



## Briefing Note: Kawenata signing ceremony, Wednesday 28 April 2021

To:	Hon Kelvin Davis, Associate Minister of Education (Māori Education)		
Cc:	Hon Chris Hipkins, Minister of Education		
Date:	21 April 2021	Priority:	High
Security Level:	In Confidence	METIS No:	1257361
Drafter:	John Kingi	DDI:	04 463 2584
Key Contact:	Daryn Bean	DDI:	04 439 5478
Messaging seen by Communications team:	Yes	Round Robin:	No

### Purpose of Report

The purpose of this paper is for you to:

**Note** the background information and attachments to support you at the signing of a Kawenata with Ngāti Tūwharetoa, Ngāti Raukawa, and Waikato-Tainui referred to as Ngā Iwi;


**Note** the signing ceremony is on Wednesday 28 April 2021 from 11.00am to 3.00pm at Waihi Marae, Tokaanu, near Tūrangi; and

**Agree** that this Briefing be proactively released once the final Funding Agreement has been confirmed with Ngā Iwi.

☒ Agree / ☐ Disagree

  
Dr. Daryn Bean  
Tumu te Mātauranga Māori  
Deputy Secretary, Māori Education

21/04/2021

  
Hon Kelvin Davis  
Associate Minister of Education  
(Māori Education)

29/4/2021

## Background

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1. Since September 2020, Ministry officials have been working with Ngāti Tūwharetoa, Ngāti Raukawa, and Waikato-Tainui (Ngā Iwi) to realise their aspirations in enabling Māori learners and their whānau access to tribal knowledge of the Waikato awa. This co-designed process is a new way of working for the Ministry. The outcome of this has been the development of a Kawenata, which outlines how the Crown will partner with Ngā Iwi, and a funding agreement to support this mahi [refer METIS 1253068].
2. This process has seen us move from a transactional to a transformational partnership. This Kawenata is a live case-study to demonstrate a different way of partnering with Iwi to inform future practice.
3. Our legal team, in a co-design process with Ngā Iwi, have ensured that the Kawenata is in line with our statutory and legal obligations. We have now completed negotiations with Ngā Iwi, and the Kawenata is ready for the parties to sign at the ceremony next week. The final version of the Kawenata is attached as Annex 1.

## Supporting Ministry Policy and Operations

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4. The Kawenata is an expression of Te Tiriti | The Treaty and aligns with *Whakapumautia, Papakowhaitia, Tau ana* (the Ministry's framework for excellent relationships with Iwi).
5. This partnership will also give effect to *Ka Hikitia, Ka Hapaitia* and *Tau Mai Te Reo*.
6. The relationships with Ngā Iwi are held by the Directors of Education in the Bay of Plenty-Waiariki and Waikato regions and supported by the Māori Education Group.

## Kawenata and Funding Agreement

7. We have recently provided you with a copy of the Kawenata [refer METIS 1257135].
8. The Funding Agreement to support the establishment phase of the partnership has been confirmed for the 20/21 and 21/22 financial years. Funding for outlying years will be agreed to on an annual basis and subject to Budget considerations.
9. The Māori Education Group have worked across the Ministry to find resourcing to support the establishment phase. Resourcing includes:
  - Funding to the value of \$1,380,000.00 to support the initial five priorities of Ngā Iwi which are: puna mātauranga, marautanga, rauemi, wānanga, and advocacy and influence. The funding will be disbursed in five payments over 14 months, subject to satisfactory milestone reporting on the agreed dates. The Milestones have been co-designed with Ngā Iwi.
  - A six-month secondment for a Ministry staff member, hosted by Tūwharetoa, will be put into place to work alongside Ngā Iwi to support the establishment phase.
  - A data profile to inform the work, developed by our Evidence, Data and Knowledge (EDK) group, with specifications to be co-designed with Ngā Iwi.

