

Hon Willie Jackson

Minister for Māori Development

Associate Minister for ACC

Associate Minister of Justice



23 November 2021

Levi Gibbs

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Tēnā koe Levi

Official Information Act request

Thank you for your 20 October 2021 request under the Official Information Act 1982 in relation to housing at Ihumātao. Your request was partially transferred to me as the information you requested aligns more closely with my Māori Development portfolio. The request that was partially transferred to me was for:

*“the progress of the steering committee’s formation; and
Any communications between the Government and Kiingitanga since July 2021 regarding
Kiingitanga’s appointment of representatives.”*

On 26 October 2021 Hon Peeni Henare’s office wrote to you advising you of the partial transfer of your request.

Your request has been considered in accordance with the Official Information Act 1982 (the Act).

The He Puumautanga agreement has the Kiingitanga leading a process to make appointments which will involve a determination on:

- who has Ahi Kaa status in accordance with tikanga and historical and contemporary associations whereby the parties invited to participate in the Ahi Kaa process are Te Ākitai Waiohua, Makaurau Marae Whānau, Te Kawerau aa Maki Iwi and Ngāti Te Ata.

The process for determining the three Ahi Kaa representatives requires a considerable period of facilitation by the Kiingitanga, given the complex relationships and associations between the parties. There are also different starting points for this engagement which is acknowledged in He Puumautanga. The Parties acknowledge that Te Ākitai and Ngāti Te Ata (including Te Ākitai Waiohua) claim interests in this area and are not currently signatories to the Kawenata [between the Kiingitanga, Makaurau Marae Whānau and Te Kawerau aa Maki].

He Puumautanga notes that the parties have agreed to promptly adopt their respective roles to ensure that immediate progress is made concerning the future of the land. However, it is explicit in He Puumautanga that the establishment of the Rōpu Whakahaere will not be the immediate next step. The Kiingitanga appointment process creates pressure on the relationships between these groups, and it is important the Crown allows the process to take the time it needs to. The Kiingitanga will also establish its own representative.

To update you on progress since 1 July 2021, I can advise the Kiingitanga has been working through its appointment process with the groups. It is important to note that the timing of engagement has been significantly impacted by the restrictions imposed on movement under the different stages of Alert levels in both Waikato and Tāmaki-Makaurau over the last three months. I am advised that it is not yet completed. The COVID Alert level measures have constrained the ability of the groups and whānau to meet and run the representative processes envisaged by the Kiingitanga. The Kiingitanga also intends to facilitate a hui with representatives from each Rōpu and ahead of Te Rōpu Whakahaere convening and this will need to occur once the representatives have been identified.

I have been working on the two Crown appointments to the Rōpu Whakahaere provided for in the He Puumautanga agreement. These appointments are currently under active consideration, consequently I am withholding the information you requested under Section 9(2)(f)(iv) of the Act, to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials. I am also withholding the information under section 9(2)(a) of the Act to protect the privacy of natural persons. Public announcements on these appointments will be made in due course.

You have also requested any communications between the Kiingitanga and me since 1 July 2021 regarding the appointment of representatives by the Kiingitanga. I have had not had any communications directly with the Kiingitanga on this matter. Consequently, I am refusing your request under section 18(g) of the Act as the information requested is not held and there are no grounds for believing that the information is either held by another Minister of the Crown, or connected more closely with the functions of another Minister of the Crown.

I trust my response satisfies your request.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'W Jackson', is centered on the page. The signature is fluid and cursive, with a large loop at the end of the last name.

Hon Willie Jackson
Te Minita Whanaketanga Māori