

Review of the Treaty of Waitangi Act 1975

Independent Technical Advisory Group

Communications plan

May to August 2025

Version 1.1

Document control

Document title:	Review of the Treaty of Waitangi Act 1975 – Independent Technical Advisory Group Communications Plan
Purpose:	This is a consolidated communications plan summarising the communications approach and messaging used for the Independent Technical Advisory Group's review of the Waitangi Tribunal's legislation.
Date:	26 August 2025
Classification:	In-Confidence

Version:	Date:	Modified by:	Comment
0.1	28 April 2025	Ginny Maddock, Senior Advisor ITAG Secretariat.	Draft plan.
0.2	17 July 2025	Melanie Sargent, ITAG Secretariat Lead.	Input to draft plan.
1.0	26 August 2025	Tracy Dillimore, Principal Advisor, ITAG Secretariat.	For approval, this version consolidates previous drafts (above) with approved communications content (see links below), and engagement approaches and content agreed by ITAG (see Engagement Plan).
1.1	9 September 2025	Tracy Dillimore, Principal Advisor, ITAG Secretariat	Includes feedback from ITAG.

Endorsed

Date	Approver	Endorsed
3 September 2025	Melanie Sargent, ITAG Secretariat Lead.	

Approved

Date	Approver	Approval
12 September 2025	Bruce Gray, ITAG Chair	Approved

Related documents

This document consolidates communications planning and messaging across a number of documents informing the communications approach and messaging for the Independent Technical Advisory Group's review of the Treaty of Waitangi Act 1975:

1. [2025 04 04 - Communications plan - Waitangi Tribunal Legislation Review - pre-ITAG DRAFT #2.docx](#)
2. [2025 04 09 - Minister's Communications Pack - Cabinet Paper process.docx](#)
3. [2025 05 08 - ITAG Communications Pack.docx](#)
4. [2025 05 09 - Talking points - ITAG's review of the Waitangi Tribunal's legislation.docx](#)
(see Appendix 1)
5. [2025 06 11 - Talking points - ITAG's review of the Waitangi Tribunal's legislation.docx](#)
(see Appendix 2)
6. [2025 09 03 - Engagement Plan - Waitangi Tribunal Legislation Review \(May to August 2025\).docx](#)

Contents

Purpose	5
Scope	5
Background	5
Terms of reference for the Review	6
Review timeframes	6
Communications approach	7
Overall goal	7
Communications objectives	7
Stakeholders and audiences	7
Principles	8
Communications opportunities	8
Communications risks	8
Communications deliverables, channels, and messaging	9
Appendix 1: Minister's key messages – Announcement of the Review – 8 May 2025	11
Appendix 2: Key messaging – ITAG's engagement approach – 11 June 2025	15
Appendix 3: Letter of invitation to meet with ITAG	17
Appendix 4: Email to iwi, hapū and PSGEs inviting a written submission	20
Appendix 5: Invitation to wānanga	21

Purpose

This communications plan provides a summary of the communications planning and messaging used by the Independent Technical Advisory Group's (ITAG) in their review of the Treaty Waitangi Act 1975 (the Review) conducted between May 2025 and August 2025.

Scope

This communications plan largely focuses on actions, messaging and support to deliver the [Waitangi Tribunal Legislation Review Engagement Plan](#), with public messaging managed at Ministerial level.

Note this plan does not cover the release of ITAG's report or communications for any decisions made by Cabinet resulting from the Review. A separate communications plan and materials will be developed for the decisions and policy process that will follow ITAG's delivery of their final report.

Background

A commitment to amend the Treaty of Waitangi Act 1975 (the Act) "to refocus the scope, purpose, and nature of its inquiries back to the original intent of that legislation" is included in the National Party – New Zealand First Coalition Agreement.¹ The Review is part of wider Government policy programme on Te Tiriti/Treaty of Waitangi matters.

On 9 April 2025, Cabinet agreed a ministerial group including the Minister for Māori Development, the Attorney-General, Minister of Justice, Minister for Resources, and Associate Minister for Justice would oversee the Review and appoint of an independent Technical Advisory Group to lead it.