## Signing ceremony details

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10. You have accepted an invitation to the signing of the Kawenata at Tāpeka te wharepuni, Waihi Marae, Waihi Village, Tokaanu on Wednesday 28 April 2021. Dr. Daryn Bean will meet you at Rotorua airport at 9.20am on the day and accompany you to the signing ceremony at Waihi Marae, Waihi village near Tūrangi.

### Attendees and signatories

11. The haukāinga, Ngāti Tūwharetoa, are expecting 200 people to attend the signing ceremony. Notable attendees will include:

- Ariki Tā Tumu Te Heuheu
- Hon. Kahurangi Georgina Te Heuheu

Information and photos of these notable attendees are provided as Annex 2.

12. The signatories in attendance for Ngā Iwi are:

Ngāti Tūwharetoa: Tā Tumu Te Heuheu (Te Ariki)  
Martin Wikaira (Trustee)

Raukawa: Vanessa Eparaima (Chair, Raukawa Charitable Trust)  
Maria Te Kanawa (Tumu Whakarae)

Waikato-Tainui: Linda Te Aho (Chair, Te Arataura, Waikato-Tainui)  
Donna Flavell (Chief Executive, Waikato-Tainui)

### Proceedings

13. Manuhiri will be welcomed onto the marae with a pōwhiri at 11am and you may wish to deliver a whaikōrero, Ministry staff will support you with a waiata tautoko, Te Pou. The kawa of Waihi Marae is Tau-Utu-Utu.
14. After harirū you will be invited to sit on the mahau. Speeches will then follow. You have been invited to give a five to seven-minute speech. Speech notes have been developed for you in collaboration with Ngā Iwi, for your consideration, and are attached as Annex 3. You will be the first speaker, followed by Linda Te Aho, Dr Daryn Bean, Vanessa Eparaima and Ariki Te Heuheu.
15. Five copies of the Kawenata will be signed following speeches by the Crown, Ministry, Ariki and Rangatira from Ngā Iwi. Minister Hipkins and the Secretary for Education Iona Holsted will have pre-signed the Kawenata documents, as they are unable to attend.
16. A hākari will follow the signing of the Kawenata at 1pm and the event will conclude by 3pm.

## Communications items

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17. We have worked in collaboration with Ngā Iwi to develop our joint communications for this Kaupapa, which include:
- A joint media release.
  - Media Advisory.
  - Te Tāhuhu story (Ministry's internal intranet).
  - Website story (for the Ministry's external website).
  - Social media post.
  - Back pocket Questions and Answers.

These are attached as Annex 4.

## Run sheet

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18. Ngā Iwi have provided a Run Sheet for the day's events and this PDF is attached as Annex 5.

## Proactive Release

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19. We recommend that this Briefing is proactively released as per your expectation that information be released as soon as possible. Any information which may need to be withheld will be done so in line with the provisions of the Official Information Act 1982.

## Annexes

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- Annex 1: Final Kawenata  
Annex 2: Photos and information on notable attendees.  
Annex 3: Kawenata signing ceremony speech notes.  
Annex 4: Communications items – Kawenata signing.  
Annex 5: Run sheet for Kawenata signing ceremony event.

Proactively Released

## He Puna-wai-nui, He Ia-rere-roa

Pupū ana te wai i tōna mātāpuna, he manawa ā-whenua e kore e mimiti; koia anō hoki te mātauranga e pupū ake ana i tōna ake puna. He ia roa e rere nei i te awa mai i te maunga, pēnei anō i te ia-rere-roa o te mātauranga me ngā akoranga ki ngā uri whakatupu, haere ake nei, haere ake nei.

*The water bubbles up from its source, from the heart of the land which will never diminish; such too is the knowledge which surges forth from its fount. The long-lasting current flows within the river from the mountain, not unlike the everlasting flow of education and learnings from one generation to the next.*

## KAWENATA PARTNERSHIP RELATIONSHIP

**PARTIES:** Ko Tūwharetoa te Iwi Charitable Trust (Ngāti Tūwharetoa)  
Raukawa Charitable Trust (Raukawa)  
Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)  
[collectively referred to as **Ngā Iwi**]

**And:** The Crown, through the Minister for Māori Crown Relations: Te Arawhiti and Associate Minister of Education (Māori Education); Minister of Education; and Secretary for Education of the Ministry of Education  
[referred to as **Crown or Ministry of Education**]

We the Iwi of Ngāti Tūwharetoa, Raukawa and Waikato-Tainui referred to as 'Ngā Iwi' in the Kawenata see this document as a bond based on values and high trust that is set in stone and in perpetuity. We see this as a shared partnership where **all** communications in relation to this Kawenata and all mutual activity attached to this will be agreed to by all parties prior to being released publicly.

