

Review of the Treaty of Waitangi Act 1975

Independent Technical Advisory Group

Engagement plan

May to September 2025

Version 1.1

Review of the Treaty of Waitangi Act 1975
Independent Technical Advisory Group Engagement Plan

Document control

Title	Review of the Treaty of Waitangi Act 1975 – Independent Technical Advisory Group Engagement Plan
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0.0	17 – 30 May 2025	ITAG's planning hui informing the design of the engagement approach	
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Endorsed

Date	Endorsed by	Endorsed
3 September 2025	Melanie Sargent, ITAG Secretariat Lead	

Approved

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

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Purpose

This engagement plan sets out the Independent Technical Advisory Group's (**ITAG's**) approach to engaging with Māori, hapū, iwi, claimants, and other stakeholders in their review of the Treaty of Waitangi Act 1975 (**the Review**).

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, comprising of 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.

As ITAG, we are expected to report back with our insights and recommendations to the Ministerial Advisory Group by September 2025. This will enable Cabinet to make decisions about changes to the Act and introduce 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

The aim of this Review is to ensure that key elements of Act are meeting objectives and that the Waitangi Tribunal is best placed to meet the needs of the country now and into the future.

Terms of reference

The Terms of Reference⁴ for the Review set out the objectives, scope, timeframes, and expectations for engagement:

- The Tribunal's jurisdiction, types and categorisation of claims, and the interaction of the Act with other legislation are in scope of the Review.

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](#)

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

- Tribunal funding, the Tribunal's interpretation of the Treaty and its principles, and any claims determined, currently before, or lodged with the Tribunal are out of scope of the Review.
- We have been invited to also consider other matters that would improve the functionality of the legislation, and to make recommendations on how legislative amendments should be prioritised.

In conducting the Review, we are expected to 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.

Engagement approach

It is of the utmost importance to ITAG that our recommendations reflect the range of views of all key parties with interests and experience in the work of the Waitangi Tribunal and on the matters set out in the Terms of Reference.

In developing our engagement approach, we were informed by the direction given in the Cabinet paper⁵:

- genuine engagement with Iwi and Māori will be fundamental to the successful outcome of the Review and potential legislative changes
- peak Māori entities such as the National Iwi Chairs Forum, the Māori Council, and Te Hunga Rōia Māori o Aotearoa – Māori Law Society are priorities for engagement, as is targeted engagement with Iwi and key Māori organisations that have expertise in Treaty law and legal matters
- engagement should be framed as targeted and iterative, with feedback loops.

Given the Review focuses on the form and function of the Tribunal, the potential impact for whānau, hapū, iwi and Māori as claimants and potential claimants is significant, at a local, regional and national level.

In response to this, our primary goal is to engage directly with Māori, including claimants, hapū and iwi, in a deliberate manner. Understanding perspectives and insights from people with lived experience of the Tribunal is a priority for ITAG. This will help us gain clarity of the issues and develop solutions that are fit for purpose.

We referred to *Cabinet Circular CO(19)5: Te Tiriti o Waitangi/Treaty of Waitangi Guidance*⁶

⁵ [Cabinet Paper - Coalition Commitment - Review of the Waitangi Tribunal Legislation \(April 2025\)](#)

⁶ See www.dpmc.govt.nz/publications/co-19-5-te-tiriti-o-waitangi-treaty-waitangi-guidance#introduction

and the *Guidelines for Engagement with Māori* advice⁷ when developing our plan.

Our engagement approach also reflects the Terms of Reference for the Review⁸.

The Terms of Reference provide broad categories of groups and people that ITAG is expected to engage with. The engagement undertaken by ITAG will ensure strong insights are gathered from a wide range of people.

Other inputs informing development of our engagement approach include:

- A high-level stakeholder analysis of the groups identified in the Terms of Reference (see [Table 1: Stakeholder groups](#)). Based on assessment of the level of 'interest' and 'impact' amendments to the Act may have on the groups identified, we have sought to engage as broadly as possible.
- Our engagement principles (see [Table 2: Engagement principles](#)).

This plan will be a living document, which will be updated to reflect developments, emerging priorities, and stakeholder feedback.