On 9 May 2025, Māori Development Minister Hon Tama Potaka announced the Review and the establishment of ITAG.² The appointed members of ITAG are Bruce Gray KC (Chair), David Cochrane, Dion Tuuta and Kararaina Calcott-Cribb. They were supported by a Secretariat hosted by Te Puni Kōkiri.

ITAG is expected to report back with their insights and recommendations to the Ministerial Advisory Group by September 2025, enabling any decisions about changes to Act to be made by Cabinet, and introduction of a Bill into the House of Representatives, before the end of 2025 (with Te Puni Kōkiri the lead agency for this part of the legislation review).

In its 50 years, the Act has not been wholly reviewed. The Cabinet Social Outcomes Committee noted that "with the expected conclusion of historical inquiries but an increasing workload, it is timely to review the Treaty of Waitangi Act 1975".³

¹ [National NZF Coalition Agreement signed - 24 Nov 2023.pdf](#)

² [Review seeks to improve Waitangi Tribunal | Beehive.govt.nz](#)

³ [Minute of Decision: SOU-25-MIN-0047 Revised](#)

Terms of reference for the Review

The Terms of Reference⁴ for the Review set out the objective, scope, timings, and expectations for engagement for the Review.

This includes that ITAG would consider:

- Waitangi Tribunal reports and publications, academic research, and relevant data.
- Perspectives from representatives of Parliament, the Executive, the Judiciary, the Waitangi Tribunal, claimants, and legal practitioners.
- Designing and implementing an approach to iwi and hapū engagement.

Additionally, the Minister said in his announcement that, “The ITAG will engage directly with peak Māori and iwi entities, Treaty law experts, and current and former Tribunal members to ensure that the right voices and perspectives are reflected in the recommendations they provide to ministers at the end of their review”.

Review timeframes

ITAG first met on 17 May 2025 and agreed to a high-level timeline covering the different phases for the Review. ITAG later extended the engagement phase to early August 2025.

From 9 May 2025		June	July	August
1. Set up	2. Engagement		Extension of engagement	
		3. Research		
			4. Analysis and report phase	
<p>1. Set up: ITAG induction hui (17 May 2025). Initial meetings with the Secretariat, Ministerial Advisory Group, Crown Law and the Waitangi Tribunal.</p> <p>2. Engagement: Targeted face-to-face and online hui, written submissions process, and up to four regional wānanga.</p> <p>3. Research: Commissioning and undertaking research for ITAG.</p> <p>4. Analysis and report phase: Understanding insights from engagement hui and written submissions. ITAG formulates their recommendations. ITAG may seek further clarification as required. ITAG drafts their recommendations and a final report.</p>				

⁴ [Independent Technical Advisory Group - Terms of Reference \(May 2025\)](#)

Communications approach

The Tribunal holds deep significance – for those who have appeared before it, worked within it, or looked to it as a safeguard for Treaty rights. It is considered a taonga to Māori, and as such the Review is expected to raise concerns for a range of individuals, groups and stakeholders.

Public messaging was shaped at the outset by the Minister for Māori Development's 9 May 2025 media announcement, and subsequent media coverage including responses from Ministerial Advisory Group members.

ITAG's challenge was to carve out their own identity as a group, build confidence in their independence from Ministers and Te Puni Kōkiri, and manage expectations for the Review – within the three and a half months provided to research, engage, listen and report back to Ministers.

It was important to ITAG they met with as many people as possible (within time and resourcing constraints) to ensure they gathered insights representing the diverse views on issues and potential solutions within scope of the Review. ITAG's priority was to communicate quickly with a wide range of people with the right expertise and invite them to participate in their review processes.

Overall goal

Achieve a high level of participation in the Review by target groups – Māori, claimants, hapū and iwi, legal experts and experts in the Tribunal – to enable ITAG to hear a wide range of views and perspectives. Engagement with Māori is a key priority for the Review.

Communications objectives

1. Target groups and stakeholders are aware of the Review and know where to get information and how to participate and provide feedback.
2. Key stakeholders are kept up to date with the Review's progress.
3. Reputational risks are identified early and are well managed.