This relationship is guided by these words from the aspirations of Ngā Iwi;

*"Kia Tūwharetoa ki te ao "  
"Raukawa Kia Mau, Kia Ora"  
"Ko te Mana Maatauranga"*

This Kawenata (relationship agreement) demonstrates a collective commitment by the parties to build upon their relationships, as well as the mutual and collective responsibility to ensure that we put into action a true Tiriti o Waitangi partnership in perpetuity and in an equitable manner that gives practical effect to Rangatiratanga by:



- co-constructing, co-designing an investment and equitable framework between the parties to realise Iwi aspiration for our Māori learner success;
- leading and advocating with leaders of all key Crown agencies, entities, statutory boards, and communities to the delivery of educationally powerful connections that continuously improve and remodel the education system;
- ensuring our learners and tamariki can thrive and experience the world knowing and understanding who they are;
- ensuring our learners and tamariki are grounded in their tūrangawaewae knowing wherever they go and whatever they do in the world they will be strong;
- resourcing the growth of our own puna mātauranga within our learners and tamariki.

This Kawenata will carve out a future of Mana Motuhake (self-determination), wellbeing and prosperity and demonstrate an effective partnership between the Crown and Ngā Iwi that is based on Te Tiriti o Waitangi and its principles.

### ***Whakapūmautia te Tiriti o Waitangi***

This Kawenata expects that all articles of Te Tiriti o Waitangi will be deliberately utilised to determine clarity of engagement. The parties further acknowledge that Ngā Iwi understand the term “Te Tiriti o Waitangi” as meaning the Māori text.

### **Article 1 - Kāwanatanga**

- Ngā Iwi are expressing authority and control to determine their own destination and how they achieve that;
- The Crown carries out its kāwanatanga role honourably and appropriately;
- The parties acknowledge that Iwi are mana whenua in their rohe.

### **Article 2 – Rangatiratanga**

- In restoring our taonga we lift the mana o Ngā Iwi;
- The parties acknowledge that Iwi have authority over their taonga.

### **Article 3 - Equity - “Giving effect to Rangatiratanga”**

- Equitable partnership between the parties to achieve our respective goals and aspirations at the highest level.
- The history, reo, mātauranga Māori o Ngā Iwi derive from their lands and experiences. Therefore, an understanding of this is central to any mahi across the takiwā o Ngā Iwi.



## **Ngā Mātāpono - *Kia mahi Rangatira tātou ki a tātou***

This Kawenata is a record of our commitment to work together in line with the following shared principles:

- That each Iwi retains their own mana motuhake in this mahi;
- We commit to giving effect to Te Tiriti o Waitangi and its principles;
- We are pono - we deliver on the things we said we would do;
- We recognise and respect the mana, statutory autonomy, and responsibilities of each other;
- We conduct our relationship in a mana-enhancing manner;
- We acknowledge that the relationship is evolving, not prescribed;
- We support the importance of te reo me ngā tikanga o Ngā Iwi;
- We undertake to share information, discuss openly and solve problems together;
- We recognise and respect the diverse strengths and contributions we each bring to the relationship;
- We recognise the importance of using effective channels of communication and establishing regular opportunities for formal dialogue;
- We share responsibility for any outcomes and achievements that result from our collaboration;
- We are committed to working collaboratively in an equitable environment.

## **Ka Whakaete Mai**

This Kawenata establishes a framework that the parties will use to shape and develop initiatives they will put in place to achieve their aspirations. Details of those initiatives will be attached to this Kawenata in the future so that they can be read in conjunction with the commitments set out here.

