government in policy development for kōhanga reo. 	<p>In progress</p> <p>In March 2018, Cabinet agreed the scope of discussions between the Crown and the Trust.</p> <p>Currently, the Ministry of Education and Office for Māori Crown Relations: Te Arawhiti are working with Te Kōhanga Reo National Trust to implement a joint work programme agreed by Ministers and the Trust Board to address issues raised in the claim.</p> <p>In June 2019, as part of the work programme, the Government announced a budget package to enable improved pay for kaiako and kaimahi and to address pressing capital issues and ICT issues. Further work is underway on longer-term funding and other matters contained in the work programme.</p>

Wai 2336: Matua Rautia: The Report on the Kōhanga Reo Claim (2013) (cont.)	
Ministry of Education / Te Arawhiti	
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 Te Puni Kōkiri, the Ministry of Education (MOE), 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 Kīngitanga.</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 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. This 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 into discussions with the New Zealand Māori Council for reimbursement of legal costs incurred by the New Zealand Māori Council that have not been covered by legal aid.</p>	<p>In progress</p> <p>Te Puni Kōkiri continues to advise and work with the Minister for Māori Development (MfMD) regarding the “modernisation of Māori Wardens”. In tandem with reviewing the role of the New Zealand Māori Council in today’s society, MfMD is also considering options that support Māori Warden autonomy and self-management. A Cabinet paper introducing the options and seeking Ministerial support was considered by Cabinet in December 2018. It noted the MfMD’s intention to report back to Cabinet on:</p> <ul style="list-style-type: none"> • the outcomes of exploratory and detailed discussions with the New Zealand Māori Council, Māori Wardens and other key stakeholders, on modernising the Māori Wardens • a change proposal for modernising the Māori Wardens • next steps to actioning the change proposal. <p>Work was completed to hold a Māori Warden National Conference held in Ngāruawāhia in July 2019.</p> <p>A second Cabinet paper has been prepared updating the progress that has been made to date.</p>

Wai 2478: He Kura Whenua ka Rokohanga: Report on Claims about the Reform of Te Ture Whenua Māori Act 1993 (2016)

Te Puni Kōkiri

Primary Findings and/or Recommendations	Status
<p>This report was in response to an urgent inquiry about the Crown’s process of consultation and proposed reforms to Te Ture Whenua Māori Act 1993.</p> <p>The Waitangi Tribunal found that the Crown’s process was flawed because Māori were not properly informed. The Tribunal said that in order to not breach the principles of the Treaty of Waitangi, properly informed and broad-based support for the proposed reforms should be obtained.</p> <p>Regarding the substantive reforms the Tribunal found that a number of provisions were Treaty-deficient and that Māori would be prejudiced if the Bill proceeded in its current form. Further, the Bill’s proposals cannot be fairly assessed by Māori without much more detail about how the Crown will operate and fund the Māori Land Service, and how it will respond to the longstanding constraints to land utilisation which are the subject of a programme of work called the Māori enablers workstream. As a result of this unacceptable level of uncertainty, Māori will be unable to offer properly informed, broad-based support for the Bill to proceed at this time, as Treaty principles require.</p> <p>The Tribunal recommended that:</p> <ul style="list-style-type: none"> • the Crown undertake further engagement nationally with Māori landowners, through a process of hui and written submissions, after reasonable steps have been taken to ensure that Māori landowners are properly informed by necessary empirical research, funded by the Crown • that the Crown continue to take advice from independent Māori experts, and to accord a leadership role to a representative advisory group in its engagement with Māori • that work continue urgently on such matters as rating, valuation, landlocked land, paper roads, and all other matters encompassed in that workstream, in satisfaction of the Crown’s Treaty duty to remedy past breaches. 	<p>In progress</p> <p>Te Puni Kōkiri has proposed making targeted changes to Te Ture Whenua Māori Act 1993.</p> <p>In December 2018, Te Puni Kōkiri submitted a Cabinet paper entitled Paper One: Te Ture Whenua Māori (Succession, Dispute Resolution and Related Matters) Amendment Bill.</p> <p>The Crown is working towards introducing Te Ture Whenua Māori Amendment Bill to Parliament.</p>

Wai 2478: He Kura Whenua ka Rokohanga: Report on Claims about the Reform of Te Ture Whenua Māori Act 1993 (2016) (cont.)

Te Puni Kōkiri

Primary Findings and/or Recommendations	Status
<ul style="list-style-type: none"> • that the Crown develop the methods of administrative support for the operation of Te Ture Whenua collaboratively, with the broad support of Māori landowners. <p>More specifically, the Tribunal has recommended that the Crown ensure that:</p> <ul style="list-style-type: none"> • the Māori version of the purpose and principles clause is redrafted in consultation with Māori language experts to adequately and fully express the extremely important concepts to be conveyed in that clause • the Māori Land Court’s discretionary powers are restored in respect of any second-chance provision, for the protection of all owners’ interests, and in accordance with any statutory criteria for the court’s review that the Crown and Māori both support • a loophole does not allow governance bodies to sell land on the basis that 75 per cent of participating owners have agreed to a land management plan • the Bill requires governance bodies to abide by every owner-agreement threshold in the Bill • there are mechanisms to protect the interests of putative owners (who have not yet succeeded) and all owners under incapacity • decisions about whether disputes should go to alternative dispute resolution or hearing are left to the qualified discretion of judicial officers in conjunction with their registrars, and not placed in the hands of administrative officers • succession processes in case of intestacy are provided for in a practical and inexpensive manner, are dealt with primarily by the court in conjunction with its staff and – if it proceeds as planned – the Māori Land Service, and Māori are assisted to form whānau trusts if that is their wish. 	

Primary Findings and/or Recommendations	Status
<p>The Tribunal identified flaws in the structure and processes of the Tūhoronuku Independent Mandated Authority (TIMA) 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 TIMA 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 TIMA 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 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 TIMA. 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>From August 2018, TIMA, Te Kōtahitanga and the Crown have been consulting Ngāpuhi on a potential mandate and negotiation structure. Te Rōpū Tūhono was formed and through consultation with Ngāpuhi (three rounds of consultation hui) developed the ‘Evolved Mandate Proposal’ (the Proposal). 104 of 110 Ngāpuhi hapū held hui to discuss whether to endorse or not endorse the Proposal. 31 hapū supported the Proposal, 73 hapū voted against the Proposal. Additionally, 51% of individuals voted in support of the Proposal and 49% voted against.</p> <p>Recent developments will be included in the Section 8I report for the 2019/20 period.</p>

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

MFAT / MBIE

Primary Findings and/or Recommendations	Status
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There were two issues before the Tribunal: the adequacy of the ‘Treaty of Waitangi exception’ in the Trans-Pacific Partnership (TPP); and what Māori engagement and input is required over steps needed to ratify the TPP.

The Tribunal made no findings of breach of the principles of the Treaty of Waitangi on either issue, and therefore made no formal recommendations.