⁷ See <https://www.tpk.govt.nz/pages/download/pages-3009-A/Guidelines-for-engagement-with-Maori.pdf>

⁸ [Independent Technical Advisory Group - Terms of Reference \(May 2025\)](#)

Table 1: Stakeholder groups

Group	Members	Alignment to terms of reference
Ministerial Advisory Group (oversight)	<p>Minister for Māori Development, Hon Tama Potaka (Chair)</p> <p>Attorney-General, Hon Judith Collins KC</p> <p>Minister of Justice, Hon Paul Goldsmith</p> <p>Associate Minister of Justice, Hon David Seymour</p> <p>Minister for Resources and Regional Development, Hon Shane Jones</p>	<p>Progress on the National Party – New Zealand First coalition agreement to amend the Act.</p> <p>The Act's effectiveness to address claims and inquiries, and improve outcomes for iwi, hapū and Māori development.</p> <p>Māori-Crown relations and policy processes.</p> <p>Any matters that should be prioritised for legislative change this term, or in the future.</p>
Other Representatives of Parliament	<p>New Zealand Labour Party</p> <p>Green Party of Aotearoa New Zealand</p> <p>Te Pati Māori</p>	As above.
The Executive (Ministers and their departments)	<p>Ministers, noting key Ministers are part of the Ministerial Advisory Group overseeing the Review</p> <p>Relevant government agencies/departments, for example:</p> <ul style="list-style-type: none"> • Crown Law • Te Puni Kōkiri • Ministry of Justice • Agencies involved in Tribunal processes 	<p>As above, and...</p> <p>Impact on other legislation.</p>
The Judiciary and legal experts	<p>Treaty law and legislative experts</p> <p>Barristers, solicitors and Crown counsel with experience working with the Tribunal.</p> <p>Māori Law Society</p> <p>NZ Law Society</p>	As above.

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Group	Members	Alignment to terms of reference
Waitangi Tribunal	<p>Chief Judge</p> <p>Tribunal Members and Presiding Officers (from the Māori Land Court)</p> <p>Waitangi Tribunal Unit staff</p> <p>Former Tribunal members</p> <p>Academics</p>	<p>Impact on the role, function, make-up and operation of the Waitangi Tribunal.</p> <p>Impact on present and future claims and inquiries, and outcomes for whānau, hapū and iwi.</p>
Claimants and their legal representatives	<p>Lived experience of claims and inquiry processes:</p> <ul style="list-style-type: none"> • Post-Treaty settlement claimants and their legal representatives • Current claimants and their legal representatives 	<p>Impact on current and future claims and inquiries, past settlements, and outcomes for whānau, hapū and iwi.</p> <p>The ability for Māori to seek redress on Treaty breaches.</p> <p>Ensuring Māori perspectives and lived experiences shape policies and legislation.</p>
Iwi and hapū, and Māori representative organisations	<p>Including:</p> <ul style="list-style-type: none"> • National Iwi Chairs Forum • NZ Māori Council • Federation of Māori Authorities • Māori Women's Welfare League 	<p>As above.</p>

Table 2: Engagement principles

Principles	In practice this will look like
1. Upholding Te Tiriti o Waitangi	We will uphold Te Tiriti o Waitangi and prioritise hearing from Māori, hapū, iwi and claimants.
	Engagement will recognise and reflect the mana of all participants.
2. Transparency and trust	We will be clear about who we are engaging with, why, and how feedback will be used.
	We will maintain independence and ensure our processes are open and accountable.
3. Inclusive and respectful	We value people and relationships and will create safe spaces for free and frank discussion.
	Engagement will be mana-enhancing, inclusive and respectful of lived experiences and the knowledge and expertise of participants.
4. Practical and proportionate	We will do our best to meet as many people as possible, while working within time and resource constraints.
	Engagement will be targeted and fit for purpose.
5. Kanohi ki te kanohi first	Whenever possible, engagement will be kanohi ki te kanohi (face-to-face), with ITAG members meeting as a group.
	Online hui and other digital tools will be used when face-to-face is not feasible.
6. Responsive and flexible	We will be open to new ideas and note important issues, even those beyond the Review's immediate scope, for consideration for future policy work.
	We will respond to community needs and issues where possible.
7. Collective and strategic	We will work collaboratively and speak as one voice.
	We will focus on gathering actionable, evidence-based insights to strengthen our advice to Government.

Methodology – targeted engagement

Our aim is to achieve a high level of participation in the Review, by individuals and groups with experience with the Tribunal and expertise in matters relating to whānau, hapū, iwi and Māori rights and interests and Te Tiriti o Waitangi.