The Ministry of Education and Ngā Iwi note our commitment to ensure that this Kawenata, and any initiatives attached to it, are adequately funded within our capability and resources.

If a dispute should arise between Ngā Iwi and the Ministry of Education, the concerned party agree to be guided by the tikanga of Hohou Te Rongo in any disputes to arrive at a resolution in the first instance.

The name Hohou Te Rongo is a tikanga which reclaims 'rongo', peace. It attempts to instil the idea of not focusing on the raruraru (dispute) at hand, but rather focusing on resolving the dispute to develop balance and peace.

The Kawenata will continue until the parties jointly agree otherwise. However, any party, including any individual Iwi, may exit the Kawenata by giving 20 working days' notice to all other parties of that intention. The parties agree that they will review the Kawenata annually as Ngā Iwi with the Ministry of Education to measure the impact and to solidify the partnership notwithstanding that each Iwi will retain their own individual arrangements attached to this agreement.

This Kawenata is not intended to be legally binding but is an expression of an intention of collaboration, co-operation and aroha between the parties signed below.





Signed for and on behalf of **Ngāti Tūwharetoa** by its duly authorised signatories:

**Tumu Te Heuheu  
Te Ariki  
Ngāti Tūwharetoa**

Signature: .....

Date: ...../...../.....

**Martin Wikaira  
Ko Tūwharetoa te Iwi Charitable Trust  
Ngāti Tūwharetoa**

Signature: .....

Date: ...../...../.....

Signed for and on behalf of **Raukawa** by its duly authorised signatories:

**Vanessa Eparaima  
Chair  
Raukawa Charitable Trust**

Signature: .....

Date: ...../...../.....

**Maria Te Kanawa  
Tumu Whakarae  
Raukawa Charitable Trust**

Signature: .....

Date: ...../...../.....

Signed for and on behalf of **Waikato-Tainui** by its duly authorised signatories:

**Linda Te Aho  
Chair, Te Arataura  
Waikato-Tainui**

Signature: .....

Date: ...../...../.....

**Donna Flavell  
Chief Executive  
Waikato Tainui**

Signature: .....

Date: ...../...../.....

Signed for and on behalf of the **Crown** by its duly authorised signatories:

**Hon Kelvin Davis  
Minister for Māori Crown Relations: Te Arawhiti  
and Associate Minister of Education (Māori  
Education)**

Signature: .....

Date: ...../...../.....

**Hon Chris Hipkins  
Minister of Education**

Signature: .....

Date: ...../...../.....

**Iona Holsted  
Secretary for Education  
Te Tumu Whakarae mō te mātauranga  
Ministry of Education**

Signature: .....

Date: ...../...../.....

**Dr Daryn Bean  
Deputy Secretary Māori Education  
Tumu te Mātauranga Māori  
Ministry of Education**

Signature: .....

Date: ...../...../.....