Stakeholders and audiences

Key groups and stakeholders that ITAG will need to engage with include:

- Ministerial Advisory Group – oversight
- Waitangi Tribunal
- Experts in the Tribunal's processes, including claimants
- Iwi and hapū
- Peak body Māori organisations – representative views
- Legal experts – especially those with experience with claims
- Crown Law – legal advice and as Crown counsel on claims
- Representatives of the Executive (Ministers and their agencies) – with experience with the Tribunal
- Representatives of Parliament (Party leaders and MPs)

- Opponents of the Tribunal.

Audiences, with communications led by the Minister for Māori Development, include:

- Media and the general public.

Principles

See the [Waitangi Tribunal Legislation Review Engagement Plan](#) for a discussion on principles informing this Review.

Communications opportunities

Opportunity	Strategy/tactic
Leverage the credibility and experience of ITAG members.	Ensure people know who is on ITAG in written communications. Provide information on ITAG members e.g. bios included in the Terms of Reference. ⁵ Provide a clear understanding of ITAG's independence in written communications, the submissions template and in hui and wānanga.
Build trust and confidence in the Review by being transparent about decisions made and processes undertaken.	Proactively release information about the Review on the Te Puni Kōkiri website. Provide timely responses to enquiries about the Review.
Invite a wide range of input and perspectives.	Develop a comprehensive database of target groups and key stakeholders with lived experience and expertise in the Tribunal and the Act. Invite participants to include others and refer information to people they think should be involved in the Review.

Communications risks

See the [Waitangi Tribunal Legislation Review Engagement Plan](#) for communications and engagement risks and mitigations.

See [WTLR Risk Register.xlsx](#) for the programme-level risk register.

⁵ Note media covered ITAG members following the 9 May 2025 announcement.

Communications deliverables, channels, and messaging

Stakeholder / Audience	Communications deliverables and channels	Key messaging / information
Ministerial Advisory Group	<ul style="list-style-type: none"> Communications packs – draft media release, key messages and Q&As. Fortnightly briefings to Chair of the Ministerial Advisory Group. Monthly briefings to the Ministerial Advisory Group. Final briefing(s) for ITAG's report. Prioritise for early face-to-face engagement. 	<ul style="list-style-type: none"> 2025 04 09 - Minister's Communications Pack - Cabinet Paper process.docx Appendix 1: Minister's key messages – Announcement of the Review – 8 May 2025 Progress updates
Waitangi Tribunal and Crown Law	<ul style="list-style-type: none"> Prioritise for early engagement to build a working relationship for the Review. Letters/emails commissioning advice and research. Invitation letter and subsequent hui with a sharing of insights and perspectives. Proactive release of Terms of Reference, Cabinet Paper and Minute etc. 	<ul style="list-style-type: none"> Appendix 2: Key messaging – ITAG's engagement approach – 11 June 2025 Appendix 3: Letter of invitation to meet with ITAG
Experts in Tribunal processes including claimants; Māori organisations; Representatives of Parliament and the Executive; opponents of the Tribunal.	<ul style="list-style-type: none"> Invitation letter and subsequent hui with a sharing of insights and perspectives. Written submissions template. Proactive release of Terms of Reference, Cabinet Paper and Minute etc. Emails from ITAGReview@tpk.govt.nz. 	<ul style="list-style-type: none"> Appendix 2: Key messaging – ITAG's engagement approach – 11 June 2025 Appendix 3: Letter of invitation to meet with ITAG
Iwi and hapū; PSGEs	<ul style="list-style-type: none"> Invitation to provide a written submission. Regionally focused invitations to attend one of three regional wānanga (Waitangi, Tairāwhiti, Te Whanganui a Tara). 	<ul style="list-style-type: none"> Appendix 4: Email to iwi, hapū and PSGEs inviting a written submission Appendix 5: Invitation to wānanga