While we intend holding as many meetings as practicable to inform our recommendations to Ministers, given the timeframe for the Review, we will adopt different engagement methods to gather insights from the different groups in our engagement plan. This will also enable us to meet the different needs of participants.

Invitation to participate

- Initial engagement will involve an invitation letter, or email, sent to the people and groups ITAG has identified for targeted engagement.
 - See [Appendix 2: Letters of invitation](#)
- We will create a detailed database of contacts for our engagement plan.

Targeted engagement hui

- Kanohi ki te kanohi – face-to-face meetings with Representatives of Parliament, the Executive, the Judiciary, the legal profession, and experts in the Tribunal and its processes.
- Online hui, or a mix of face-to-face and online, for those unable to meet in person, and for groups where members are geographical dispersed or rurally/regionally located.

Regional wānanga

- Up to four regional wānanga in different locations to gather insights from iwi, hapū and claimants.

Written submissions

- We are inviting written submissions for more technical responses and for individuals and groups, particularly iwi and hapū and claimants, ITAG is unable to meet with.
 - See [Appendix 3: Written submission template](#)

[Table 3: High-level engagement timeline](#) provides a high-level summary of the engagement plan timeline, including what changed in the course of delivering the plan.

[Appendix 1: Implemented engagement plan](#) provides the final and detailed engagement plan timeline.

[Table 4: Engagement summary](#) provides a summary of the engagement plan, including implementation activities and results.

Table 3: High-level engagement timeline

May 2025	June 2025	July 2025	August 2025
Initial meetings with the Ministerial Advisory Group, Crown Law and the Waitangi Tribunal.	Targeted engagement hui. Written submissions process (three weeks).	Regional wānanga first week of July. Written submissions close first week of July. We may seek further clarification from submitters and people we have met.	Meet with the Ministerial Advisory Group on our final report, which is due by September 2025.
This is a key set up phase for the Review, including seeking Crown Law and Waitangi Tribunal support for the Review.	We will engage extensively with external parties from late May to the first week of July, with June focused on face-to-face and online hui.	A key focus for this month will be analysing the information gathered and drafting our report.	Our priority will be finalising report this month.
Adjustments to the engagement plan			
No change.	No change	Extension of targeted engagement hui to the end of July. No change to wānanga timings, but one was cancelled. Some extensions to written submissions	A couple of follow up engagement hui this month (and one in early September).

See [Appendix 1: Implemented engagement plan](#) for the final plan and timeline.

Communications plan

[Waitangi Tribunal Legislation Review - Communications Plan \(May to August 2025\)](#) provides a consolidated view of the communications planning and messaging used by ITAG through the Review, with a focus on support for the engagement phase.