The Tribunal adjourned its inquiry in relation to the issue of engagement on changes to the plant variety rights regime and whether New Zealand should accede to the International Union for the Protection of New Varieties of Plants (UPOV 91). The Tribunal has now scheduled a hearing for 4 to 6 December 2019 in Wellington to inquire into this issue.

The Tribunal also intends to inquire into remaining claim issues raised regarding the TPP/CPTPP, including in relation to Crown engagement with Māori during the TPP/CPTPP negotiations, in 2020.

In progress

Trade related consultations with Māori since mid-2017 have included the Comprehensive and Progressive Trans-Pacific Partnership (CPTPP) and other free trade agreements such as the European Union- New Zealand Free Trade Agreement, an International Swaps and Derivatives (ISDA) Protocol and more recently the Government’s new Trade for All framework. Information on how the Government consults with Māori on trade agreements, recent and upcoming consultation events is maintained on the MFAT website. MFAT has also supported Māori to develop a new Taumata mechanism which is intended to improve Māori-Crown consultation on trade issues.

MBIE is responsible for the review of the Plant Variety Rights Act 1987 and implementing New Zealand’s plant variety rights obligations under the CPTPP. That policy process, informed by engagement with Māori, is now substantially progressed. An Options paper, with proposed changes to the PVR regime, was released for consultation in July 2019 with a preferred option of non-accession to UPOV 91 and process measures to protect Māori interests in the PVR space.

Further completed actions will feature in the Section 8I report for the 2019/2020 period.

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

Department of Corrections

Primary Findings and/or Recommendations	Status
<p>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.</p> <p>It recommended that Corrections 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.</p> <p>The Tribunal recommended that Corrections provide greater Treaty-awareness training for senior staff, in order to incorporate mātauranga Māori into departmental culture, practice, and operations.</p> <p>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.</p> <p>The Waitangi Tribunal has recommended not only greater levels of partnership between Corrections and Māori, but also a re-orientation of the Department’s approach to Māori re-offending.</p>	<p>In progress</p> <p>1. Revision of the terms of reference of the Māori Advisory Board</p> <p>The revised terms were reviewed and discussed by the board at its meeting on 19 December 2017 and agreed to by the board at its subsequent meeting on 7 March 2018. At the December 2017 meeting the board also agreed to change its name to Te Poari Hautū Rautaki Māori, or the Māori Leadership Board, to better reflect the change in its status.</p> <p>Ara Poutama Aotearoa (Ara Poutama) recognises, in moving forward, that partnership and governance mechanisms should be continually reviewed and improved to ensure they remain effective. Short-term action 1.4 of the new organisational strategy, <i>Hōkai Rangi: Ara Poutama Aotearoa Strategy 2019-24</i>, therefore, records the intention to</p> <p><i>Co-design and implement a shared leadership and governance structure across key levels of Ara Poutama Aotearoa (including further enhancement of the Māori Leadership Board) and across the sector where possible.</i></p> <p>2. Design and implement a revised strategy with the Māori Advisory Board</p> <p>While Hōkai Rangi was launched by the Minister of Corrections just after the end of the 2018-19 year, on 19 August 2019, its development entirely took place during the period in question. The strategy is focused on improving outcomes for Māori but is regarded as the organisation’s overall strategy: as it explains, the board ‘agreed this strategy will be the “tuakana” strategy for Ara Poutama. All other departmental strategies will flow from and align with it’.</p>

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

Department of Corrections

Primary Findings and/or Recommendations	Status
	<p>The strategy focuses above all on the concept of oranga, or wellbeing. It sets out a long-term vision and describes a set of new approaches and a series of short-term and medium-term actions that will collectively contribute to raising the oranga of the people in the care of Ara Poutama.</p> <p>The strategy was developed in partnership with an expert reference group consisting of Ara Poutama staff (who were predominantly Māori), Māori service providers, Māori academics, and other experts in the Māori community. This group also consisted of Māori with lived experience of the corrections system: tāne, wāhine and rangatahi in prison, whānau of people in Ara Poutama’s care, and people on community-based sentences. A steering group consisting of Ara Poutama leaders, the Acting Chief Executive of Te Arawhiti, and two members of the leadership board oversaw this process. The board itself endorsed the strategy before its publication and gave it its name.</p> <p>3. Include measurable targets in the strategy and relationship agreements</p> <p>The strategy sets out next steps. One of these involves the identification of measurable targets. As the strategy explains:</p> <p><i>We need clear and robust measures and indicators for each outcome domain to help track our progress. These need to be drawn from a Māori perspective, as much as a Western perspective, and be agreed in partnership with Māori, in order to be meaningful to all parties.</i></p> <p>In the 2019/20 year, the identification of these measures and indicators will be one of Ara Poutama’s most immediate priorities.</p>

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

Department of Corrections

Primary Findings and/or Recommendations	Status
	<p><i>Hōkai Rangi</i> also sets out how Ara Poutama Aotearoa will develop partnerships with specific Māori communities. This includes engaging further with iwi on mutual areas of focus, working with mana whenua at each prison site ‘to confirm the mutual outcomes that we each seek to achieve for and with the people in our care and management’, and, more generally, the implementation of a Māori Partnership Framework. The issue of targets and measures will form part of these discussions.</p> <p>4. Include a dedicated budget</p> <p>The Tribunal’s recommendation envisaged that a specific budget would need to be allocated to support the new Māori-specific strategy. As a result of <i>Hōkai Rangi</i> being confirmed as the department’s overall strategy, however, business-as-usual functions will now be aligned with a strategy that is focused on Māori as a matter of course.</p> <p>There are some specific areas of focus in which budget has, or will be, dedicated to work that directly gives effect to <i>Hōkai Rangi</i>:</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 of their time with Ara Poutama Aotearoa, from pre-sentence to reintegration and transition in their community.