Stakeholder / Audience	Communications deliverables and channels	Key messaging / information
	<ul style="list-style-type: none"> Written submissions template. Proactive release of Terms of Reference, Cabinet Paper and Minute etc. 	
Te Puni Kōkiri	<ul style="list-style-type: none"> Intermittent updates through internal pānui, in accordance with the ethical wall for an independent secretariat (from 9 May to when the final report is delivered to Ministers). 	<ul style="list-style-type: none"> Progress updates
Crown agencies with concurrent policy processes e.g. Justice	<ul style="list-style-type: none"> Hui as required 	<ul style="list-style-type: none"> Progress updates
Participants – the people and organisations who ITAG met with and/or who submitted	<ul style="list-style-type: none"> Thank-you letters/emails. 	<ul style="list-style-type: none"> Acknowledgement and progress update
General public and media	<ul style="list-style-type: none"> Escalation of media enquiries to Minister's office. Ministerial media releases and media responses. PQs and OIAs. Proactive release of papers on www.tpk.govt.nz. 	<ul style="list-style-type: none"> Review seeks to improve Waitangi Tribunal Beehive.govt.nz Appendix 1: Minister's key messages – Announcement of the Review – 8 May 2025

Appendix 1: Minister's key messages – Announcement of the Review – 8 May 2025

Holding lines for ITAG members

- I welcome the opportunity to be part of this review of the Waitangi Tribunal's legislation.
- The technical advisory group will meet as soon as practicable, and we will discuss how to run a transparent and well-informed process.
- There are no pre-determined outcomes – our final report to the Government will reflect our findings and recommendations as an advisory group.
- For any further questions about the review or ITAG please contact media@tpk.govt.nz or the Minister for Māori Development's office.

Positioning statements

1. Given the progress on historical claims and settlements and concerns about the Tribunal's current workload, Ministers consider it timely to review the legislation that determines how the Waitangi Tribunal undertakes its inquiries.
2. The Treaty of Waitangi Act has not been looked at holistically in nearly 50 years.
3. No outcomes have been pre-determined. This review of the Tribunal's legislation is about asking the right questions and testing whether the current legislation still delivers what is needed.
4. The Waitangi Tribunal remains a vital part of New Zealand's constitutional framework. This review is about strengthening it not undermining it.
5. The Tribunal must be equipped to respond to the next 50 years of Treaty challenges. This review is part of that long-term work.
6. I think it's important to stay focused on what this review is — and what it isn't.
7. This review is about function, not legacy. Reviewing past claims is not in scope for this review. The scope is clear and defined.
8. Māori perspectives will be heard – that's important, but ultimately decisions will be made by Cabinet ahead of a select committee process.
9. Any future decisions about changes to the legislation made by Minister's later this year will go through the usual select committee process.
10. Ministers will consider all advice in due course, and we cannot pre-empt the outcome of this review.

These can inadvertently escalate or misrepresent the kaupapa:

1. Replace "This is a comprehensive review" with "This is a targeted, time-bound review of structural and legislative settings".
2. Replace "Māori are at the centre of this process." with "Māori perspectives are important, and targeted engagement will occur to capture those perspectives."

3. Replace “We’re modernising the Treaty process.” with “We’re assessing how well the Tribunal’s legislative foundation still supports its role.”

Key messages

Rationale

- This review is about ensuring the Waitangi Tribunal remains focused, fit for purpose, and able to serve today's and future generations in a changing constitutional and policy landscape.
- It has been 50 years since the Treaty of Waitangi Act 1975 was passed — it is time we take stock of how the Tribunal is operating and whether the legislative framework is still serving its intended purpose.

On scope and intent

- The review is not about removing the Tribunal or reducing its mana. It is about ensuring it can continue to operate effectively, within a system that is clear, coherent, and sustainable.
- The review will look at structural matters such as the Tribunal’s jurisdiction, how claims are categorised, and the interface with other legislation.

On Māori involvement

- This is a Ministerial-led process ITAG will engage with Māori legal experts, former claimants, iwi entities, and others with deep understanding of the Tribunal’s evolution.
- The aim is to ensure the advice received is grounded in both technical rigour and lived Treaty experience.

