

From: [Maddy Lambert](#)
To: **Out of Scope** [redacted]; [Hewson, Lucy](#); [Jordan, Robert](#)
Subject: RE: Ministry of Justice update RE: Section 8I - Wai 2870
Date: Tuesday, 2 May 2023 3:08:00 pm
Attachments: **Out of Scope** [redacted]

Awesome, thanks **Out of Scope**.
Kia pai tō rā e hoa mā.

Ngā mihi nui,

Maddy

From: **Out of Scope** [redacted]
Sent: Tuesday, May 2, 2023 3:05 PM
To: Maddy Lambert <[9\(2\)\(a\)\[redacted\]@tpk.govt.nz](mailto:9(2)(a)[redacted]@tpk.govt.nz)>
Cc: **Out of Scope** [redacted] Hewson,
Lucy <Lucy.Hewson@justice.govt.nz>; Jordan, Robert <Robert.Jordan@justice.govt.nz>
Subject: RE: Ministry of Justice update RE: Section 8I - Wai 2870

Out of Scope [redacted]

From: Jordan, Robert <Robert.Jordan@justice.govt.nz>
Sent: 02 May 2023 2:58 p.m.
To: Maddy Lambert <[9\(2\)\(a\)\[redacted\]@tpk.govt.nz](mailto:9(2)(a)[redacted]@tpk.govt.nz)>; **Out of Scope** [redacted]
Out of Scope [redacted]
Cc: **Out of Scope** [redacted] Hewson,
Lucy <Lucy.Hewson@justice.govt.nz>
Subject: RE: Ministry of Justice update RE: Section 8I - Wai 2870

Some people who received this message don't often get email from robert.jordan@justice.govt.nz. [Learn why this is important](#)

Hi Maddy,

Thanks for providing an update.

I've proposed a small change for clarity below.

Ngā mihi,



Robert Jordan (he/him)

Senior Policy Advisor | Electoral and Constitutional
Civil and Constitutional Unit | Policy Group

M [9\(2\)\(a\)\[redacted\]](tel:9(2)(a)[redacted]) | Ext [9\(2\)\(a\)\[redacted\]](tel:9(2)(a)[redacted])

Robert.Jordan@justice.govt.nz www.justice.govt.nz

Out of Scope [REDACTED]



From: Out of Scope [REDACTED]

Sent: 27 April 2023 2:50 p.m.

To: Out of Scope [REDACTED]

Subject: FW: Ministry of Justice update RE: Section 8I - Wai 2870

Out of Scope [REDACTED]

From: Maddy Lambert <9(2)(a) [REDACTED]@tpk.govt.nz>

Sent: 27 April 2023 1:27 p.m.

To: Hewson, Lucy <Lucy.Hewson@justice.govt.nz>; Out of Scope [REDACTED]

Cc: Jordan, Robert <Robert.Jordan@justice.govt.nz>

Subject: RE: Ministry of Justice update RE: Section 8I - Wai 2870

Kia ora koutou,

Hope you have all been keeping well over the last few months, and thank you again for your mahi at the end of last year.

The Section 8I Report 2021/22 draft has been going through a review process, and from this one pātai has arisen regarding the Wai 2870 update (*see attached*):

- The last sentence of the update states that the “establishment of the TPOG does not fully address the recommendation”. Are you able to provide additional information on how the recommendation will/is planned to be fully addressed? (*noting the reporting period of 1 July 2021 – 30 June 2022*).

Could you please provide any additions to me by **COP Tuesday May 2nd**.

Please reach out if you have any pātai.

Kia pai tō rā.

Ngā mihi nui,

Maddy

From: Maddy Lambert

Sent: Friday, December 16, 2022 10:08 AM

To: Hewson, Lucy <Lucy.Hewson@justice.govt.nz>

Cc: Jordan, Robert <Robert.Jordan@justice.govt.nz>

Subject: RE: Ministry of Justice update RE: Section 8I - Wai 2870

Mōrena Lucy,

Ka Pai, I have changed the sentence to the structure you have suggested – thank you for your input.