## KUPU WHAKAMĀRAMA / GLOSSARY

<b>TRANSFORMATIONAL</b>	<ul style="list-style-type: none"> <li>We expect each party to come to the table realising that our learners and tamariki have the same equitable opportunities as non-Māori to achieve as Māori in the education system.</li> </ul>	<ul style="list-style-type: none"> <li>Ministry expression authority and control over our destiny and how we should achieve that.</li> </ul>
<b>EQUITABLE</b>	<ul style="list-style-type: none"> <li>Iwi expect to be given the same opportunities as non-Māori.</li> <li>We are backing each other's position to ensure that our partnership continually operates on a level playing field.</li> <li>Iwi expects to be at the table when the Ministry is designing programmes and policy. Iwi expect to be driving these initiatives.</li> <li>The partnership understanding each partner's interests, values, needs, wants, and then commits to delivering solutions to achieve the aspirations of Iwi. <ul style="list-style-type: none"> <li>For example a centralised pool of funding.</li> </ul> </li> <li>Reclamation of resources: <ul style="list-style-type: none"> <li>The inequity cannot be addressed by the Ministry continuing to work in the same manner within the education system.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Iwi applies for funding alongside all other Māori and non-Māori organisations.</li> <li>Iwi being invited to the table to consult when the programme, policy or initiative has already been pre-designed.</li> </ul>
<b>RANGATIRATANGA</b>	<ul style="list-style-type: none"> <li>When we are working with each other we are clear on expectations and behaviours. These will include: <ul style="list-style-type: none"> <li>Iwi having a direct discussion with the Secretary for Education and the relevant Minister(s) on key points pertaining to the Kawenata.</li> <li>Iwi having direct discussions with decision makers to deliver on Iwi aspirations.</li> <li>At operations and governance ngā mātāpono should underpin all our engagements.</li> </ul> </li> <li>Freeing up resources to enable Iwi to deliver on Iwi aspirations and on our own terms.</li> </ul>	<ul style="list-style-type: none"> <li>Being redirected to Ministry staff who do not have the capacity or authority to make system changes or decisions that impact on Māori.</li> <li>Having to contend with a Ministry driven system and process to access funds.</li> <li>It's not about us without us.</li> </ul>
<b>PUNA MATAURANGA</b>	<ul style="list-style-type: none"> <li>The well spring of mana whenua knowledge. <ul style="list-style-type: none"> <li>It's our way of thinking, our system and our body of knowledge that has been handed down by our ancestors.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>It's not education as defined and validated by a western paradigm.</li> </ul>

	<ul style="list-style-type: none"> <li>○ Mana whenua in the sense that it has no end, there is a continual creation process. It did not finish in 1840.</li> <li>○ The well spring is in us as Māori, it's in all of us and we continue to pass this knowledge down to our tamariki/mokopuna – with no judgement.</li> </ul>	
<b>TURANGAWAEWAE</b>	<ul style="list-style-type: none"> <li>• The place where uri stand.</li> <li>• It's the potential – it's where they are now and where they can be.</li> <li>• All our tamariki/mokopuna will have access to pathways/lifelong learning opportunities that support their aspirations and solidify their place in the world.</li> </ul>	<ul style="list-style-type: none"> <li>• The Ministry regional boundaries.</li> <li>• One single physical space.</li> </ul>
<b>MANA WHENUA</b>	<ul style="list-style-type: none"> <li>• Are those and that who keep us safe on our ancestral lands</li> <li>• The person or the community belonging to the land, or takiwā, holds the mana whenua of the land. Mana whenua is like a delegation of power from the gods to the community belonging to a land.</li> </ul>	<ul style="list-style-type: none"> <li>• Tangata whenua who (honour the divine duty, tangata whenua are obligated to continue the role in perpetuity).</li> <li>• Māori who are not connected to and/or have no mandate, authority or authenticity/grounding to speak on behalf of the people of the land.</li> <li>• Any Māori or Māori Organisation that employs Māori to deliver a service.</li> </ul>
<b>HOHOU TE RONGO</b>	<ul style="list-style-type: none"> <li>• It is an approach to addressing 'take' that requires a face to face meeting that follows tikanga Māori (karakia, whakawhanaungatanga).</li> </ul>	<ul style="list-style-type: none"> <li>• 20 day written notice, conflict resolution processes.</li> </ul>



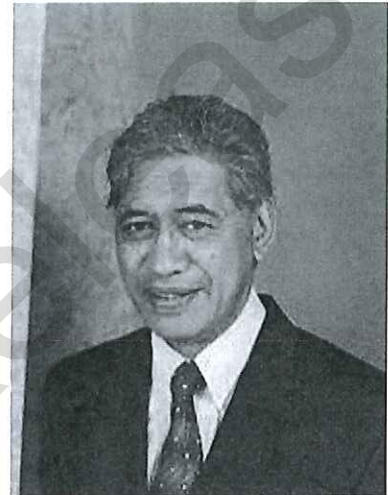
Annex 2: Photos and information on notable attendees

**Dignitaries**

Ngā Iwi has advised the Ministry that the following two dignitaries will be attending the signing ceremony.