On ITAG

- The review of the Act is being led by an Independent Technical Advisory Group (ITAG) of experts.
- ITAG has been appointed by a Ministerial Advisory Group to inform Cabinet’s consideration of potential future amendments to the legislation.
- ITAG provides a broad range of expertise to ensure a range of voices and perspectives inform recommendations they will provide Ministers about the legislation.
- ITAG will provide their recommendations to Minister by September 2025. Any legislative changes will follow due process, including Cabinet decisions and, if required, Select Committee consultation.
- Final decisions sit with Cabinet, but the process will reflect a wide range of views and expertise including from those who have worked closely with the Tribunal over many years.
- ITAG is committed to transparency and good process. That means seeking views from those with experience with the Waitangi Tribunal, including peak Māori entities and iwi, Treaty law experts, current and former members of the Tribunal.

On political oversight

- The Ministerial Advisory Group overseeing the review includes Ministers from several portfolios, including Māori Development and Justice. This reflects the cross-cutting nature of the kaupapa.
- Oversight ensures the process is coordinated — not predetermined. Ministers will receive advice, not dictate it.

On what this isn't

- This is not an attempt to shut down historical claims or silence Māori voices.
- It's not about cost-cutting or Treaty rollback — it's about good lawmaking, good governance, system design, and making sure we get this right for the long term.

Final message

- We understand the depth of feeling about the Waitangi Tribunal. That's why this review is being taken seriously — with care, expertise, and a commitment to accountability.

Supporting narrative

1. The Treaty of Waitangi Act has been amended at various points but has not previously been reviewed in a coordinated way to assess how well the legislation supports the Tribunal's role in today's Treaty landscape.
 - This review provides an opportunity to explore those structural and procedural questions in a more deliberate and future-focused manner.
2. This is a review of the legislative and institutional framework — not of the Treaty or past decisions.
 - The focus is on structure, jurisdiction, classification of claims, and procedural effectiveness.
 - The review will not assess the merits of specific claims or revisit previous settlements.
3. The review is not about disestablishing the Tribunal or limiting Māori rights.
 - The Tribunal is an established institution with a long-standing role in the Treaty landscape.
 - This process will explore how its legislative and structural foundations can be strengthened to support its ongoing role.
4. Māori engagement will be targeted and meaningful — but this is not a co-governed process.
 - The review is Crown-led. However, insights from Māori legal professionals, claimants, and iwi entities will inform the analysis and shape advice.
 - The review process will not overstate Māori influence, but neither will it exclude relevant perspectives.

5. The timeframe is tight — but it reflects Cabinet expectations and the need for early legislative clarity.
 - The process is designed to balance pace with integrity.
 - There are mechanisms in place to test emerging findings, refine advice, and ensure rigour before legislation is introduced.
6. An Independent Technical Advisory Group will ensure robust evidence-based advice for Ministers, reflecting a range of perspectives:
 - ITAG has been selected and convened by a Ministerial Advisory Group consisting of: Minister for Māori Development – Hon Tama Potaka (Chair), Attorney General – Hon Judith Collins, Minister of Justice – Hon Paul Goldsmith, Associate Minister of Justice – Hon David Seymour, and Minister for Resources – Hon Shane Jones
 - ITAG's role is to provide the Ministerial Advisory Group with clear advice regarding to inform their decisions about potential amendments to the Treaty of Waitangi Act to ensure it is fit for purpose and effective for this and future generations.
 - ITAG members bring deep expertise in Treaty law, public law, and institutional design, policy and implementation.
 - ITAG's review will help test options, stress-test assumptions, and ensure legislative workability.
7. There is political interest — but not political interference.
 - Ministers are responsible for overseeing the review but are not directing the outcome of ITAG's review.
 - The process will follow standard public service principles of neutrality, evidence-based policy, and public accountability.