Enjoy the rest of your day, and I will be in touch when the next steps are in motion. Have a great Christmas and New Year.

Ngā mihi nui,

Maddy

From: Hewson, Lucy <xxxx.xxxxxx@xxxxxxx.xxx.xx>
Sent: Friday, 16 December 2022 9:48 am
To: Maddy Lambert <[9\(2\)\(a\)@tpk.govt.nz](mailto:9(2)(a)@tpk.govt.nz)>
Cc: Jordan, Robert <xxxxxx.xxxxxx@xxxxxxx.xxx.xx>
Subject: RE: Ministry of Justice update RE: Section 8I - Wai 2870

Kia ora Maddy

Thank you for highlighting that. Your suggested changes look great – I've made some small amendments, please let me know if you are happy with these.

"The Independent Review panel released its review consultation document in September 2022 and in May 2023 the panel will release its draft recommendations and invite feedback from the public."

Thank you for updating me on the next steps, and I look forward to receiving the next version for comment.

Ngā mihi,
 Lucy



Lucy Hewson (she/her)
 Policy Advisor | Electoral and Constitutional
 Civil and Constitutional Unit | Policy Group
 Ministry of Justice | Tāhū o te Ture
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From: Maddy Lambert <[9\(2\)\(a\)@tpk.govt.nz](mailto:9(2)(a)@tpk.govt.nz)>
Sent: Thursday, 15 December 2022 10:07 am
To: Hewson, Lucy <xxxx.xxxxxx@xxxxxxx.xxx.xx>
Subject: RE: Ministry of Justice update RE: Section 8I - Wai 2870

Mōrena Lucy,

Thank you for your Section 8I response and for the changes you made. Just one quick query – I note the release of the Independent Review consultation document occurred in September 2022, which, unfortunately is after the reporting cut-off date of July 2022. I have slightly changed the structure of the sentence (see highlighted sentence) so it is more of a lean-in for an update for next year's report:

Original:

"In September 2022 the Independent Review released its consultation document. Consultation is now closed, and the Panel is now considering what it has heard and developing recommendations on what could change. In May of next year, the Panel will release its draft recommendations and invite feedback from the public."

Suggested:

"The Independent review panel released its review in September 2022 and in May 2023 the panel will release its draft recommendations and invite feedback from the public."

Please let me know your thoughts on this small change.

Going forward, the report will be reviewed by some internal colleagues, then by Crown Law; you will have the opportunity to comment on any changes suggested by either party.

Thanks again for your mahi.

Ngā mihi nui,

Maddy

From: Hewson, Lucy <xxx.xxxxx@xxxxxx.xxx.xx>
Sent: Tuesday, 13 December 2022 11:46 am
To: Andrew Rewi <[9\(2\)\(a\)@tpk.govt.nz](mailto:9(2)(a)@tpk.govt.nz)>; Maddy Lambert <[9\(2\)\(a\)@tpk.govt.nz](mailto:9(2)(a)@tpk.govt.nz)>
Cc: Jordan, Robert <xxxxxx.xxxxxx@xxxxxx.xxx.xx>; Denoual, Hayley <xxxxxx.xxxxxx@xxxxxx.xxx.xx>;
 Andrews, Matthew <xxxxxx.xxxxxx@xxxxxxxxxxx.xxx.xx>; Turvey, Arnu <xxxx.xxxxx@xxxxxxxxxxx.xxx.xx>
Subject: RE: Ministry of Justice update RE: Section 8I - Wai 2870

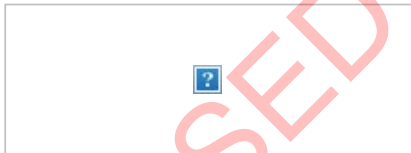
Kia ora Maddy and Andrew

Thank you both for your feedback on the inclusion of TPOG in this update. It was very helpful to hear your views, particularly regarding appropriately qualifying the development of TPOG. We have incorporated this into the document, including Maddy’s suggested addition.

