

ANNUAL REPORT

For period ended 30 June 2019

The Office for Māori Crown Relations — Te Arawhiti was established on 1 January 2019 as a departmental agency hosted within the Ministry of Justice.



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Te Arawhiti

THE OFFICE FOR MĀORI CROWN RELATIONS

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Introduction from the Chief Executive



*“Hei konei e Ninihi, e
Puhanga Tohora.
Ka hoki nei ahau ki Panguru, ki Papata,
Ki te rakau tu patapata i tu ki te hauauru,
Ki a Ruarei, ki a Raparapa
Ki nga uri o Wharewhare-te-Rangi,
Te angaanga i titi iho i te rangi
Tu te ra, tu te po.
Te Arawhiti e!”*

These ancient and sacred words continue to be a means of transmitting knowledge about the importance of Panguru mountain from generation to generation. They are an affirmation of my identity and also for the identities of those whose lives are dominated by the proximity and sight of the place that sings to my heart.

It is my pleasure to introduce you to the inaugural Annual report of The Office for Māori Crown Relations – Te Arawhiti (Te Arawhiti).

What a year it has been. To understand the significance of the year, let me start at the beginning. Not the beginning of time but rather the commencement of the relationship between Māori and the Crown. History is clear that immediately following the signing of the Treaty, the Crown began undermining the very foundations of the agreements contained therein. They did this through the taking of lives, land, connections and social structures among other things. Understandably, a long period of unrest and distrust then followed.

A number of Māori leaders have fought and continue to fight for reconciliation in light of those actions and, with generosity of spirit, have sought to once again engage with their Crown partner to move the relationship to a better place.

The historical Treaty settlement process, though imperfect, has seen the Crown and Māori seek to restore and reset a relationship that had largely been defined by grievance. As we near the conclusion of the Treaty settlement process, and seek to resolve customary interests in the Takutai Moana space, both Māori and the Crown are beginning to look beyond grievance to partnerships and growth. This is not a short to medium term journey, but it is a course that must be charted.

One of the key steps in looking to chart a new course is to ensure that any commitments made by the Crown, whether through Treaty settlements or not, are upheld. The Crown must demonstrate it is committed to being a better Treaty partner. This is a basic foundational requirement of a new relationship. The second is to create a pathway towards real partnerships – a pathway that is co-designed between the Treaty partners and a pathway that has real and measurable steps along the way and can quickly demonstrate the benefit of working this way – socially, culturally, economically and environmentally.

This is the pivotal place that Te Arawhiti occupies. Our story, and in a sense, our very reason for being, is encapsulated in our name: Te Arawhiti – ‘the bridge’. It symbolises the bridge between Māori and the Crown, the past and the future, and the journey from grievance to partnerships.

Te Arawhiti was established as a departmental agency on 17 December 2018 and legally established on 1 January. Te Arawhiti was created to consolidate a range of distinct but related government functions that support Māori Crown partnerships and help the Crown build on the sense of renewal in Māori Crown relations established through the Treaty settlement process.

Te Arawhiti comprises of:

- Te Kāhui Whakatau (Treaty Settlements);
- Te Kāhui Takutai Moana (Marine and Coastal Area);
- Te Kāhui Whakamana (Settlement Commitments);
- Te Kāhui Hīkina (Māori Crown Relations); and
- Te Hāpai Ō Policy and Operations.

Our organisational mandate came not just from government, but from te ao Māori. Te Arawhiti was born of government asking Māori what they need, not telling them what they would get.

In early 2018, Minister for Māori Crown Relations: Te Arawhiti, the Honourable Kelvin Davis held 33 hui across the country – large gatherings and smaller focus groups – to determine what his new portfolio should focus on. In all, 1600 people participated kano ki te kano in discussions at these hui, and some 230 written and online submissions were also received. Te Arawhiti is one of the results of that feedback.

From that engagement process we have a strong, clear vision of where our nation needs to get to, and how Te Arawhiti can support it in getting there. We aim to shift the Māori-Crown relationship from one of historical grievance toward true partnership and, thereby, to realise the promise of the Treaty of Waitangi for all New Zealanders ahead of the 200 year anniversary of the signing of the Treaty in 2040.

As we put the 2018/19 year behind us, we are excited about the future and our role in supporting the public sector, government, our Māori partners and the public of Aotearoa to cross Te Arawhiti together. Te Arawhiti e!

