

Waitangi Tribunal Legislation Review

Independent Technical Advisory Group

Briefing: Update to the Ministerial Advisory Group

Date: 21 August 2025

To: Hon Tama Potaka – Minister for Māori Development (Chair), Hon Paul Goldsmith – Minister of Justice, Hon Judith Collins – Attorney-General, Hon David Seymour – Associate Minister of Justice, Hon Shane Jones – Minister for Resources

From: Bruce Gray KC, Chair, Independent Technical Advisory Group

Phone: [REDACTED] Withheld under OIA
S9(2)(a)

Purpose

1. This paper provides you with a summary of the draft report on the Review of the Treaty of Waitangi Act 1975 (the Act), (**attached** for your consideration), and an update on progress for the Review.

Background

2. Since the Review began in May 2025, ITAG have provided written updates monthly to MAG, and fortnightly to Hon Tama Potaka as the Chair of MAG.
3. Throughout June and July, ITAG undertook targeted engagement as described in the April 2025 Cabinet paper (SOU-25-MIN-0047 refers). This included a presentation to the National Iwi Chairs Forum, 42 events organised by ITAG in which we met with 153 individuals either in person or online, and we received 44 written submissions.
4. Engagement covered a good cross-section of views, including claimant perspectives. Initial themes from engagement were outlined in our July update to you, along with an indication of the recommendations we were considering.

Status update and summary of report

5. ITAG have made good progress in the drafting of our report to you, with some final drafting to be completed. Where further work is needed, this is signalled clearly in the attached report.
6. The report is framed to emphasise that the Review is focused on the legislation.
7. [REDACTED] Withheld under OIA
S9(2)(f)(iv)
8. Recommended changes would ensure the Act is fit for purpose into the future, since the work of the Waitangi Tribunal will increasingly focus on contemporary claims as historical claims are concluded.

9. Where our analysis and deliberations have concluded that no changes be made to parts of the Act, this is reflected in the report, and rationale provided.

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S9(2)(f)(iv)

10. ITAG recommend that the Act [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

11. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

12. ITAG recommend [REDACTED]
[REDACTED]
[REDACTED]

13. ITAG do not recommend [REDACTED]
[REDACTED]
[REDACTED]

Next steps

14. ITAG look forward to Ministerial feedback on the draft report attached, as we work to finalise it.
15. ITAG are scheduled to meet with Ministers on 9 September at 5-5.45pm, and will provide you with the final report in advance to inform your prior deliberations.