Please see the updated document **attached**.

Thanks again.

Ngā mihi,
Lucy



Lucy Hewson (she/her)
 Policy Advisor | Electoral and Constitutional
 Civil and Constitutional Unit | Policy Group
 Ministry of Justice | Tāhū o te Ture
 P: **Out of Scope** | Ext: **Out of Scope**
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From: Andrew Rewi <[9\(2\)\(a\)@tpk.govt.nz](mailto:9(2)(a)@tpk.govt.nz)>
Sent: Tuesday, 13 December 2022 10:16 am
To: Hewson, Lucy <xxx.xxxxx@xxxxxx.xxx.xx>; Maddy Lambert <[9\(2\)\(a\)@tpk.govt.nz](mailto:9(2)(a)@tpk.govt.nz)>
Cc: Jordan, Robert <xxxxxx.xxxxxx@xxxxxx.xxx.xx>; Denoual, Hayley <xxxxxx.xxxxxx@xxxxxx.xxx.xx>;
 Andrews, Matthew <xxxxxx.xxxxxx@xxxxxxxxxxx.xxx.xx>; Turvey, Arnu <xxxx.xxxxx@xxxxxxxxxxx.xxx.xx>
Subject: RE: Ministry of Justice update RE: Section 8I - Wai 2870

Kia ora Lucy / Maddie

Just to be clear, the only aspect of this update I’m commenting on is the inclusion of the TPOG narrative. I don’t know anything about this report or the government’s actual response to it.

I haven’t spoken with Te Arawhiti, but see and share their concern that, without the lead-in comment (under “Ministry of Justice” under “Status Update”) Te Arawhiti’s suggested text, the inclusion of TPOG in this update




misleadingly implies that the development of TPOG was an intended part of the government’s response to this recommendation, when it hasn’t been and to my knowledge at no point did MoJ ever suggest such or that TPOG’s establishment would contribute to such as response.

TPOG’s development was completely independent of this claim and Tribunal report and recommendations. It’s part of a broad range of Māori-Crown Relationship related initiatives and guidance, developed over the last few years and aimed at improved MCRs and an improved understanding of and application of the Treaty and its principles toward an improved Treaty relationship.

That said, TPOG’s existence and role/function does contribute towards addressing this recommendation, and MoJ is a TPOG member so it should be referenced here – but qualified as you have. It might also be noted that it doesn’t fully address the recommendation and there is more that could/should be done by government agencies and Ministers generally and in specific instances/advice to respond to the recommendation (eg, ensuring improved MCR and Treaty analysis and advice in policy and operations, improved engagement with and involvement of Māori, ...)

Overall fine with the narrative given the inclusion of the lead-in qualification and Te Arawhiti’s text.

Andrew

<p>Andrew Rewi Chief Advisor, Policy Partnerships</p>	<p>Tauwaea DDI : 9(2)(a) Waea Pūkoro M : 9(2)(a) Waea Whakaahua F : 0800 875 329</p>
	<p>Te Puni Kōkiri, PO Box 3943, Wellington 6140, Aotearoa</p> <p>  Te Puni Kōkiri Website  Kōkiri Magazine  Facebook </p>

From: Hewson, Lucy <xxxx.xxxxxx@xxxxxxx.xxx.xx...>
Sent: Monday, 12 December 2022 4:56 pm
To: Maddy Lambert <9(2)(a)@tpk.govt.nz>; Andrew Rewi <9(2)(a)@tpk.govt.nz>
Cc: Jordan, Robert <xxxxxx.xxxxxx@xxxxxxx.xxx.xx...>; Denoual, Hayley <xxxxxxx.xxxxxxx@xxxxxxx.xxx.xx...>
Subject: Ministry of Justice update RE: Section 81 – Wai 2870

Kia ora kōrua

Maddy, as requested, we have prepared an update regarding the Section 81 update for Wai 2870 He Aha I Pera Ai, The Māori Prisoners Voting Report. This is **attached**, although please note I will await Andrew’s views on this content.