**Ariki Tā Tumu Te Heuheu**

Tā Tumu Te Heuheu Tukino VIII, KNZM is the eighth paramount chief of the Ngāti Tūwharetoa Iwi, of the central North Island, and an influential figure among Māori people throughout New Zealand. Te Heuheu is a former Chair of the New Zealand Historic Places Trust's Maori Heritage Council, former Chair of the UNESCO World Heritage Committee, former Chairman of the Tūwharetoa Trust Board and Chairman of the Lake Taupo and Lake Rotoaira Forest Trusts, and is a patron of the University of Auckland's Polynesian Society. Te Heuheu attended St. Patrick's College, Silverstream. He is the son of Sir Hepi Te Heuheu Tukino VII.



**Hon. Kahurangi Georgina Te Heuheu**

Hon Kahurangi Georgina Te Heuheu, DNZM, was a Member of Parliament for five terms between 1996 and 2011 and was the first Māori woman to gain a law degree and be admitted to the High Court of New Zealand as a Barrister and Solicitor. Hailing from Ngāti Tūwharetoa, Ngāti Awa and Tuhoe, she graduated with a Law Degree from Victoria University in 1971. Following her career as an MP and Minister, including roles as Minister for Courts, and Disarmament and Arms Control, Te Heuheu served as Chairwoman of Māori Television from 2012-2018 and is now the Deputy-Chair of the Tūwharetoa Māori Trust Board. She was appointed a Companion of the Queen's Service Order in 1993 and was appointed a Dame Companion of the New Zealand Order of Merit in 2018.



**Signatories**

The signatories have delegated authority from their respective Iwi to sign the Kawenata on behalf of their people.

## HE PUNA-WAI-NUI HE IA-RERE-ROA

### KA WHAKATOHUA KI TĀPEKA TE TŪPUNA WHARE, WAIHI

#### WĀTAKA

**4:00am** - Depart for Waikato Iti

**5:00am** - Arrive Waikato Iti (meet with Ngāti Rangi Kaitiaki)

**6:00am** - Karakia kia whakarewa atu te kaupapa, mai te Puna-wai-nui, ki rō te Ia-rere-roa. Kei te whakatō mauri ki ngā kohatu hei mauri mō te kaupapa mā ngā iwi e toru

**6:30am** - Return to Hinana for breakfast

**7:30am** - Breakfast for kahui returning from Waikato iti, this will be at Hinana wharekai Waihi

**10:00am** - Whakatau for Raukawa and Waikato Tainui whānau ki Waihi Marae. Raukawa and Waikato Tainui will be invited to join Tūwharetoa on paepae to welcome the Minister, Ministry of Education and other whanaunga iwi.

**11:00am** - Pōwhiri ki Minister Davis, Ministry of Education and other whanaunga iwi. At least one speaker from ngā iwi

**12:00pm** - Following hariru, Minister Davis, Dr Daryn Bean, Ariki Tumu Te Heuheu, Martin Wikaira (MC) will be seated with Linda Te Aho, Vanessa Eparaima on the mahau of the whare.

The order of speeches (bi-lingual) will be as follows:

Minister Davis, Linda Te Aho, Dr Daryn Bean, Vanessa Eparaima, Te Ariki Tumu Te Heuheu. Kinaki may be delivered following each speech. This will be followed by the signing. Pakeke will be invited to also sign a book in support of the kawenata.

**1:00pm** - Kai hākari in Hinana, Waihi

#### WATAKA 28TH APRIL, 2021 HIGHLIGHTS

**5-6:00am** Arrive at Waikato Iti for karakia, Whakatō mauri o te kaupapa

**7:30am** Return to Waihi marae for breakfast

**10:00am** Whakatau for iwi who could not attend Whakatō mauri ki Waikato iti

**11:00am** Pōwhiri – to Minister, Crown and other whanaunga iwi

**12:00pm** Speeches from the Mahau of Tāpeka, followed by the signing of the Kawenata

**1:00pm** Hākari then to be served in Hinana wharekai.