Finally, I would like to conclude with the last verse of The Matakite Song Dame Whina Cooper wrote when she began her journey from Te Hapua to Wellington in 1975.

*Huihui mai ra tatou
Nga hau e wha
Whakakaupapatia nga wawata
Pai herea ki te aroha
Kia mana ki te Atua
Hei painga mo te ao katoa.*

*Let us unite
People of the four winds
Consolidate all our aspirations
Bind them with love
With the power of God's blessing
To benefit us all.*



Lil Anderson

Tumu Whakarae - Chief Executive (Acting)
The Office for Māori Crown Relations – Te Arawhiti

Our Organisation

Te Arawhiti Values

Te Arawhiti values reflect our vision 'Towards True Treaty Partnership'

These values are:

Mahi Tahī

Working together

Pono ki te kaupapa

In good faith

Atawhaitia

With humility and authenticity

Agency formation and organisation arrangement

On 1 January 2019, The Office for Māori Crown Relations – Te Arawhiti was established as a departmental agency hosted within the Ministry of Justice.

Te Arawhiti consists of:

- Te Kāhui Whakatau (Treaty Settlements);
- Te Kāhui Takutai Moana (Marine and Coastal Area);
- Te Kāhui Whakamana (Settlement Commitments);
- Te Kāhui Hīkina (Māori Crown Relations);
- Te Hāpai Ō Policy and Operations.

In April 2019 Te Arawhiti underwent an organisational change proposal to ensure it was structured in a way that would allow it to respond to the challenges and opportunities ahead of it, both in the short term and long term. A final structure was confirmed at the end of April and four new Deputy Chief Executives were appointed in June 2019. A second stage change process, foreshadowed in the original proposal, is expected in the 2019/20 year.

Engagement and supporting our people through change

As a new departmental agency, Te Arawhiti has been working in an environment of uncertainty and change. In July 2019 we will be asking staff to complete a 'Working for Te Arawhiti' survey focussed on the culture of the organisation.

The results from the survey will tell us what staff think is going well and what needs more work. Results of the survey will be available in September 2019 and from there a plan will be put in place to best respond to the feedback received.

Capability

Te Arawhiti is assessing its cultural capability and is soon to develop a training and development plan to build skills in areas where there are gaps.

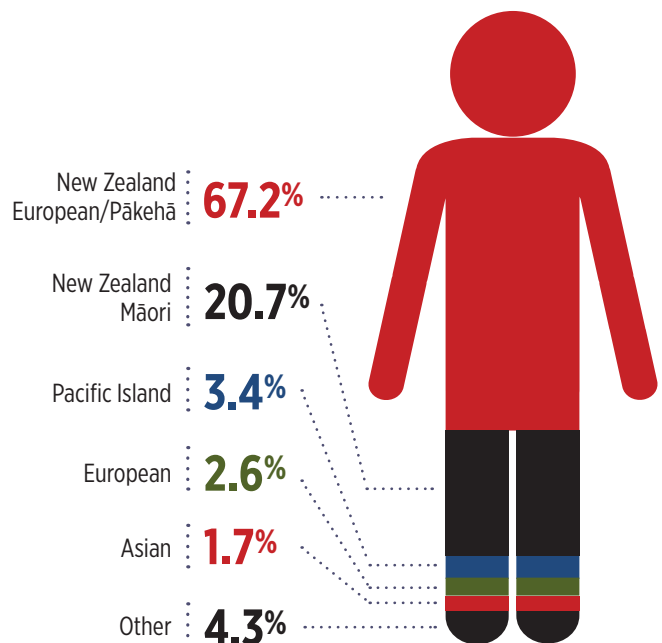
Gender (overall)



Gender (senior management)



Ethnicity



The figures are from self-reported data.

Our Work and Our Achievements

Te Arawhiti makes a key contribution to the government's priority to build closer partnerships with Māori by:

- Working to settle all historical Treaty of Waitangi claims by 2020;
- Building new partnerships with Māori for the future;
- Upholding Treaty Settlement commitments; and
- Improving how the public sector responds to Māori issues.

Our work involves four priority areas.