Andrew – My name is Lucy Hewson and I work in the Electoral and Constitutional Team at the Ministry of Justice. I have included you in this chain as I am hoping you can provide some guidance on the inclusion of certain information in the Section 81 update for Wai 2870.

You will see that in the Ministry of Justice update we have included reference to the Treaty Provisions Oversight Group (TPOG) and the guidance on providing for the Treaty in legislation. We discussed this with Te Arawhiti, who suggested we run this by you.

Te Arawhiti had a concern that inclusion of these items suggests the TPOG and its associated guidance document was a response to, or even a fulfilment of, the Tribunal’s recommendation that: “A process is implemented for ensuring that Crown officials provide properly informed advice on the likely impact that any Bill, including members’ Bills, will have on the Crown’s Treaty of Waitangi obligations.” Te Arawhiti noted that this risks TPOG’s role being misconstrued, and that if TPOG is to be mentioned, it should be made clear Wai 2870 was not its genesis, rather it was part of the Crown’s broader efforts to support more effective policy and

Treaty analysis in the design of legislation. In prompting critical thinking and good process TPOG may contribute to the Tribunal's stated objective of agencies providing clearer advice on how legislation provides for the Treaty, but it should not be seen as providing systemic assurance this is happening as recommended by the Tribunal.

We have tried to incorporate this into the update, to ensure TPOG's role is not misconstrued. We would be grateful for your views on how we have incorporated this into the material.

Please let me know if you have any questions.

Thank you both, and I look forward to hearing from you.

Ngā mihi,
Lucy



Lucy Hewson (she/her)

Policy Advisor | Electoral and Constitutional
Civil and Constitutional Unit | Policy Group
Ministry of Justice | Tāhū o te Ture

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From: Maddy Lambert <[9\(2\)\(a\)@tpk.govt.nz](mailto:9(2)(a)@tpk.govt.nz)>
Sent: Monday, 28 November 2022 9:10 am
To: Denoual, Hayley <xxxxxx.xxxxxxx@xxxxxx.xxx.xx>
Cc: Jordan, Robert <xxxxxx.xxxxxxx@xxxxxx.xxx.xx>; Hewson, Lucy <xxxx.xxxxxxx@xxxxxx.xxx.xx>
Subject: RE: Section 8I - Wai 2870

Kia ora Hayley,

Thank you, that sounds like a good plan – reach out if you have any pātai in the meantime.
Kia pai tō rā.

Ngā mihi nui,

Maddy

From: Denoual, Hayley <xxxxxx.xxxxxxx@xxxxxx.xxx.xx>
Sent: Monday, 28 November 2022 9:07 am
To: Maddy Lambert <[9\(2\)\(a\)@tpk.govt.nz](mailto:9(2)(a)@tpk.govt.nz)>
Cc: Jordan, Robert <xxxxxx.xxxxxxx@xxxxxx.xxx.xx>; Hewson, Lucy <xxxx.xxxxxxx@xxxxxx.xxx.xx>
Subject: RE: Section 8I - Wai 2870

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Hi Maddy

We'll try for then, and let you know closer to the date if it's not looking feasible.

Hayley



Hayley Denoual ([she/her](#))

Policy Manager | Kaiwhakahaere Kaupapa

Electoral and Constitutional Policy | Civil and Constitutional Unit

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[‘Chat with me on Teams’](#)

We value and encourage flexible first. While it suits me to send this now, I do not expect a response or action outside of your own working hours.