Table 4: Engagement summary

	ENGAGEMENT PLAN			IMPLEMENTATION		
Method	Description	Target groups	Format / location	Materials/comms	Actions taken	Results
Targeted engagement hui	Proactive targeted meetings coordinated by ITAG to ensure a range of perspectives, insights and evidence are gathered for the Review. These meetings will provide for deep conversations and will meet expectations for meaningful, targeted engagement. With wide representation across target groups, there is an opportunity for broad representation and high levels of engagement. Group hui will be organised for identified target groups e.g. legal professionals, Crown counsel, academics and historians, and the public sector.	Ministerial Advisory Group Members of Parliament Crown Law Waitangi Tribunal Judiciary Legal experts Māori organisations Academics and historians Public sector agencies Individual experts on a range of topics Hobson's Pledge Selected iwi Selected claimants	In person or online or a mix of both In person at different location when possible (e.g. Waitangi, Auckland, Hamilton, and Wellington)	121 invitation letters/emails tailored to the participant/group being met with. Written submissions form provided in advance to inform understanding of the kaupapa to be discussed. Engagement questions tailored to the person/group being met with and their interest. Agendas as required. Meeting logistics and responding to participant enquiries.	Extended 3 weeks to accommodate additional meetings and needs of participants, with a couple of follow up hui. Meeting notes taken at each hui – with an approval process conducted with attendees to ensure an accurate record Meeting notes in Master Register. Note some people invited to attend hui opted to provide a written submission instead.	41 engagement hui held 164 people met with, covering all target groups. ITAG also attended the National Iwi Chairs' Forum (NICF) on 3 July 2025.
Regional wānanga	Specifically designed for iwi, hapū and claimants, creating opportunities for participants to meet with ITAG kanohi ki te kanohi if that is what they would prefer. Time and resourcing preclude these being held in all regions, but when complemented with targeted meetings, meeting with the NICF and ensuring enough people “like” those they needed to meet with, objectives for broad representative engagement should be achieved.	Iwi, hapū and claimants	In person ○ Waitangi – 30 June 2025 ○ Tairāwhiti – 2 July 2025 ○ Wellington – 3 July 2025 ○ (Hamilton – cancelled)	Invitation emails sent to 85 individuals/organisations. Written submissions form. Full event planning for each.	ITAG engaged respected local facilitators to provide advice, support awareness. TPK regional staff supported two wānanga. Meeting notes taken at each wānanga. Meeting notes in Master Register. Note some people invited to wānanga opted to do a written submission or attended a targeted engagement hui.	3 wānanga held. 21 people attended. There was a low turnout at wānanga. They were in direct conflict the NICF which most invitees were attending. The Waikato-Tainui wānanga was cancelled due to an iwi engagement conflict. But a targeted engagement hui was set up in its place
Written submissions	A written submissions process will enable us to reach all target groups, especially iwi and hapū that are regionally/rurally based. Some parties may prefer to provide input without meeting us. Providing for written submissions assists with the sharing of more technical information.	Iwi, hapū and claimants: ○ 178 Iwi and hapū representative organisations ○ 80 PSGEs (iwi representative organisations). The individuals and organisations in the contacts database that ITAG invited to meet with them also received the form.	Online process Included with meeting and wananga invites	Invitation emails. Written submissions form. Iwi, hapū and PSGE lists drawn from Te Kāhui Māngai .	We delivered a targeted submissions process, through letters/emails to the individuals and groups in our engagement plan. This helped manage risk of the Review being seen and treated like a public consultation process which media and online promotion would have engendered. A number of submitters were given an extension beyond the three-week submission period without impacting the next phase of the Review. Submissions summarised in Master Register and submissions summary prepared.	45 high-quality written submissions/letters received.

Engagement and communications risks

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

Table 5: Engagement risks and mitigations

Risk	Description	Messaging and mitigations
Negative perceptions of the Review and questions of legitimacy resulting in opposition to the Review and polarisation in the community	Review outcomes are seen as pre-determined and politically driven, and concerns are raised in the context of the Government's wider Treaty-related work programme. There is a lack of trust and confidence, especially given the limited timeframes for the Review. Couple with the risk of misinformation, and a perceived lack of robustness, scepticism and a perceived lack of robustness could lead to a lack of engagement or disruption hindering ITAG's efforts.	<p>Frame messaging and engage in a Treaty-honouring and values-based way.</p> <p>Prioritise engagement early in the Review process and deliver a targeted engagement plan that prioritises views from people and groups with experience with the Tribunal and expertise in matters relating to whānau, hapū, iwi and Māori rights and interests and Te Tiriti o Waitangi (with an extensive database of representative contacts to support ITAG's engagement plan).</p> <p>Be transparent and clear about the engagement approach and rationale for it. Provide clear communications about the purpose of and priority being placed on engagement in the Review.</p> <p>Provide public assurance of ITAG's independence and the purpose and scope of the Review, including through early media communications (from the Minister) and proactive publication of ITAG's Terms of Reference.</p> <p>Communicate directly with targeted stakeholders, acknowledging the value of their time and input. Thank people for their participation and ensure they understand how their input will be used.</p> <p>Note that it is timely to review the Act given it is 50 years old, and the Tribunal's consideration of historical claims is nearing an end.</p> <p>Note the Review is part of a longer policy programme, with a legislative process to follow the Review, including a select committee process.</p> <p>Report on engagement activities to build confidence in ITAG's engagement approach and reach.</p> <p>Regular media and social media monitoring.</p>