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

Department of Corrections

Primary Findings and/or Recommendations	Status
	<ul style="list-style-type: none"> • Ara Poutama continues to provide Māori-focused programmes and initiatives, such as five Te Tirohanga units, two Whare Oranga Ake facilities, the Tiaki Tangata reintegration service, and so on. • the appointment of a Deputy Chief Executive Māori role – the first of its kind at Ara Poutama Aotearoa – was signalled in Hōkai Rangi and has since been actioned. <p>5. Provide greater Treaty-awareness training for senior level Department staff</p> <p>During the 2018-19 year, the Executive Leadership Team received monthly training in Treaty awareness and mātauranga Māori from the General Manager Cultural Capability, as well as a series of one-on-one sessions with a private provider. This training has since been put into practice. Ara Poutama Aotearoa’s cultural capability team has also been working on a framework to deliver a best-practice approach to building cultural capability across the entire organisation, including an emphasis on te ao Māori and te reo Māori.</p> <p>6. Amendment to the Corrections Act 2004</p> <p>Work has not yet begun on this recommendation in earnest. However, a medium-term action set out in Hōkai Rangi is as follows:</p> <p><i>Amend the Corrections Act 2004 to state the relevant Treaty obligations to Māori as articulated in Tū Mai te Rangi! at both a strategic and operational level.</i></p> <p><i>Give consideration to 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.</i></p> <p>Initial consideration of how to implement this action will take place in the 2019/20 year.</p>

Wai 2662: The Whakatōhea Mandate Inquiry Report (2018)

Te Arawhiti

Primary Findings and/or Recommendations	Status
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The Tribunal found that the Crown should not have recognised the Whakatōhea Pre-Settlement Claims Trust (WPCT) mandate in December 2016. The Tribunal concluded that the Crown prioritised its political objective of concluding Treaty settlements by mid-2020, over a process that was fair to Whakatōhea. This meant Whakatōhea were included in the ‘Broadening the Reach’ strategy and given priority status in the 2017 negotiation timetable at a time when substantial division within the iwi was apparent. The Tribunal found the decision to recognise the WPCT mandate was therefore not fair, reasonable, and made in good faith, and breached the Treaty principle of partnership.

The Tribunal also found that:

- including the Mokomoko whānau claim in the WPCT mandate without the whānau’s consent and honouring commitments previously made breached duties of good faith conduct and partnership
- the way in which the Crown included and described the Te Kahika claimants in the Deed of Mandate fell short of Treaty requirements of good faith conduct and partnership.

The Tribunal’s main recommendation was that the Crown meet the reasonable costs of implementing a voting process enabling Whakatōhea hapū to decide on how they now wish to proceed with their historical claims.

The Tribunal also recommended the Crown:

- suspend substantive work on the Whakatōhea Treaty settlement 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.

In progress

Voting took place between 1 to 26 October 2018 by postal, online, special votes and ballot cast at information hui. The independent returning officer, Electionz.com was overseen by Hon Rhys Harrison QC, who has confirmed the vote was run fairly, impartially and competently in the terms directed by the Tribunal.

The Tribunal has initiated a district inquiry for Whakatōhea claims – the North-Eastern Bay of Plenty district inquiry.

On 30 September 2019, the Minister for Treaty of Waitangi Negotiations notified Whakatōhea that the Crown will continue negotiations with the WPCT while the district inquiry proceeds. The letter set out that the decision was based on October 2018 vote showing strong support for the Tribunal inquiry and for settlement negotiations to continue. The letter proposed that the Tribunal inquiry continue and that the Tribunal be empowered to make findings in relation to historical claims if the historical claims of Whakatōhea are settled before the inquiry reports.

Wai 898: Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims parts I - III (2019)

Te Arawhiti

Primary Findings and/or Recommendations	Status
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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.

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.

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. The

Ongoing

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

It is proposed that the Maniapoto deed of settlement be initialled in May 2020 and the proposed deed of settlement to be signed August 2020.

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

Te Arawhiti

Primary Findings and/or Recommendations	Status
<p>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>Part III of Te Rohe Pōtae Māori report was released in June 2019. The Tribunal recommended that during settlement negotiations with Te Rohe Pōtae Māori, the Crown should discuss a possible legislative mechanism that will enable iwi and hapū to administer their lands.</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>In <i>Hauora: Report on Stage One of the Health Services and Outcomes Kaupapa Inquiry</i>, the Waitangi Tribunal found the Crown has breached the Treaty of Waitangi by failing to design and administer the current primary health care system to actively address persistent Māori health inequities, and by failing to give effect to the Treaty's guarantee of tino rangatiratanga.</p> <p>The Stage One report (the report) addresses two claims concerning the ways the primary health care system in New Zealand has been legislated, administered, funded and held to account by the Crown since the passing of the New Zealand Public Health and Disability Act 2000. The Act laid out a new structure for the health care system centred on the creation of district health boards to deliver health care to distinct populations.</p> <p>The report sets out the Tribunal's analysis of how, despite the promise of the reforms, the Crown fails to properly fund the primary health care sector to pursue equitable health outcomes for Māori, by failing to target funding where it is needed most and failing to ensure money earmarked for Māori health issues is used for that purpose.</p> <p>The Tribunal found serious Treaty breaches concerning the way the Crown holds the primary health care sector to account and reports on its performance, finding that there were few mechanisms in place to ensure accountability and that those mechanisms that did exist were rarely used in relation to Māori health.</p>	<p>Ongoing</p> <p>It is too soon to report on progress in implementation because the recommendations are still under consideration.</p>

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

Ministry of Health

Primary Findings and/or Recommendations	Status
<p>The Tribunal further found the Crown fails to ensure that Māori have adequate decision-making authority and influence when it comes to the design and delivery of primary health care 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 no other Treaty-consistent partnership arrangements exist at the district health board level. Further, the Crown fails to properly resource and support Māori-controlled Primary Health Organisations (PHOs) and health providers to deliver quality health care to Māori communities, in breach of the Treaty principles.</p> <p>Based on its deliberations in this report, the Tribunal has recommended that the Act and its associated policies and strategies be amended to:</p> <ul style="list-style-type: none"> • give effect to the Treaty principles and ensure that those principles are part of what guides the primary health care sector • include an objective for the health sector to achieve equitable health outcomes for Māori. <p>The Tribunal also recommended that the Crown commit to reviewing and strengthening accountability mechanisms and processes in the primary health sector, which impact on Māori.</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

The Tribunal has made interim recommendations in two areas encouraging the Crown and the stage one claimants to work together to further assess the extent of the problems in primary health care, and co-design a set of solutions. The first is to commit to explore the possibility of a stand-alone Māori health authority, initially by working together on the draft terms of reference for such exploration. The second is to develop jointly a methodology to research past under-funding of Māori PHOs and providers of primary health care. Both claimant groups broadly suggested creating a national, Māori-controlled agencies, organisations, or collectives, which would have substantial oversight and control of Māori health-related spending and policy. The Tribunal has suggested that these proposals be the starting point for the conversations between the Crown and the parties.

The Tribunal has directed that the Crown and the claimants inform the Tribunal of the progress in addressing the interim recommendations by 20 January 2020. The Tribunal has reserved the right to issue further recommendations after considering the responses from parties.

Status Update for all Waitangi Tribunal Reports

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 2017/18 because of new information and the new status category "no further action".

In last year's Section 8I report, some Tribunal reports were "status unknown" because they had not been clearly addressed through existing agency and historical Treaty settlement reporting. The status of these reports has now been clarified.

In order to provide full transparency, this year's report includes a short account of those previously "status unknown" reports. Some of those reports have already been included in the *Progress implementing recommendations 2018/19* section. The remainder are at the end of this section.

