

13 July 2021

Sally Steedman
Ngāti Porou ki Harataunga

By email: fyi-request-15891-2b3eb66f@requests.fyi.org.nz

Tēnā koe

Re: Official Information Act request

On 24 June 2021 your request to the Minister for Treaty of Waitangi Negotiations of the same date, for the total amount of funds received by the Ngāti Porou ki Hauraki Treaty Negotiations Team, was transferred to Te Arawhiti under section 14(b)(ii) of the Official Information Act 1982 (the Act). Te Arawhiti administers claimant funding for Treaty settlement negotiations.

Specifically, you have requested the following information:

- how much money has been channelled towards our [the Ngāti Porou ki Hauraki] treaty claims;
- who that money has been given to; and
- how long it is likely to continue for.

Hauraki Collective claimant funding

Claimant funding is allocated across the following key milestones in the negotiations process: agreement in principle; deed of settlement; ratification; and legislation and governance. Spending of claimant funding is managed by the mandated representatives of a claimant group, but evidence of expenditure must be provided with requests for further releases of funding.

In 2010, the Crown approved claimant funding for the Hauraki negotiations on a collective basis (combined funding for all 12 of the Hauraki iwi). The Crown agreed with the Collective to release the funding in instalments for work undertaken towards various settlement milestones. How that funding was distributed within the Collective was determined by the Collective itself. A pre-requisite for the release of the next instalment of funding was provision of financial records to show the previous release had been applied to legitimate negotiation-related expenses. Records provided to the Crown by the Hauraki Collective show a significant portion of claimant funding was provided to negotiators for their time at Hauraki Collective negotiation meetings. Ngāti Porou ki Hauraki negotiators attended Hauraki Collective hui from late 2009 to the end of 2013, at which time the Ngāti Porou ki Hauraki negotiators stopped attending Hauraki Collective hui due to differences of opinion with the Crown and other members of the Collective on some matters.

We have searched our files for records of how much each of the Ngāti Porou ki Hauraki negotiators was paid by the Hauraki Collective for attendance at Hauraki Collective hui, but we have been unable to locate such records. We therefore refuse this aspect of your request under section 18(e) of the Act – the information requested does not exist or, despite reasonable efforts, is not able to be found.

Ngāti Porou ki Hauraki claimant funding

Negotiations were deferred between the Crown and Ngāti Porou ki Hauraki between July 2014 and April 2016.

On 24 August 2016 the Minister for Treaty of Waitangi Negotiations approved a contribution of \$150,000 of claimant funding for Ngāti Porou ki Hauraki towards negotiating a deed of settlement, because there was no funding remaining in the amount approved for the Hauraki Collective.

The funding was approved on the basis it would be released in tranches on receipt of invoices for legitimate negotiation costs and would be paid to Te Rūnanga o Ngāti Paoa ki Hauraki Incorporated. The continued release of funding would be subject to significant progress being made towards the Ngāti Porou ki Hauraki iwi-specific deed of settlement.

Of the approved \$150,000, to date \$93,665.47 has been paid to the nominated bank account for Te Rūnanga o Ngāti Porou ki Hauraki Incorporated. The costs this funding related to were negotiators' time and expenses (including travel), legal advice, venue hire for hui, and administrative expenses.

Further funding

Negotiations are concluded for the Pare Hauraki Collective Redress Deed, which was initialled by Ngāti Porou ki Hauraki on 20 January 2017 but is still to be presented to the Ngāti Porou ki Hauraki community for ratification.

Negotiations towards a deed of settlement with Ngāti Porou ki Hauraki are well advanced. Negotiations are currently on hold, though may resume at any time.

There is a remaining balance of \$56,334.53 from the \$150,000 funding approved for Ngāti Porou ki Hauraki towards negotiating a deed of settlement.

Further funding will be available as a contribution towards the costs of ratifying the Pare Hauraki Collective Redress Deed and post-settlement governance entities and the Ngāti Porou ki Hauraki deed of settlement and post-settlement governance entity. The amount of funding available for this is yet to be determined.

You have the right under section 28(3) of the Act to seek an investigation and review by the ombudsman of our response to your request. Information about how to do this is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā



Leigh McNicholl

Negotiation and Settlement Manager