Risk	Description	Messaging and mitigations
<p>Perceived lack of meaningful engagement with Māori</p>	<p>There are concerns that Māori are not well represented in the Review, negatively impacting Māori-Crown relations.</p> <p>The tight timeframe for the Review impacts the breadth and depth of engagement with iwi, hapū, claimants and Māori, and Māori organisations, with concerns critical perspectives have been missed or overlooked.</p> <p>Potential for reputation and relationship impacts for ITAG, Government and Te Puni Kōkiri.</p>	<p>Prioritise early and focused engagement with key Māori leaders and organisations, inviting them to inform ITAG's engagement approach.</p> <p>Design and deliver engagement approaches that prioritise engagement with Māori, iwi, hapū and claimants. Invite written submissions from all iwi, hapū and post-settlement governance entities (PSGEs) to enable those that ITAG can't meet with to participate and share their insights and views.</p> <p>Prioritise messaging about the importance of hearing from claimants, whānau, hapū and iwi with a lived experience of Tribunal process.</p> <p>Invite people to recommend others to be included in the Review – the door is open.</p> <p>Work with local and regional leaders, and key relationship holders to help build awareness and engagement.</p> <p>Meet with National Iwi Chairs.</p> <p>Meet with enough people and organisations to provide confidence that iwi-Māori-claimant views have been captured by ITAG. Monitor engagement outcomes and adjust the plan as needed. Extend the engagement phase if required to achieve this.</p> <p>Be ready to report engagement results, including the proportion of Māori and claimant voices inputting to the Review should questions be asked about ITAG's engagement with Māori.</p>
<p>The Review is overwhelmed with input, not necessarily relevant to the Review</p>	<p>There is a general misunderstanding that the Review is a public consultation process. Written submission's templates are shared widely, and the Review received a large volume of submissions, not necessarily focused on the Terms of Reference for the</p>	<p>Be clear that ITAG's review is not a public consultation process.</p> <p>Ensure engagement materials, including a structured written submissions template, clearly communicate the Review scope, matters covered by the Terms of Reference, and submission guidance.</p> <p>Maintain a targeted engagement approach, informed by a targeted list of experts and people with experience with the Tribunal, and iwi, hapu and PSGE contacts (past, present and potential claimants).</p>

Risk	Description	Messaging and mitigations
	Review. The high-volume of submissions risks delaying analysis and reporting to Ministers.	<p>Be clear that ITAG's review is not a public consultation process. Don't publish the written submissions template on the Te Puni Kokiri website, instead sharing it directly with target groups and people, groups, organisations identified by ITAG in this engagement plan.</p> <p>Monitor submissions content for AI/bot-generated submissions. Use tech-assisted analysis tools where appropriate.</p>
Unable to deliver planned engagements	<p>Some meetings times may not be feasible in the timeframe for the Review, potentially resulting in a need to extend the Review period.</p> <p>Being seen to not meet with or hear from enough people may impact perceptions of the robustness of the Review or the legitimacy of the recommendations.</p>	<p>Prioritise engagement early in the Review process. Provide clear messaging about the scope and timeframes of the Review.</p> <p>Regular monitor and report on progress of the engagement plan to inform planning and decision making.</p> <p>Follow up invitation letters and emails where resourcing and timeframes allow. Be responsive to participant enquiries.</p> <p>Encourage unavailable invitees to provide a written submission instead.</p> <p>Close the written submissions process early enough to be able to understand the breadth and quality of the response from participants, to inform decisions about remaining and follow up engagement hui.</p> <p>Extend the engagement phase if required (with some built in contingency for this in July). Adjust approach to reflect time and resourcing constraints: (1) Move from prioritising in-person hui to prioritising online, potentially shorter, hui; (2) Agree not all ITAG members need to be present at all hui.</p>
Protests at regional wānanga	Community action and protest of the Government and current policy programme manifest in protests at wānanga, with concerns for the safety of participants including ITAG.	<p>Social media and media monitoring.</p> <p>Engage local facilitators to support awareness and for on-the-day support for ITAG.</p> <p>Have clear escalation procedures in place with local authorities.</p> <p>Conduct a security assessment with ITAG, facilitator and Te Puni Kokiri regional office.</p> <p>Develop situational messaging as required.</p>