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

12	Report of the Waitangi Tribunal on a Mōtiiti Island Claim*	1985	Partially settled
13	Report on Fisheries Regulations*	1990	Settled
14	Report on Tokaanu Building Sections*	1990	No further action
15	Report of the Waitangi Tribunal on the Te Weehi Claim to Customary Fishing Rights*	1987	No further action
17	Report of the Waitangi Tribunal on the Mangonui Sewerage Claim	1988	In progress
18	Report of the Waitangi Tribunal on Lake Taupo Fishing Rights*	1986	Settled
19	Report of the Waitangi Tribunal on a Claim Relating to Maori 'Privilege'*	1985	No further action
22	Interim Report to Minister of Māori Affairs on State-Owned Enterprises Bill*	1986	Settled
22	Report of the Waitangi Tribunal on the Muriwhenua Fishing Claim	1988	Settled
25	Report of the Waitangi Tribunal on a Claim Relating to Māori Representation on the Auckland Regional Authority*	1987	Settled
26, 150	Radio Frequencies	1990	No further action
27	The Ngāi Tahu Report 1991 (3 volumes)	1991	Settled
27	The Ngāi Tahu Claim: Supplementary Report on Ngāi Tahu Legal Personality*	1991	Settled
27	The Ngāi Tahu Sea Fisheries Report 1992	1992	Settled
27	The Ngāi Tahu Ancillary Claims Report 1995	1995	Settled
32	The Ngāti Rangiteaorere Claim Report 1990	1990	Settled
33	The Pouakani Report 1993 Part 1, Part 2	1993	Settled
34	Report on Proposed Sewage Scheme at Kakanui*	1990	No further action
38	The Te Roroa Report 1992	1992	Settled
45	Report on Kaimaumuau Lands*	1991	Ongoing
45	Muriwhenua Land Report	1997	Ongoing
45	The Muriwhenua Land Claims Post 1865	2002	Ongoing
45	The Ngāti Kahu Remedies Report	2013	No further action
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
55	Te Whanganui-a-Orotū Report on Remedies	1998	In progress
64	Rēkohu: A Report on Moriori and Ngāti Mutunga o Wharekauri claims in the Chatham Islands	2001	In progress
67	Report on the Oriwa 1B3 Block*	1992	No further action
83	Report on the Waikawa Block*	1989	Settled
84	The Turangi Township Report	1995	Settled
84	Turangi Township Remedies Report	1998	Settled
103	Report on Roadman's Cottage, Mahia*		Settled
119	The Mohaka River Report	1992	Settled
143	The Taranaki Report: Kaupapa Tuatahi	1996	In progress
145	Te Whanganui a Tara me ona Takiwa: Report on the Wellington District	2003	In progress
153	Preliminary Report on the Te Arawa Representative Geothermal Resource Claims	1993	In progress
167	Interim Report and Recommendation in Respect of the Whanganui River Claim*	1993	Settled
167	The Whanganui River Report	1999	Settled
176	Report on Broadcasting Claim*	1994	No further action
201	The Mohaka ki Ahuriri Report	2004	In progress
202	Report on the Tamaki Māori Development Authority Claim*	1991	No further action
212	Interim Report on the Rangitaiki and Wheao Rivers Claim*	1993	Settled
212	Te Ika Whenua – Energy Assets Report	1993	Settled
212	Te Ika Whenua Rivers Report	1998	Partially settled
215	Te Raupatu o Tauranga Moana: Report on the Tauranga Confiscation Claims	2004	In progress
215	Tauranga Moana, 1886–2006: Report on the Post-Raupatu Claims volume 1, volume 2	2010	In progress
261	Interim Report on the Auckland Hospital Endowments Claim*	1991	Settled
262	The Interim Report of the Waitangi Tribunal in Respect of the ANZTPA Regime*	2006	No further action
262	The Further Interim Report of the Waitangi Tribunal in Respect of the ANZTPA Regime*	2006	No further action

262	Ko Aotearoa Tēnei: A Report into Claims concerning New Zealand Law and Policy Affecting Māori Culture and Identity, Taumata Tuatahi (Volume 1)	2011	In progress
262	Ko Aotearoa Tēnei: A Report into Claims concerning New Zealand Law and Policy Affecting Māori Culture and Identity, Taumata Tuarua (Volume 2)	2011	In progress
264	Report on Auckland Railway Lands*	1992	No further action
264	Report on Wellington Railway Lands*	1992	Settled
264	Report on Railway Land at Waikanae*	1992	Settled
264	Report on South Auckland Railway Lands*	1993	In progress
273	Report on Tapuwae 1B and 4 Incorporation*	1993	Settled
276, 72, 121	Interim Report on Sylvia Park and Auckland Crown Asset Disposals*	1992	Settled
304	Ngāwhā Geothermal Resource Report	1993	Ongoing
307	The Fisheries Settlement Report	1992	Settled
315	Te Maunga Railways Land Report	1994	Settled
321	Appointments to the Treaty of Waitangi Fisheries Commission Report*	1992	In progress
322	Report of the Waitangi Tribunal on the Tuhuru Claim*	1993	Settled
350	Māori Development Corporation Report	1993	Partially settled
411	The Tarawera Forest Report	2003	In progress
413	Māori Electoral Option Report	1994	In progress
414	Te Whānau o Waipareira Report	1998	No further action
449	Kiwifruit Marketing Report	1995	No further action
655	Report on Aspects of the Wai 655 Claim	2009	Settled
663	The Te Aroha Maunga Settlement Process Report	2015	In progress
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 Report*	1999	See below
776	The Radio Spectrum Management and Development Final Report	1999	Partially settled
785	Te Tau Ihu o te Ika a Maui: Preliminary Report on Customary Rights in the Northern South Island	2007	In progress
785	Te Tau Ihu o te Ika a Maui: Preliminary Report on Te Tau Ihu Customary Rights in the Statutory Ngāi Tahu Takiwā	2007	In progress
785	Te Tau Ihu o te Ika a Maui: Report on Northern South Island Claims (3 volumes)	2008	In progress
788, 800	The Ngāti Maniapoto/Ngāti Tama Settlement Cross-Claims Report	2001	In progress
789	The Mōkai School Report	2000	In progress
790	Taranaki Māori, Dairy Industry Changes, and the Crown	2001	In progress
796	The Petroleum Report	2003	In progress
796	The Report on the Management of the Petroleum Resource	2011	In progress
814	Turanga Tangata Turanga Whenua: The Report on the Turanganui a Kiwa Claims (2 volumes)	2004	In progress
814	The Mangatū Remedies Report	2013	Ongoing
863	The Wairarapa ki Tararua Report (3 volumes)	2010	In progress
893	The Preliminary Report on the Haane Manahi Victoria Cross Claim	2005	No further action
894	Te Urewera (8 volumes)	2017	In progress
903	He Whiritaunoka: The Whanganui Land Report	2015	In progress
953	Ahu Moana: The Aquaculture and Marine Farming Report	2002	In progress
958	The Ngāti Awa Settlement Cross-Claims Report	2002	In progress
996	The Ngāti Tūwharetoa ki Kawerau Settlement Cross-Claim Report	2003	In progress
1024	The Offender Assessment Policies Report	2005	In progress
1040	He Whakaputanga me te Tiriti/The Declaration and the Treaty: The Report on Stage 1 of the Te Paparahi o Te Raki Inquiry	2014	Ongoing
1071	Report on the Crown's Foreshore and Seabed Policy	2004	In progress
1090	The Waimumu Trust (SILNA) Report	2005	No further action
1130	Te Kāhui Maunga: The National Park District Inquiry Report	2013	In progress
1150	The Te Arawa Mandate Report	2004	Settled