Appendix 2: Key messaging – ITAG’s engagement approach – 11 June 2025

1. On 9 May 2025, the Government announced the review of the Waitangi Tribunal’s legislation, along with the appointment of four members of an independent technical advisory group to lead the review.
 - a. The members of the technical advisory group bring a broad range of expertise in governance, law, tikanga Māori, claimant advocacy, post-settlement development, and policy and implementation.
 - b. The technical advisory group is independent and will form its own recommendations to Ministers. Cabinet will make final decisions about changes to the Act (and any future decisions about changes to the legislation will go through the usual select committee process).
 - c. The timeframe is tight — but it reflects Cabinet expectations and the importance of legislative clarity.
 - d. The technical advisory group has identified a work programme and its work is underway.
2. This is a targeted, time-bound review of the legislation.
 - a. The Treaty of Waitangi Act 1975 has been amended at various points but has not previously been reviewed in a coordinated way to assess how well the legislation supports the Tribunal’s role today and into the future.
 - b. The review will explore how the Waitangi Tribunal’s legislative and structural foundations can be strengthened to support its ongoing role.
 - c. The Tribunal’s jurisdiction, types and categorisation of claims, and how the Act interrelates with other legislation (particularly given the Act hasn’t been reviewed in 50 years) are in scope of the review.
 - d. Funding of the Tribunal, or its members or participants such as counsel, claimants, and witnesses is not in scope of the review. Neither is the Tribunal’s interpretation of the Treaty and its principles, or any claims determined, currently before, or lodged with the Tribunal.
3. The technical advisory group is committed to transparency and a good process.
 - a. To formulate their recommendations, the technical advisory group wants to understand the different perspectives of the various parties with an interest in the Waitangi Tribunal and the application of the Treaty of Waitangi Act 1975.
 - b. The technical advisory group intends engaging as widely as possible during its information gathering process in June and early July 2025. They want to learn from iwi, hapū and claimants, stakeholders and interested parties (from Government, the public sector, the judiciary, legal and academic sectors) and about what they believe is relevant to the work of the group.

- c. To hear as much as possible from stakeholders and interested parties, the technical advisory group will be:
 - approaching people with special knowledge or interest, to hear their views specifically
 - asking others to make submissions in writing by 5.00pm, Thursday 3 July 2025 (contact ITAGReview@tpk.govt.nz for information)
 - organising regional and online wānanga to provide an opportunity for iwi, hapū and claimants to talk directly with the technical advisory group.
4. Following the engagement and research phase of the review, the technical advisory group will provide the Ministerial Advisory Group with recommendations by September 2025.
 - a. The technical advisory group will ensure robust evidence-based advice for Ministers, reflecting a range of perspectives.

Appendix 3: Letter of invitation to meet with ITAG

Sent from ITAGReview@tpk.govt.nz to database contacts (in [Engagement database - FINAL.xlsx](#)).

Tēnā koe/Tēnā kōrua/Tēnā koutou *[name]*

Review of the Waitangi Tribunal's governing legislation

I am writing to seek your views on the review of the Treaty of Waitangi Act 1975 (the Review) that was announced by the Minister for Māori Development, Hon Tama Potaka, on 9 May 2025.

The purpose of the Review is to assess whether key elements of the legislation are meeting current objectives. The aim is to ensure the Waitangi Tribunal is best placed to continue to serve the interests of Māori and all New Zealanders into the future.

An Independent Technical Advisory Group (ITAG), chaired by me, has been established to lead the Review. The other members of the group are Kararaina Calcott-Cribb, David Cochrane, and Dion Tuuta.

We are expected to report our findings to Ministers by the end of August 2025, to inform any decisions Cabinet may make about the legislation. The Terms of Reference for the Review are attached. Please note the precise scope of our task; we are not reviewing the Tribunal's interpretation of the Treaty of Waitangi, nor its principles or individuals claims seen by or before the Waitangi Tribunal.

It is important to ITAG that we understand the views of all key parties with interests and experience in the work of the Waitangi Tribunal and application of this legislation.

It would be most helpful to us if you are able to please express your views in a succinct written submission (of up to 10 pages).

We would also like to meet with you. Given the time limited nature of this Review, we are seeking a meeting with you at your earliest convenience, preferably in June 2025. A meeting could be with you and any colleagues you may want to include and be either face-to-face or online if that is more convenient for you.

Our secretariat support is being hosted by, but operates independent of, Te Puni Kōkiri. They will be in touch to organise a meeting, or please feel free to email ITAGReview@tpk.govt.nz to organise a meeting or provide a written submission. A template for written submissions will be provided on www.tpk.govt.nz shortly.