Risk	Description	Messaging and mitigations
Misinterpretation of insights	Insights shared through engagement processes are inadequately caught or misinterpreted.	<p>ITAG will follow up with participants to clarify points. ITAG will seek meetings with target stakeholders with specialist expertise on areas that need clarifying. ITAG will commission advice, evidence and research, for example from Crown Law and the Waitangi Tribunal, to be clear on certain matters.</p> <p>As a general rule, all ITAG members will attend hui, with a minimum standard of two ITAG members attending any one hui.</p> <p>Two note-takers from the ITAG Secretariat will attend hui/wānanga and prepare a consolidated and agreed set of meeting notes.</p> <p>Summaries and analysis will be peer reviewed.</p> <p>Meeting attendees will be offered the opportunity to review and fact check meeting notes.</p>
Unexpected issues or risks	Unforeseen and unknowable risks and issues arising due to the dynamic political, legal and Treaty environment.	<p>Conduct regular media monitoring to understand public sentiment and media coverage on issues that may impact the Review.</p> <p>Quickly escalate insights and issues to ITAG to facilitate timely decision making and responses.</p> <p>Provide progress updates to the Minister/Ministerial Advisory Group.</p>

Appendix 1: Implemented engagement plan

Week	Dates	Engagement actions	Hui and wānanga schedule
0		17 May 2025 – ITAG induction hui.	
1	19 to 23 May 2025	First invitation letters approved and sent to Crown Law, Waitangi Tribunal, Ministerial Advisory Group, Heads of Bench, Te Arikunui Kuiini Ngaa Wai Hono I te Pō. 22 May 2025 – First targeted engagement hui. 23 May 2025 – ITAG hui. ITAG confirms engagement principles.	22 May – Hui 01
2	26 to 30 May 2025	Targeted engagement hui. Further invitation letters approved and sent. Engagement database developed. 30 May 2025 – ITAG hui. ITAG confirm wānanga approach, dates and locations.	29 May – Hui 02 30 May – Hui 03
3	3 to 6 June 2025	Targeted engagement hui. Further invitation letters approved and sent. Further development of the engagement database. 5 June 2025 – ITAG hui. ITAG confirms “targeted” engagement approach.	4 July – Hui 04, 05 and 06
4	9 to 13 June 2025	Written submissions template approved.	

Week	Dates	Engagement actions	Hui and wānanga schedule
		<p>Approval of “targeted” approach to written submissions.</p> <p>Further invitation letters approved and sent.</p> <p>10 June 2025 – Project plan and engagement update to Minister for Māori Development.</p> <p>11 June 2025 – Talking points / key messages updated.</p> <p>12 June 2025 – Written submissions process opens. Invitation letters sent to 178 iwi and hapū and 80 PSGEs. Submissions template shared with all invitees and participants.</p> <p>13 June 2025 – ITAG hui. ITAG confirm facilitation support.</p>	
5	16 to 19 June 2025	<p>Targeted engagement hui.</p> <p>Written submissions process week one.</p>	<p>18 June – Hui 07 and 08</p> <p>19 June – Hui 09 and 10</p>
6	23 to 27 June 2025	<p>Targeted engagement hui.</p> <p>Written submissions process week two.</p>	<p>24 June – Hui 11</p> <p>25 June – Hui 12, 13, and 14</p> <p>26 June – Hui 15 and 16</p> <p>26 June – Hui 17</p> <p>27 June – Hui 18, 19 and 20</p>
7	30 June to 4 July 2025	<p>Wānanga.</p> <p>Targeted engagement hui.</p>	<p>30 June – Wānanga 01 – Waitangi Treaty Grounds, Te Tai Tokerau</p>

Week	Dates	Engagement actions	Hui and wānanga schedule
		Written submissions process week 3. 3 July 2025 – Written submissions due to close 5.00pm.	1 July – Hui 21 and 22 2 July – Wānanga 02 – Gisborne, Tairāwhiti 3 July – National Iwi Chairs Forum 3 July – Wānanga 03 – Wellington 4 July – Hui 23
8	7 to 11 July 2025	Extension to targeted engagement hui phase. Extensions to some submissions. Analysis of submissions.	8 July – Hui 24 9 July – Hui 25 10 July – Hui 26 11 July – Hui 27
9	14 to 18 July 2025	Extension to targeted engagement hui phase. Summary of submissions analysis. Finalisation of meeting notes from hui and wānanga.	15 July – Hui 28, 29 and 30 16 July – Hui 31 18 July – Hui 32 and 33 18 July – Hui 34
10	21 to 25 July 2025	Meeting notes approval process with attendees.	
11	28 July to 1 August	Targeted engagement hui. Meeting notes approval process with attendees.	28 July – Hui 35 28 July – Hui 36 29 July – Hui 37 30 July – Hui 38

Week	Dates	Engagement actions	Hui and wānanga schedule
12	4 to 8 August		
13	11 to 15 August		11 August – Hui 39
14	18 to 22 August		
15	25 to 29 August		29 August – Hui 40
16	1 to 5 September		
17	8 to 12 September		8 September – Hui 41

Appendix 2: Letters of invitation

Sent to ITAG's database contacts; see [Engagement database - FINAL.xlsx](#), iwi, hapū and PSGE contacts sourced from [Te Kāhui Māngai](#).