1150	Te Arawa Mandate Report: Te Wahanga Tuarua	2005	Refer above
1177	The Interim Report of the Waitangi Tribunal on the Te Tai Hauāuru by-election	2004	No further action
1200	He Maunga Rongo: Report on Central North Island Claims: Stage One (4 volumes)	2008	In progress
1298	The Report on the Aotearoa Institute Claim concerning Te Wānanga o Aotearoa	2005	Settled
1353	The Te Arawa Settlement Process Reports	2007	In progress
1362	The Tāmaki Makaurau Settlement Process Report	2007	In progress
2190	The East Coast Settlement Report	2010	In progress
2235	The Port Nicholson Block Urgency Report	2012	Ongoing
2336	Matua Rautia: The Report on the Kōhanga Reo Claim	2013	In progress
2358	The Stage 1 Report on the National Freshwater and Geothermal Resources Claim	2012	Ongoing
2391, 2393	The Final Report on the MV Rena and Motiti Island Claims	2015	Ongoing
2417	Whaia te Mana Motuhake/In Pursuit of Mana Motuhake: Report on the Māori Community Development Act Claim	2015	In progress
2478	He Kura Whenua ka Rokohanga: Report on Claims about the Reform of Te Ture Whenua Māori Act 1993	2016	In progress
2490	The Ngāpuhi Mandate Inquiry Report	2015	In progress
898	The Priority Report concerning Maui's Dolphin	2016	No further action
2522	Report on the Trans-Pacific Partnership Agreement	2016	In progress
2540	Tū Mai te Rangī! Report on the Crown and Disproportionate Reoffending Rates	2017	In progress
2561	The Ngātiwai Mandate Inquiry Report	2017	In progress
2662	The Whakatōhea Mandate Inquiry Report	2018	In progress
898	Te Mana Whatu Ahuru: Report on Te Rohe Pōtae Claims parts III	2019	Ongoing
2575	Hauora: Report on Stage One of the Health Services and Outcomes Kaupapa Inquiry	2019	Ongoing

* These reports are unbound, and some are very short.

Updates on previously “status unknown” reports

Wai 1: Report of the Waitangi Tribunal on a Claim by J P Hawke and others of Ngāti Whātua, concerning the Fisheries Regulations (1978)	
Primary Findings and/or Recommendations	Status
<p>Claim that Article 2 of the Treaty preserves Māori customary fishing rights, which would therefore protect the claimants from prosecution under sections of the Fishing (General) Regulations 1950.</p> <p>Claim not well founded — no recommendation made.</p>	<p>No further action</p>

Wai 2: Report of the Waitangi Tribunal on the Waiau Pa Power Station Claim (1978)	
Primary Findings and/or Recommendations	Status
<p>Report on a proposal of the New Zealand Electricity Department to construct a power station on a site close to Waiau Pa on the south-western shores of the Manukau Harbour. The Tribunal decided that the claim was well-founded, and the claimants would be prejudicially affected if the power station construction went ahead. However, it considered there was not enough evidence for prejudice on some aspects of the design to make a conclusion.</p> <p>Before the report was released the Government decided not to proceed with the power station. As such, the Tribunal decided it was unnecessary to clarify the law in this area.</p>	<p>No further action</p> <p>The Crown did not proceed with construction of the power station, which removed the potential for prejudice against the claimants.</p>

Wai 4: Report of the Waitangi Tribunal on the Kaituna River Claim (1984)

Primary Findings and/or Recommendations	Status
<p>Report of the Waitangi Tribunal on the Kaituna River Claim addresses concerns relating to a scheme to build a pipeline from the Rotorua Wastewater Treatment Plant to the Kaituna River. The report considers the impact of the scheme on the entire water system of the Kaituna River, from its source at Lake Rotorua to its mouth at Maketū Estuary.</p> <p>The Tribunal recommended:</p> <ul style="list-style-type: none"> • that the scheme be abandoned as being contrary to the principles of the Treaty of Waitangi • that research be undertaken to determine other ways of disposing effluent • the amendment of relevant legislation to ensure Māori spiritual and cultural values were considered in applications for grants of water rights. 	<p>In Progress</p> <p>Claims relating to Lake Rotorua, Lake Rotoiti, the Kaituna River and the Maketū Estuary were settled by deeds of settlement and legislation enacted for:</p> <ul style="list-style-type: none"> • Affiliate Te Arawa Iwi and Hapū⁹ (September 2006, September 2008) • Ngāti Awa (March 2003, March 2005) • Ngāti Tūwharetoa (Bay of Plenty) (June 2003, May 2005) • Ngāti Mākino (April 2011, July 2012) • Ngāti Rangiwewehi (December 2012, April 2014) • Tapuika (December 2012, April 2014) • Waitaha (September 2011, June 2013) • Ngāti Pūkenga (April 2013, August 2017) – Settlement Act. <p>The following remaining claims are in progress to be settled with deeds of settlement signed with:</p> <ul style="list-style-type: none"> • Ngāi Te Rangi and Ngā Pōtiki a Tamapahore (December 2013).

Wai 5: Report on Imposition of Land Tax* (1990)

Primary Findings and/or Recommendations	Status
<p>The Tribunal made no findings or recommendations as this claim was withdrawn.</p>	<p>No further action</p>

⁹ Te Arawa Iwi and Hapū represented by Te Pūmāutanga o Te Arawa are:

- Ngāti Ngararanui (including Ngāti Tamahika and Ngāti Tuteaiti);
- Ngāti Kearoa Ngāti Tuara;
- Ngāti Tura-Ngāti Te Ngākau;
- Ngāti Te Roro o Te Rangi;
- Ngāti Tuteniu;
- Ngāti Uenukukopako;
- Tuhourangi Ngāti Wahiao;
- Ngāti Tahu-Ngāti Whaoa;
- Ngāti Pīkiao (excluding Ngāti Mākino);
- Ngāti Rongomai; and
- Ngāti Tarawhai.

Other Te Arawa groups have chosen to pursue their claims separately.