Completing Treaty Settlements with willing and able groups

Te Arawhiti works with iwi groups to resolve their historical grievances by negotiating fair and durable Treaty of Waitangi settlements. These settlements include historical, cultural, financial and commercial redress that provide a basis for strengthening the Māori Crown relationship into the future. We:

- negotiate the settlement of all historical claims directly with claimant groups under the guidance and direction of Cabinet;
- work with about 70 government departments, Crown entities and local authorities to negotiate, formalise and implement Treaty settlements;
- provide policy advice to the government about Treaty settlement issues and individual claims;
- oversee the implementation of settlements; and
- administer the protection mechanism for Crown-owned land for use in Treaty settlements.

Key achievements in 2018/19:

- signed three agreements in principle (Te Korowai o Wainuiārua, Ngāti Rangitahi and Te Whānau a Apanui);
- initialled two deeds of settlement (Marutūāhu Collective, Ngāti Hinerangi);
- signed three deeds of settlement (Te Patukirkiri, Ngāti Hinerangi, and the Hauraki Collective Redress deed with five of the twelve Hauraki iwi); and
- enacted three pieces of settlement legislation (Ngāti Tamaoho, Te Wairoa, Ngāti Tūwharetoa).



Treaty Settlement Process

IN 2018-19 | COMPLETED TO DATE

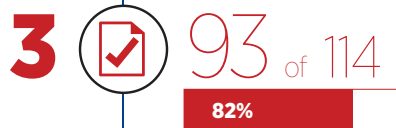
Mandate recognised



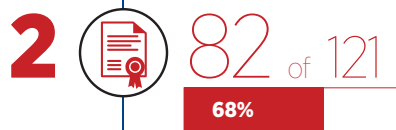
Terms of Negotiation signed



Agreement in Principle signed



Deed of Settlement initialled



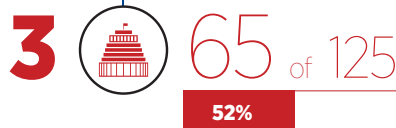
Deed of Settlement signed



Legislation introduced



Legislation enacted



Marine and Coastal Area (Takutai Moana) Act 2011 Applications

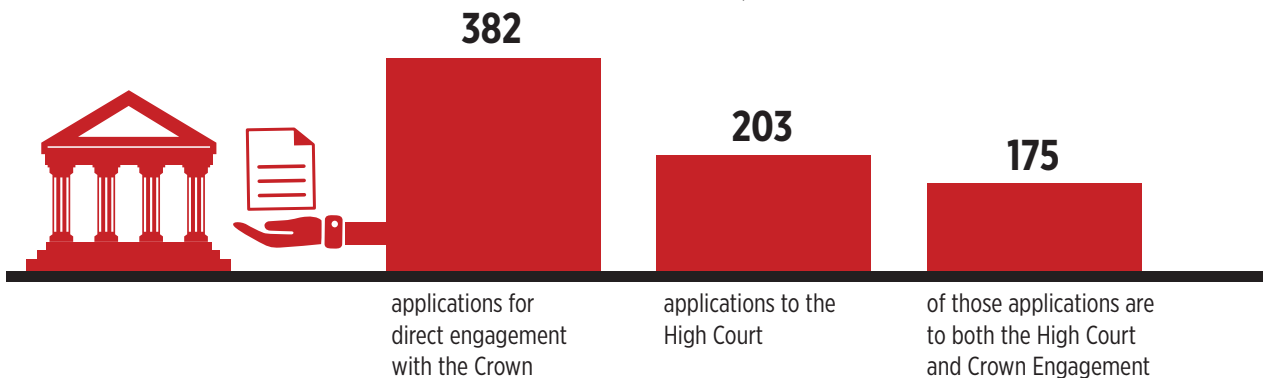
Te Arawhiti administers the Marine and Coastal Area (Takutai Moana) Act 2011 (the Act). The Act enables iwi, hapū, and whānau to seek recognition of their customary interests through customary marine title (CMT) or protected customary rights (PCR).

Our areas of focus are:

- working with Māori who have applied to engage directly with the Crown;
- providing advice to the Minister responsible under the Takutai Moana Act on issues relating to the assessment of applications under the Act;
- administering financial assistance for applicants to the High Court and Crown Engagement;
- delivering our historical research programme to support High Court process and Crown Engagement; and
- engaging with the High Court process via the Crown Law Office.