1a: Invitation to targeted engagement hui

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

Encl. 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 inquiries.⁹
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.

⁹ For the purposes of the Terms of Reference, contemporary claims and inquiries includes kaupapa claims and inquiries.

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.

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

1b: Invitation to wānanga (example)

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 kanoahi ki te kanoahi 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

1c: Email to submit sent to iwi, hapū, and PSGEs

[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.

Tihei 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 3: Written submissions template

Provided to all engaged with, to seek written input to the Review and inform face-to-face engagement with ITAG.

Independent review of the Waitangi Tribunal's legislation – written submissions template

The Treaty of Waitangi Act 1975 established the Waitangi Tribunal as a standing commission of inquiry to consider claims that the Crown has acted, or omitted to act, in ways that may be inconsistent with the principles of the Treaty of Waitangi.

Since then, the Waitangi Tribunal has played a central role in giving voice to the experiences of iwi, hapū and Māori and in helping to uphold the intent and integrity of the Treaty.

Fifty years on, the Government has commissioned a review of the Treaty of Waitangi Act by an independent technical advisory group, to assess whether key elements of the legislation are meeting current objectives and the needs of Aotearoa New Zealand now and into the future.

This submission template is part of a targeted engagement process with individuals and organisations who can bring valuable knowledge and experience to this kaupapa. You are invited to respond to any or all of the questions below, and to share any other information you believe the technical advisory group should consider, within the scope of the review.

Thank you for your time and contribution to this important work.

Ngā mihi nui,

The Independent Technical Advisory Group

Scope

The review will assess whether key elements of the legislation:

- are effective in meeting the intent of the legislation, including the ability to address priority matters
- enable claims to be addressed in a thorough and timely manner
- are effective in supporting historical claims to be addressed and contribute to timely settlements
- are effective at addressing contemporary inquiries¹⁰
- support 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
- lead to improved policy processes and outcomes for iwi, hapū and Māori development.

¹⁰ For the purposes of the Terms of Reference, contemporary claims and inquiries includes kaupapa claims and inquiries.

The independent technical advisory group has also been invited to provide advice on sequencing or staging of any amendments to the Act, including any that may warrant consideration beyond 2025.

The following matters are out of scope for this review:

- The funding of the Waitangi Tribunal, or the funding of its members or participants such as counsel, claimants, and witnesses.
- The Tribunal's interpretation of the Treaty and its principles.
- Any claims determined, currently before, or lodged with the Tribunal.

You can read the full terms of reference for the review here: [Proactive release of papers](#).

Providing your feedback in writing

We appreciate you taking the time to write to the independent technical advisory group leading this review. To assist us, we ask that you use the following template.

Guidance for sharing information in writing:

- Please use plain language, headings and bullet points so the points you are making are clear.
- Please confirm the source of any facts and figures you share with us.
- Please keep your submission to 1–10 pages.
- Return your completed submission, using the attached template, to ITAGReview@tpk.govt.nz by **5.00pm, Thursday 3 July 2025**. In the subject line please say, "WRITTEN SUBMISSION".

Consent to quote

We may want to quote directly from your submission in our final report. If you are comfortable with us quoting your submission directly (anonymously or with attribution), please indicate your preference below:

- ☐ Anonymously quoted
- ☐ Quoted with attribution (e.g. name, organisation)
- ☐ Do not quote my submission directly

Note on Official Information:

Please note that the information you share with us will be subject to the Official Information Act 1982 (OIA). It is not our intention to share anything sensitive or confidential if it should be protected from release. If your submission includes sensitive or confidential information and it is your preference that these parts are withheld from release under the OIA, please advise which part(s) you consider should be withheld, together with the reason(s) for withholding the information that are provided for in the OIA.

We may contact you if any part of your submission falls within the scope of an OIA request.