Wai 6: Report of the Waitangi Tribunal on the Motunui–Waitara Claim (1983)

Primary Findings and/or Recommendations	Status
<p>This claim was made by hapū of Te Ātiawa that the discharge of sewage at Waitara and industrial waste from Motunui Synthetic Fuel plant onto or near traditional fishing grounds and reefs is inconsistent with Treaty principles. Matters brought to issue included the recognition of Māori interests in traditional fishing grounds.</p> <p>The claim was found to have substance. A recommendation was made to discontinue development of the Motunui offshore discharge outfall.</p> <p>Additional recommendation was made that an interdepartmental committee promote legislation for the reservation and control of significant Māori fishing grounds.</p>	<p>Settled</p> <p>Settled through:</p> <ul style="list-style-type: none"> • Te Ātiawa Claims Settlement Act 2016. <p>Geographically related settlements include:</p> <ul style="list-style-type: none"> • Ngāti Tama (November 2003) • Ngāti Mutunga (November 2006) • Taranaki Iwi (December 2016) • Ngāruahine (December 2016) • Ngāti Ruanui (May 2003) • Ngaa Rauru (June 2005)

Wai 11: Report of the Waitangi Tribunal on the Te Reo Māori Claim (1986)

Primary Findings and/or Recommendations	Status
<p>The report concluded that the Crown had breached the Treaty of Waitangi by failing to protect the Māori language and because the education system was not providing Māori children with an acceptable standard of education.</p> <p>This report made five recommendations to the Government.</p> <p>These were:</p> <ul style="list-style-type: none"> • that legislation should be introduced enabling the use of Te Reo in the Courts, and in any dealings with government departments and other public bodies including local government • a supervisory body should be established to supervise and foster Te Reo • an urgent enquiry should be made into the way Māori children are taught in the education system • a broadcasting policy should be formulated to recognise and protect Te Reo • the State Services Commission should make bilingualism in Te Reo and English a requisite for employment in such positions as the Commission deems necessary or desirable. 	<p>Partially settled</p> <p>Parliament enacted the Māori Language Act 1987. This provided for the Māori language to become an official language of New Zealand and created a right to speak Māori in any legal proceeding. This legislation also established Te Kōmihana mo Te Reo Māori (the Māori Language Commission) to promote the use of Te Reo and give effect to the declaration of Māori as an official language.</p> <p>Many of the issues raised in this report have been the subject of Tribunal recommendations in later reports, and the Crown's approach to them has continued to evolve since 1987.</p> <p>The 1987 legislation was replaced by a new Māori Language Act in 2016.</p> <p>The historical aspects of this claim have been settled to the extent they relate to the groups that have completed settlements for their historical claims.</p> <p>Since the conclusion of the Waitangi Tribunal's Te Paparahi o Te Raki (Northland) inquiry, it has been standard Crown policy to acknowledge in Treaty settlements and Tribunal inquiries that it has breached the Treaty and its principles by failing to actively protect te reo Māori.</p>

Wai 13: Report on Fisheries Regulations* 1990

Primary Findings and/or Recommendations	Status
<p>This claimant argued that the Ministry of Agriculture and Fisheries (MAF) regulations on fishing may restrict Māori fishing rights and therefore would be contrary to the principles of the Treaty.</p> <p>No further particulars of claim filed by claimants – assumed that claim issues addressed as part of Wai 22. No recommendations made.</p>	<p>Settled</p> <p>Settled through Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 (December 1992).</p>

Wai 14: Report on Tokaanu Building Sections* (1990)	
Primary Findings and/or Recommendations	Status
The Tribunal received an inquiry about the flooding of Māori-owned building sections at Tokaanu by the Ministry of Works. Nothing further was received by the Tribunal and no claim laid. The Tribunal made no findings as the claim was withdrawn.	No further action

Wai 15: Report of the Waitangi Tribunal on the Te Weehi Claim to Customary Fishing Rights* (1987)	
Primary Findings and/or Recommendations	Status
<p>Claimants argued that the Fisheries Act 1983 and regulation 8(b) of the Fisheries (Amateur Fishing) Regulations 1983 would restrict Māori fishing rights and therefore be contrary to the principles of the Treaty.</p> <p>This claim was withdrawn after claimant prosecution for breach of fisheries regulations overturned on appeal by the High Court. No recommendations were made.</p>	No further action

Wai 19: Report of the Waitangi Tribunal on a Claim Relating to Māori 'Privilege'* (1985)	
Primary Findings and/or Recommendations	Status
A claim was filed to the Waitangi Tribunal that special privileges were afforded to Māori. However, under section 6 of the Treaty of Waitangi Act 1975, 'it appears' only Māori can bring a claim to the Tribunal. The applicant was not Māori and withdrew his claim.	No further action

Wai 25: Report of the Waitangi Tribunal on a Claim Relating to Māori Representation on the Auckland Regional Authority* (1987)

Primary Findings and/or Recommendations	Status
<p>This claim alleged that MAF policies restrict Māori fishing rights and are therefore contrary to the principles of the Treaty.</p> <p>The Tribunal found that the Treaty guaranteed Māori full protection of their fishing activities, including unrestricted rights to develop them along customary and/or modern lines. Moreover, the Crown was obliged to support Māori economic initiatives in fishing, and to ensure that general fishing did not delimit or restrict Māori fishing interests.</p>	<p>Settled</p> <p>Settled through Treaty of Waitangi Fisheries Claims) Settlement Act 1992 (December 1992).</p>

Wai: 27 The Ngāi Tahu Sea Fisheries Report (1992)

Primary Findings and/or Recommendations	Status
<p>Claimants argued that Article 2 of the Treaty guarantees protection of tribal rangatiratanga over Ngāi Tahu’s fisheries, and that there can be no restriction of any kind in the exercise of their rangatiratanga.</p> <p>The Tribunal found that Ngāi Tahu had been prejudicially affected by various acts, omissions, policies and legislation relating to their sea fisheries which were or are inconsistent with the principles of the Treaty.</p> <p>The Tribunal made recommendations that:</p> <ul style="list-style-type: none"> • the Crown and Ngāi Tahu enter into negotiations for the settlement of the Ngāi Tahu sea fisheries claim • an appropriate additional percentage of quota be determined • eel fishing licences are not to be renewed so that Waihora (Lake Ellesmere) could be returned to Ngāi Tahu as a Ngāi Tahu eel fishery • the Fisheries Act 1983 be amended to provide that in appropriate circumstances mahinga kaimoana may be reserved to an appropriate iwi or hapū. 	<p>Settled</p> <p>Settled through Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 (December 1992).</p>

Wai 34: Report on Proposed Sewage Scheme at Kakanui* (1990)

Primary Findings and/or Recommendations	Status
<p>Claimants argued that the granting of a water right to Waitaki County Council for the disposal of effluent from Kakanui into Te Moananui a Kiwa was contrary to the principles of the Treaty, in particular Article 2 of the Treaty.</p> <p>This claim was subsequently withdrawn after Waitaki County Council consulted with local Māori to devise a more appropriate sewage system. No recommendations were made.</p>	No further action

Wai 83: Report on the Waikawa Block* (1989)

Primary Findings and/or Recommendations	Status
<p>This claim related to the 'Waikawa block', which claimants described as purchased for the purpose of a rifle range. Claimants feared the land was to be transferred to the new Land Corporation State-Owned Enterprise. The Tribunal made enquiries and was informed by the Land Corporation that it had been decided the land would remain Crown land under the control of the Department of Lands and be dealt with according to the Public Works Act. The claimant raised the possibility that the land would be returned and withdrew the claim.</p>	Settled Settlement legislation passed for: <ul style="list-style-type: none">• Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui (April 2014)• Ngāti Apa ki te Rā Tō, Ngāti Kuia Rangitāne o Wairau (April 2014)• Ngāti Toa Rangatira (April 2014).