Thank you for considering this request. We intend to engage as widely as possible within the constraints of the time by which we are to report. If there is another person or group you feel we should also reach out to, please let us know.

See [Review seeks to improve Waitangi Tribunal | Beehive.govt.nz](#) for the Minister for Māori Development's announcement.

Nāku noa, nā

[Signature]

Bruce Gray KC

Chair, Independent Technical Advisory Group – Waitangi Tribunal Legislation Review

Enclosed. Terms of Reference for the Independent Technical Advisory Group (ITAG)

Attached: Written submissions template

[Enclosed] Terms of Reference for the Independent Technical Advisory Group – Waitangi Tribunal Legislation Review

The full Terms of Reference for this review are available at [Proactive release of papers](#).

Objectives of the Review

ITAG's review of the Waitangi Tribunal's governing legislation will assess whether key elements of the legislation are:

1. Effective in meeting the intent of the legislation, including the ability to address priority matters.
2. Enabling claims to be addressed in a thorough and timely manner.
3. Effective in supporting historical claims to be addressed and contribute to timely settlements.
4. Effective at addressing contemporary inquiries⁶
5. Supporting positive relationships between iwi and Māori and the Crown and outcomes, including the distinctive rights and interests of iwi and hapū, as well as Māori as New Zealand citizens.
6. Leading to improved policy processes and outcomes for iwi, hapū and Māori development.
7. Identify, within the scope of this review, any matters that should be prioritised for legislative amendment in the current Parliamentary term and provide advice on sequencing or staging of any further amendments that may warrant consideration beyond 2025.

Scope of the Review

1. Tribunal jurisdiction

Clarity and prioritisation of claims:

Assess whether section 6(1) of the Treaty of Waitangi Act 1975 provides sufficient clarity to enable the Tribunal to prioritise claims effectively. Consider the extent to which the current urgency process facilitates timely resolution of claims.

⁶ For the purposes of the Terms of Reference, contemporary claims and inquiries includes kaupapa claims and inquiries.

Interaction between claim refusal and urgency:

Review the Tribunal's discretionary powers under section 7 to decline claims, alongside its criteria for granting urgency. Examine whether these powers, in combination, effectively support the delivery of timely outcomes.

2. Types and categorisation of claims

Historical and contemporary claims:

Evaluate the clarity and utility of section 6AA and related provisions in distinguishing between historical and contemporary claims. Consider whether this distinction is sufficiently robust to support coherent policy and operational treatment.

Legislative framework for categorisation:

Provide a high-level assessment of whether the legislative framework offers a sound and effective basis for the categorisation and management of claims. This should focus on legislative clarity and intent, without delving into operational processes.

3. Interaction with other legislation

Application of inquiry powers:

Assess whether the Tribunal's investigatory powers, exercised under the Commissions of Inquiry Act 1908, remain appropriate and aligned with the principles of parliamentary privilege, separation of powers, and responsible government, particularly in relation to how these powers interact with the Crown's policy-making functions.

Out of Scope of this Review

The ITAG will not consider:

1. The funding of the Tribunal, or the funding of its members or participants such as counsel, claimants, and witnesses.
2. The Tribunal's interpretation of the Treaty and its principles.
3. Any ongoing or lodged claims before the Tribunal

Appendix 4: Email to iwi, hapū and PSGEs inviting a written submission

Sent from ITAGReview@tpk.govt.nz to contact database at [Engagement database - FINAL.xlsx](#) (sourced from Te Kāhui Mangai).

[Subject] **Review of the Waitangi Tribunal's governing legislation**

Tuatahi, kia tangihia ō tātou tini mate ka tika. Nā rātau tā tātau huarahi i para. Nā rātau anō hoki tātou i ārahi, kei roto i ngā kaupapa mō te Tiriti o Waitangi. Nā reira, haere, haere whakangaro atu rā.

Hoki mai ki a tātou ngā kanohi ora. Rātau ki a rātau, tātou ki a tātou.