From: Maddy Lambert <[9\(2\)\(a\)](#)@tpk.govt.nz>

Sent: Monday, 28 November 2022 8:28 am

To: Denoual, Hayley <xxxxxx.xxxxxxx@xxxxxx.xx>

Cc: Jordan, Robert <xxxxxx.xxxxxxx@xxxxxx.xx>; Hewson, Lucy <xxxx.xxxxxx@xxxxxx.xx>

Subject: RE: Section 8I - Wai 2870

Mōrena Hayley,

Thanks Hayley, that would be great if you could provide an update on those items. As for a timeframe, would Monday 12 December be enough time to gather the required information? Please let me know if this is not possible, I know things are hectic at the moment as we come to the end of the year.

Ngā mihi nui,

Maddy

From: Denoual, Hayley <xxxxxx.xxxxxxx@xxxxxx.xx>

Sent: Monday, 28 November 2022 7:32 am

To: Maddy Lambert <[9\(2\)\(a\)](#)@tpk.govt.nz>

Cc: Jordan, Robert <xxxxxx.xxxxxxx@xxxxxx.xx>; Hewson, Lucy <xxxx.xxxxxx@xxxxxx.xx>

Subject: FW: Section 8I - Wai 2870

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Sandra has kindly forwarded your email regarding the Section 8I update for Wai 2870 He Aha I Pera Ai, The Māori Prisoners Voting Report to the Policy Group – this particular item sits with my team.

We can endeavour to provide a brief update of some of the current work in the electoral law reform area that may be useful, and could also link in with Te Arawhiti about the third bullet point re: ensuring that advice is provided on the likely impact of Bills on the Crown's Treaty of Waitangi obligations.

I'm just emailing to check your time frames/ when you would need any update by, as the team is pretty stretched at the moment coming into the end of the year.

Nga mihi

Hayley

Hayley Denoual ([she/her](#))

Policy Manager | Kaiwhakahaere Kaupapa



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We value and encourage flexible first. While it suits me to send this now, I do not expect a response or action outside of your own working hours.

Please see below email and attached from Te Puni Kōkiri regarding the Section 8I update for Wai 2870 He Aha I Pera Ai, The Māori Prisoners Voting Report, for your information.

I am forwarding this to MoJ Policy to respond to TPK, as discussed with Tony Fisher today. TPK has been notified accordingly.

Please let me know if you have any questions.

Monique, fyi as discussed, thank you for your assistance.

Ngā mihi, nā
 Sandra



Sandra Edmonds
 Deputy Director | Waitangi Tribunal | Te Rōpū Whakamana i te Tiriti o Waitangi
 DD: 9(2)(a) | EXTN: 9(2)(a) | M: 9(2)(a)
 Fujitsu Tower | 141 The Terrace | DX SX11237 | Wellington
www.justice.govt.nz

🌱 Whakaarotia a Papatūānuku i mua i tō tānga i te Īmēra nei.

From: Maddy Lambert <9(2)(a)@tpk.govt.nz>
Sent: Thursday, 24 November 2022 2:03 pm
To: Fisher, Tony <xxxx.xxxxxx@xxxxxx.xxxx.xx>; Edmonds, Sandra <xxxxxx.xxxxxxx@xxxxxx.xxxx.xx >
Subject: Section 8I - Wai 2870

Kia ora kōrua,

I have received an email from Corrections regarding the Section 8I update for Wai 2870 He Aha I Pera Ai, The Māori Prisoners Voting Report. Corrections have provided their update, but have also suggested that the Ministry of Justice provide an update. MOJ was not initially tagged to Wai 2870, as an update was not provided from MOJ in last year's Section 8I Report, however, if MOJ has been working in this area, it would be great to have an update on this.

As this was not initially signalled, I understand you will most likely need extra time to gather the information, and I apologise for the short notice. If there is an update to provide from MOJ, please let me know an expected completion date.

Attached is the update provided by Corrections.

Please reach out if you have any pātai, and have a great rest of your day.

Noho ora mai,
Ngā mihi,

Maddy

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