Wai 176: Report on Broadcasting Claim* (1994)	
Primary Findings and/or Recommendations	Status
<p>This report concerned a 1991 claim brought on behalf of the New Zealand Māori Council arguing that Crown proposals in respect of broadcasting policy would be contrary to the principles of the Treaty. Many of the issues raised had been outlined in the Tribunal's earlier reports about Te Reo Māori and the Allocation of Radio Frequencies.</p> <p>The matters raised in this claim were considered by the Courts (and were appealed to the Privy Council). The Courts held that the Crown's proposals for the transfer of television assets were Treaty compliant, and the Tribunal declined to make any further inquiry into the claim.</p> <p>The Tribunal made no recommendations in this report.</p>	<p>No further action</p>

Wai 202: Report on the Tamaki Māori Development Authority Claim* (1991)	
Primary Findings and/or Recommendations	Status
<p>The Tribunal did not inquire further into this claim on the basis that an adequate remedy exists within the general courts.</p>	<p>No further action</p>

Wai 264: Report on Auckland Railway Lands* (1992)	
Primary Findings and/or Recommendations	Status
<p>The Tribunal was satisfied that Ngāti Whātua, Ngāti Paoa, Ngāi Tai and Waiohua have interests in the area, have been consulted and that they are content with the arrangements for the disposal of railway lands on the Tamaki isthmus. The claim was withdrawn.</p>	<p>No further action</p>

Wai 264: Report on Wellington Railway Lands* (1992)	
Primary Findings and/or Recommendations	Status
<p>The Tribunal resolved that "the Crown would not be acting contrary to the Treaty to effect an arrangement or agreement for the sale of railway lands in the district" with specified iwi groups and representatives.</p>	<p>Settled</p> <p>Settlement legislation enacted for:</p> <ul style="list-style-type: none"> • Taranaki Whānui ki te Upoko o Te Ika (August 2009) • Ngāti Toa Rangatira (April 2014).

Wai 264: Report on Railway Land at Waikanae* (1992)	
Primary Findings and/or Recommendations	Status
<p>The Tribunal was satisfied that the only Māori with an interest in land proposed for disposal adjoining Ruakohatu urupā in Waikanae were the Ruakohatu Urupā Trustees and the Crown would not be acting contrary to the principles of the Treaty of Waitangi to treat with them.</p>	<p>Settled</p> <p>Settlement legislation passed for:</p> <ul style="list-style-type: none"> • Ngāti Toa Rangatira (April 2014).

Wai 264: Report on South Auckland Railway Lands* (1993)	
Primary Findings and/or Recommendations	Status
<p>The Tribunal found that it would be consistent with the Treaty for the Crown to dispose of railway assets upon terms agreed with:</p> <ul style="list-style-type: none"> • Huakina Development Trust • A Kaihau and N Minhinnick for Ngāti Te Ata • Ngāti Whātua o Ōrākei Māori Trust Board • Te Rūnanga o Ngāti Whātua • Ngāti Paoa Whanau Trust • Ngāi Tai ki Tamaki Trust • Hauraki Māori Trust Board. 	<p>In progress</p> <p>In progress as part of Ngāti Rangatahi negotiations.</p>

Wai 411: The Tarawera Forest Report (2003)	
Primary Findings and/or Recommendations	Status
<p>This report primarily addressed the concerns relating to the creation of a joint-venture forest development company in the late 1960s. The report also considers the concerns raised in Wai 46 and 872.</p> <p>The Tribunal recommended:</p> <ul style="list-style-type: none"> • that the Crown apologise to Māori groups with affiliations to the Tarawera Valley for the loss of rangatiratanga over those lands • that the Crown provide financial compensation to affected Māori groups for the loss of land • that the Crown reimburse claimants for costs relating to a Tribunal hearing. 	<p>In progress</p>

Wai 413: Māori Electoral Option Report (1994)	
Primary Findings and/or Recommendations	Status
<p>The Tribunal addressed a claim filed in 1994 about the adequacy of funding for Māori political representation following the introduction of MMP in 1993. It concluded that the Crown had Treaty duties to actively protect Māori citizenship rights under the Electoral Act 1993. It made recommendations in respect of how the Crown might meet these Treaty duties.</p>	<p>In progress</p> <p>2016: \$5 million over four years in Vote Māori Affairs to increase Māori voting. 2017: \$1.9 million on increasing rangatahi Māori voting (\$0.95 million of which was invested in the Electoral Commission). 2018: \$3.19 million appropriated for the next three years to increase Māori electoral participation.</p>
Wai 414: Te Whānau o Waipareira Report (1998)	
Primary Findings and/or Recommendations	Status
<p>The Tribunal found that the Community Funding Agency should negotiate with Te Whānau o Waipareira to devolve sufficient authority and resources to enable it to undertake a coordinated and holistic approach to community development within the whānau.</p> <p>It also said that the Minister of Māori Affairs should initiate an independent review within three years to report on developments in the relationship between Te Whānau o Waipareira and the Crown.</p>	<p>No further action</p> <p>In 2001, the Minister for Māori Affairs announced the Government's intention to build the capacity within Māori communities.</p> <p>In Budget 2001, Māori Capacity Building funding was provided. Te Puni Kōkiri allocated funding to Te Whānau o Waipareira Trust to assist it in delivery of services as well as build its development as a provider.</p>
Wai 449: Kiwifruit Marketing Report (1995)	
Primary Findings and/or Recommendations	Status
<p>The claim was that the right to export kiwifruit is a taonga and is protected by Article 2 of the Treaty.</p> <p>Tribunal found that the claim was not well-founded. No recommendations made.</p>	<p>No further action</p>

Wai 655: Report on Aspects of the Wai 655 Claim (2009)