Key achievements in 2018/19:

- progressed the Ngā Rohe Moana o ngā hapū o Ngāti Porou Act 2019 from Select Committee to enactment;
- progressed engagements with Māori who have signed formal terms of engagement and had discussions with around 30 groups who have indicated they would like to engage with the Crown;
- continued work on the historical research programme to support Crown decisions and High Court applications;
- developed the National Dataset which is a Geographical Information System mapping all applications and public information relating to the coast which will be rolled out in 2019/20;
- reimbursed applicants a total of \$1.9 million in financial assistance to progress their applications through either the High Court or Crown Engagement; and
- participated in the Waitangi Tribunal Marine and Coastal Area (Takutai Moana) Act Inquiry (Wai 2660).



Safeguarding the durability of Treaty Settlements

Historical Treaty of Waitangi settlements provide a base to support partnership between Māori and the Crown. Te Arawhiti works with Crown agencies, local government, and post-settlement governance entities (PSGEs) to ensure settlements are durable. This means:

- supporting the Crown to meet its settlement commitments;
- providing advice on new policies or initiatives to ensure they do not undermine the integrity of settlements; and
- maintaining and strengthening relationships built with iwi and hapū through the settlement process.

Key achievements in 2018/19:

- provided advice to agencies on the impact of policy initiatives on settlement durability. This included a range of policy areas, including housing and urban development, minerals, conservation, overseas investment, and fresh water;
- substantially resolved two significant post-settlement issues. This work involved close collaboration with Crown agencies and PSGEs;
- liaised with Te Rūnanganui o Ngāti Porou to coordinate the 2018 Ngāti Porou – Crown Taumata (Summit). It was the first time the Taumata had been held in the Ngāti Porou rohe;
- had over 40 meetings with PSGEs to maintain relationships and settlement durability; and
- at the end of June 2019, we launched Te Haeata – the settlement portal. Te Haeata is an online database of commitments made in deeds of settlement and settlement legislation. PSGEs, Crown agencies and local government have access to Te Haeata to search and view settlement commitments. Over 300 individuals have registered with Te Haeata, within that number there are over 30 central and local government commitment holders and over 20 PSGEs.

Support the Crown to be a better Treaty Partner

Te Arawhiti supports the Crown to be a better Treaty partner by:

- lifting public sector capability to ensure that policies, programmes and services which affect Māori are well informed and deliver better solutions;
- developing better engagement tools, guidance and processes to work with Māori;

- developing new partnership principles that ensure opportunities are taken to work with Māori in ways which deliver better results;
- providing strategic leadership and policy advice to agencies on contemporary Treaty issues;
- brokering solutions to challenging relationship issues with Māori;
- coordinating significant Māori Crown events on behalf of the Crown; and
- providing strategic advice to the Minister for Māori Crown Relations: Te Arawhiti on the risks and opportunities in the Māori Crown relationship.

Key achievements in 2018/19:

- developed and gained Cabinet approval of the business case for the establishment of The Office for Māori Crown Relations – Te Arawhiti as a departmental agency hosted within the Ministry of Justice;
- an Engagement Framework and Guidelines approved in September 2018 to support Crown agencies to engage with Māori. Te Arawhiti provides advice on the implementation of these guidelines;
- provision of 23 engagement workshops, with 15 agencies and over 500 participants to support the Engagement Framework and Guidelines;
- Māori Crown partnership principles and guidelines were approved in March 2019;
- facilitated over 10 partnerships between Māori and the Crown;
- supported other agencies to resolve challenging relationship issues with Māori;
- provided tools and guidance to support a more consistent Crown approach to:
 - › contemporary Treaty issues; and
 - › public sector capability; and
- coordinated significant Māori Crown events (including the Crown's participation in the centenary celebrations at Rātana Pā in November 2018 and Waitangi commemorations in February 2019).

Te Arawhiti will continue to work with Crown agencies as they embed the principles guiding meaningful engagement and partnership, and is currently developing a set of indicators to provide an ongoing measure of the health of the Māori Crown relationship.

Statement of Responsibility

I am responsible, as Chief Executive (Acting) of The Office for Māori Crown Relations – Te Arawhiti (Te Arawhiti), for the accuracy of any end-of-year performance information prepared by Te Arawhiti, whether or not that information is included in the Annual Report.

In my opinion, the Annual Report fairly reflects the operations, progress, and organisational health and capability of Te Arawhiti.



Lil Anderson

Tumu Whakarae - Chief Executive (Acting)
The Office for Māori Crown Relations – Te Arawhiti

27 September 2019



