



## Office of Hon Christopher Finlayson

25 November 2016

Puna Wano-Bryant  
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Tēnā koe

I am pleased to be able to advise the Parihaka Papakāinga Trust (PPT) of Cabinet's decisions on the Crown support package and other initiatives designed to reconcile the Crown's relationship with Parihaka. The support described below builds on the Crown's commitment in the compact of trust to further recognise Parihaka and provide a pathway for us to work together.

### *Relationship agreement*

Cabinet has approved the Crown agency and local authority relationship agreement with Parihaka. The ten Crown parties and three local authorities involved will use their best endeavours to assist the PPT with the community's development projects. For example they will provide you with technical advice on projects and assist you with applications to the contestable funding programmes they administer. Te Puni Kōkiri will be the lead agency responsible for administering the relationship agreement for the Crown. They will be available to help you implement the agreement and will lead a review of its' effectiveness after five years.

I look forward to the relationship agreement being signed at the reconciliation event planned for March 2017.

### *Financial contribution to Parihaka projects*

Cabinet has agreed to contribute \$9 million towards Parihaka's development. This money is for the high priority projects the PPT and the community have identified, such as:

- i. land acquisition;
- ii. assistance with the water supply;
- iii. intellectual property;
- iv. archaeological investigations;
- v. healing and reconciliation support;
- vi. reviewing and strengthening governance and management;
- vii. assistance with building assessments and refurbishment;

- viii. assistance with master planning;
- ix. cultural development projects;
- x. improvements to the waste water system; and
- xi. the construction of a multipurpose centre.

In the case of land acquisition, because costs and other details were not available for Cabinet to consider, the Minister of Finance, the Minister for Māori Development and I have been delegated authority to decide exactly what assistance the Crown can provide in this area. If Crown funding is used to purchase land then it will need to come from the \$9 million Cabinet has approved. Officials will work with you over the next few months to develop a proposal for Ministers to consider. This will need to cover such things as the amount of land required and its value. If the land involved is Māori freehold land then the Māori Land Court will need to approve the transaction.

The Crown fund of \$9 million will be administered by Te Puni Kōkiri. It is proposed to pay funds out in tranches, or instalments, when the money is needed for particular developments. Officials will work with the PPT to determine the projects to be covered in each instalment, their cost and the timing for the release of funds.

The payments will be subject to reporting requirements, agreed between the PPT and officials, being met and they will be authorised by Ministers. In the case of some of the larger projects a business case will need to be completed so that both the PPT and Crown can be confident that the funding will achieve the project's objectives. Officials will be able to provide advice on what a business case will need to cover.

I propose that the Office of Treaty Settlements (OTS) works with the PPT to explore sources of private and philanthropic funding that may be available for Parihaka. I hope such funding will supplement the Crown's contribution and enable you to complete more of the developments you wish to undertake. I would be grateful if you would let me know your views on this proposal.

#### *Other reconciliation initiatives*

Cabinet has also approved a number of other important reconciliation initiatives:

- i. **'deed of reconciliation'** which will build on the compact of trust, describe the Crown support package and set out any other matters we agree upon. The deed will be signed at the reconciliation ceremony planned for March 2017;
- ii. a **Crown apology and historical account**. OTS will work with you on the wording of the apology and historical account. I propose that the apology be made at the reconciliation ceremony;
- iii. **Parihaka legislation** which will include the historical account, apology and any other elements agreed between us. Cabinet has agreed that the legislation can be drafted in both English and Te Reo Māori. The legislation will be drafted by Parliamentary Counsel Office (PCO) and OTS will arrange for you to meet the drafter to discuss exactly what the legislation should cover. OTS will liaise with you and PCO throughout the drafting process. I would like to have a framework

for the legislation and much of the detail agreed by March next year and a bill ready for introduction to Parliament by mid-2017; and

- iv. a **Parihaka-Crown relationship forum** which will provide for ongoing, high-level, discussions and a strengthening of our relationship. Te Puni Kōkiri will be responsible for organising the relationship forum.


Kawe Tutaki and PPT recommended that the Crown and Parihaka look at ways to mark and promote the legacy of Parihaka. I understand that you have recently proposed that the Crown agree to a Parihaka Day as part of this reconciliation process. I will meet with the Minister for Māori Development, Hon Te Ururoa Flavell, to discuss Parihaka Day as soon as possible and I will let you know our thinking on this proposal following our meeting.

#### *Next steps*

I hope the Crown support package and other reconciliation initiatives will be accepted by the Parihaka community. However, I understand that this is a significant step for the community to take and that you will need time to discuss it. Please let me know the outcome of your discussions.

Finally, I want to thank the PPT for the positive approach you have taken to engaging with the Crown. I appreciate the patience and leadership you have shown in getting us to this point. I look forward to continuing to work with you on the Crown-Parihaka reconciliation process.

Nāku noa, nā



Hon Christopher Finlayson  
Attorney-General