Thei mauri ora!

Tēnā koe/Tēnā kōrua/Tēnā koutou *[name]*

On 9 May 2025, the Minister for Māori Development, Hon Tama Potaka, announced a Review of the Treaty of Waitangi Act 1975, and appointed an Independent Technical Advisory Group (ITAG) to lead it. The members of the technical advisory group are me, Bruce Gray KC (Chair), and Kararaina Calcott-Cribb, David Cochrane and Dion Tuuta.

The purpose of the Review is to assess whether key elements of the legislation are meeting current objectives, with the aim of ensuring “the Waitangi Tribunal is best placed to continue serving the interests of Māori and all New Zealanders into the future”. We are operating independent of Ministers and government to form our recommendations.

It is important to us that we understand the views of iwi and hapū and organisations with experience in the work of the Waitangi Tribunal and application of this legislation, within the terms of reference of our Review. Please note the precise scope of our task – we are not reviewing the Waitangi Tribunal's interpretation of the Treaty of Waitangi – Te Tiriti o Waitangi, nor Treaty principles or claims determined by, before or lodged with the Waitangi Tribunal.

Written submissions

We want to hear from you please. Attached to this email is a written submissions template to capture your feedback on the matters within our terms of reference, which are explained in the template. We welcome your feedback on any or all of the questions. Please have your response back with us by **5.00pm, Thursday 3 July 2025**. We thank you now for taking the time to share your perspectives.

See [Review seeks to improve Waitangi Tribunal | Beehive.govt.nz](#) for the Minister for Māori Development's 9 May 2025 announcement.

Nāku noa, nā

[Signature]

Bruce Gray, KC

Chair, Independent Technical Advisory Group – Waitangi Tribunal Legislation Review

Attached: Written submissions template

Appendix 5: Invitation to wānanga

Sent from ITAGReview@tpk.govt.nz to database contacts (in [Engagement database - FINAL.xlsx](#)). Note included groups previously invited to provide a written submission.

He hōnore he korōria ki te Atua
He maungārongo ki te whenua
He whakaaro pai ki ngā tangata katoa.

Honour and glory to God, Peace on Earth, Good will to all mankind.

Tēnā koe [name]

You and your people are warmly invited to attend a wānanga on Monday 30 June 2025, to share your views on the review of the Treaty of Waitangi Act 1975.

The wānanga will be held on **Monday 30 June 2025 at Tahuaroa Function Centre, Waitangi Treaty Grounds, from 10.00am to 2.00pm.**

The review is being guided by an Independent Technical Advisory Group (ITAG), which is considering whether key elements of the legislation are meeting current objectives and the needs of Aotearoa New Zealand, now and into the future.

The focus is on how the legislation can better support timely and effective outcomes for iwi, hapū, and Māori, without revisiting the Tribunal's Treaty interpretations or individual claims.

Attached to this email is a document outlining the key matters ITAG is seeking feedback on. These include the role and scope of the Waitangi Tribunal, the kinds of claims it hears, and its interaction with other legislation.

ITAG wants to hear from iwi, hapū and claimants to ensure different perspectives inform their recommendations to Government Ministers by the end of August 2025. ITAG is operating independently of Ministers and of government departments to form their own recommendations.

We appreciate this is very limited notice to attend this wānanga, but ITAG is keen to meet kanohi ki te kanohi if that is what you would like to do.

Please RSVP by **3.00pm, Friday 27 June 2025** with expected numbers of people attending to ITAGReview@tpk.govt.nz or by calling Tracy on [REDACTED] Withheld under OIA S9(2)(a)

To ensure we hear from as many people as possible, we intend on hearing people at different times. **When you RSVP please indicate a time between 10.00am and 2.00pm you would like to share you whakaaro with ITAG.**

Bishop Kito is facilitating on the day.

If you're unable to attend the wānanga, we also encourage you to send a written submission instead. Details on how to do so are included in the attached document.

If you have any pātai or accessibility needs, feel free to get in touch as well.

Nau mai, haere mai – we look forward to hearing your whakaaro.

Ngā mihi nui,

Independent Technical Advisory Group