Please fill in the following sections:

Name (e.g. Matiu Smith)
Contact information (we may want to contact you about your submission)
Tel:
Email address:
Are you submitting on behalf of, or representing the interests of, others? If so, who (e.g. which organisation, entity, iwi or hapū)?
In what ways have you been involved in Waitangi Tribunal processes?
Provide a summary of your submission in a couple of sentences.
Is there any part of your submission that you would prefer was withheld from release under the Official Information Act (OIA)? If so, please note which information should be treated as sensitive or confidential, and the reason(s) for withholding information under the OIA that you think should be applied.

PART ONE – QUESTIONS ABOUT THE WAITANGI TRIBUNAL’S JURISDICTION

The independent technical advisory group has been asked to provide recommendations on:

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.

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.

Questions / pātai – intent:

1. What do you think is the intent of the Treaty of Waitangi Act 1975, and is it clear?
2. What do you think the scope of the Waitangi Tribunal’s work should be, and why?
3. Should the Waitangi Tribunal’s work include post-settlement issues, and why?

Answer / whakahoki kōrero:

Questions / pātai – clarity and prioritisation of claims:

4. Do you think the Treaty of Waitangi Act enables the Waitangi Tribunal to address and prioritise both historical and contemporary claims and inquiries effectively? Why or why not?
 - a. What changes, if any, could strengthen this aspect of the Act?
5. Do you think the Act could be clearer about how the Waitangi Tribunal prioritises claims?
 - a. If so, how could this be improved?

Answer / whakahoki kōrero:

Questions / pātai – interaction between claim refusal and urgency:

6. Is the current urgency process satisfactory?
7. What changes, if any, would support more timely and effective resolution of urgent claims?
8. Do you think the Waitangi Tribunal’s discretionary powers to decline claims and grant urgency for claims help to resolve claims in an appropriate timeframe?
9. Should the Waitangi Tribunal have the ability to decline to consider or postpone a claim? If so, what criteria would be appropriate?

Answer / whakahoki kōrero:

PART TWO – QUESTIONS ABOUT THE TYPES AND CATEGORISATION OF CLAIMS

The independent technical advisory group has been asked to provide recommendations on:

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.

Questions / pātai – distinction of historical and contemporary claims:

1. Does the Treaty of Waitangi Act clearly distinguish between historical and contemporary claims?
 - a. Is this distinction fit for purpose and suitably robust to support coherent policy?
 - b. Could this distinction be improved, and if so, how?

Answer / whakahoki kōrero:

Questions / pātai – legislative framework for categorisation:

2. Do you think the Treaty of Waitangi Act provides a clear and effective basis for how claims are categorised and managed? Why or why not?

Answer / whakahoki kōrero:

Questions / pātai – policy processes and outcomes, and Māori/Crown relationship

3. Does the Treaty of Waitangi Act support improved government policy and better outcomes for iwi, hapū and Māori development? If so, how?
4. Are there any changes that could strengthen the Māori-Crown relationship through this legislation?

Answer / whakahoki kōrero:

PART THREE – QUESTIONS ABOUT THE INTERACTION WITH OTHER LEGISLATION

The independent technical advisory group has been asked to provide recommendations on:

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.

Questions / pātai – application of inquiry powers:

1. Should the Waitangi Tribunal remain under the Commissions of Inquiry Act 1908, move to the Inquiries Act 2013, or should the Treaty of Waitangi Act contain all the necessary provisions relating to its powers and functions?
2. Section 8 of the Treaty of Waitangi Act requires the Waitangi Tribunal to consider a Bill or regulations referred by Parliament or a Minister.
 - a. Should section 8 be extended to apply to any policies or proposed policies referred to the Waitangi Tribunal by the Crown?
 - b. Would any such change have implications for other sections in the Act?
3. Should section 6(6), which says the Waitangi Tribunal has no jurisdiction in respect of a Bill unless it is referred to it under section 8, remain or be repealed? Why?
 - a. Do you consider it appropriate that Parliament and the Waitangi Tribunal consider a Bill concurrently?

Answer / whakahoki kōrero:

PART FOUR - IS THERE ANYTHING ELSE YOU WOULD LIKE TO SHARE?

1. Noting the scope as set out in the terms of reference, is there anything else we should consider as part of this Review?

Please provide any reference materials as a link or separate PDF document.

Answer / whakahoki kōrero:

Thank you for your written submission. Our secretariat is being host by (but operates independently of) Te Puni Kōkiri. If you have any questions, please email us on ITAGReview@tpk.govt.nz.