Primary Findings and/or Recommendations	Status
<p>The Tribunal found that in 1849 Ngā Wairiki suffered a heavy blow to their identity through the Crown arranging the Rangitikei-Turakina purchase in a way that deliberately overlooked their separate identity as a recognisably distinct iwi, when they were overlooked in the Crown’s Rangitikei-Turakina purchase, and that colonial processes “generally conspired” to merge the identities of the groups affected by the deed.</p> <p>The Tribunal found that the Crown breached the Treaty principles of good faith and active protection and, in doing so, caused prejudice to Ngā Wairiki by undermining their ability to survive as a group with separate identity and recognition.</p> <p>The claimants had earlier sought an urgent hearing of the Tribunal to challenge the Ngāti Apa settlement, which the Tribunal declined.</p>	<p>Settled</p> <p>The Wai 655 claim was settled through the 2010 Ngāti Apa Treaty settlement. The Tribunal produced its report on the Wai 655 claim in advance of the introduction of the Ngāti Apa Settlement Bill in order to report on the Wai 655 historical claim.</p>

Wai 893: The Preliminary Report on the Haane Manahi Victoria Cross Claim (2005)

Primary Findings and/or Recommendations	Status
<p>The Tribunal made no findings or recommendations but provided ‘an early indication of [their] views and suggest a path forward’. They did however state that they considered it unlikely there had been any Treaty breaches.</p> <p>The Tribunal suggested the Crown and claimants work together on a joint submission to the Palace. They also suggested that joint publication of a memorial booklet might be appropriate.</p>	<p>No further action</p> <p>Haane Manahi received an award posthumously by the Queen. He was recognised by the presentation of an altar cloth, a personal letter from the Queen acknowledging his gallantry, and a sword. The award was presented by the Duke of York to the sons of Haane Manahi at a ceremony in 2007.</p>

Wai 1024: The Offender Assessment Policies Report (2005)

Primary Findings and/or Recommendations	Status
<p>This report addressed a claim that an offender management tool introduced by the Department of Corrections in 1999 disadvantaged Māori offenders.</p> <p>The Tribunal found that the Department’s use of the tools which aided assessments of whether offenders would re-offend had inconsistencies with Treaty principles. It felt that urgent action was required to ensure prejudice did not arise from these inconsistencies. However, the Tribunal did not identify any prejudice this caused Ngāti Kahungunu and did not make any specific recommendations.</p>	<p>In progress</p>

Wai 1090: The Waimumu Trust (SILNA) Report (2005)

Primary Findings and/or Recommendations	Status
<p>Claimants argued that the enactment of the Forests Amendment Bill 1999, coupled with the Government’s revised policy for certain Māori-owned indigenous forests would destroy the value of the Waimumu Trust’s ownership of the Waimumu Forest. Specifically, by removing their right to export unsustainably harvested indigenous forest produce, and by not compensating the Trust for any concomitant losses, the Crown breached the principles of the Treaty.</p> <p>The Tribunal concluded that in abandoning negotiations for compensation without the concurrence of the Waimumu Trust, and by default imposing the Nature Heritage Fund (the NHF), which would offer limited compensation on the Trust, the Crown breached the principles of the Treaty. Despite the Treaty breach the claimants had not yet suffered any prejudice as the option to apply to the NHF was still open to them.</p> <p>Tribunal stated that it thought there was an opportunity for the Crown to review the basis of the NHF, and to arrive at a settlement with the Waimumu Trust that will ensure compliance with the Treaty.</p>	<p>No further action</p> <p>Ministry of Agriculture and Forestry (MAF) undertook a review of the SILNA Forests Policy and Implementation package in 2009.</p>

Wai 1150: The Te Arawa Mandate Report (2004)

Primary Findings and/or Recommendations	Status
<p>This report addressed claims relating to the Crown’s decision to recognise the mandate of Ngā Kaihautu o Te Arawa Executive Council in March 2004.</p> <p>Claimants expressed concerns with the process leading to the recognition of the mandate, the consequences for specific kin/claimant groups, and the Crown’s overall settlement policy, particularly its preference for settling with large natural groupings.</p> <p>The Tribunal suggested that the kaihautu have the opportunity to debate and resolve issues of accountability and representivity regarding its Executive Council. The Tribunal noted that the Crown and the executive council should take joint responsibility for planning this hui.</p> <p>The Tribunal also suggested that the Crown enter contemporaneous negotiations with Ngāti Mākino and afford priority status to negotiations with Waitaha.</p>	<p>Settled</p> <p>Deeds of settlement signed, and legislation enacted for:</p> <ul style="list-style-type: none"> • Affiliate Te Arawa Iwi and Hapū (September 2006, September 2008) • Ngāti Mākino (April 2011, July 2012) • Waitaha (September 2011, June 2013).

Wai 1150: Te Arawa Mandate Report: Te Wahanga Tuarua (2005)

Primary Findings and/or Recommendations	Status
<p>This report addresses claimant allegations that the Crown failed to substantially address the Tribunal’s suggestions and recommendations from the Te Arawa Mandate Report.</p> <p>The Tribunal found that the Crown breached Treaty principles by rejecting the Tribunal’s suggestion regarding Ngāti Mākino.</p> <p>The Tribunal recommended that the Crown commence negotiations with Ngāti Mākino and prioritise negotiations with Waitaha.</p>	<p>Refer above – this was a follow up to the 2004 report.</p>

Wai 1177: The Interim Report of the Waitangi Tribunal on the Te Tai Hauāuru by-election (2004)

Primary Findings and/or Recommendations	Status
<p>The Tribunal noted that time constraints prevented them from seeking what they would have considered adequate evidence. They were “not prepared to find that the claim is well founded” because of this, not because they were “convinced that the Crown is doing enough”.</p> <p>The Tribunal made no formal recommendations but suggested that the Chief Electoral Officer may wish to reconsider adding 19 additional polling places for the 2004 Hauāuru by-election.</p>	<p>No further action</p>

Wai 1298: The Report on the Aotearoa Institute Claim concerning Te Wānanga o Aotearoa (2005)

Primary Findings and/or Recommendations	Status
<p>This report addresses a contemporary Ngāti Maniapoto claim in relation to the Crown’s funding of the Aotearoa Institute.</p> <p>The Tribunal found that the Crown had breached the principles of the Treaty by failing to recognise the inclusive nature of the education provided by a wānanga and by failing to set up high-level mechanisms, as provided for in the Wai 718 deed of settlement, to resolve differences between the parties as they arose. This led to a number of specific breaches by the Crown.</p> <p>The Tribunal recommended that the Crown use its best efforts to conclude a partnership agreement or to set up a structure which provides for high-level opportunities for the wānanga to work with the Crown.</p>	<p>Settled</p> <p>In 2012, a settlement was reached between the Crown and the Aotearoa Institute Trust Board as the representative of Te Wānanga o Aotearoa. A partnership agreement was not reached between the parties, but closer working relationships were established.</p> <p>The sum of \$262,554.84 was paid to the Aotearoa Institute in settlement of a Tribunal recommendation to meet the proper costs incurred in the preparation of its claim.</p> <p>A letter of acknowledgment was sent recognising the contribution made by the founders of Te Wānanga o Aotearoa to New Zealand education.</p>

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