



MP for Te Tai Tokerau

Minister for Māori Crown Relations: Te Arawhiti

Associate Minister of Education

Minister of Corrections

Minister of Tourism

6 May 2020

James Watson

By email: fyi-request-12481-d5e15283@requests.fyi.org.nz

Tēnā koe Mr Watson

Request under the Official Information Act 1982

I refer to your refined request made to the Department of Prime Minister and Cabinet on 20 March 2020 under the Official Information Act 1982 (the Act). On 3 April, parts of your request were transferred to me given the close alignment with the functions of my portfolio as the Minister for Māori Crown Relations: Te Arawhiti.

You requested the following information:

- (a) *all Cabinet papers since 2005 which discuss the constitutional status of the Treaty of Waitangi;*
- (b) *all Cabinet papers relating to the foreshore and seabed act 2004; and*
- (c) *all Cabinet papers relating to the establishment of the Māori-Crown portfolio.*

I am responding to part of Part (a) and all of Part (c) of your request only. Regarding Part (a), my response relates to relevant Cabinet papers lodged since 2018 – the year the Māori Crown Relations: Te Arawhiti portfolio was established.

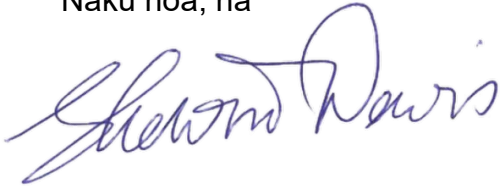
Attached as Appendix One, is a list of Cabinet papers that fall within the scope of your request. Your request has been refused pursuant to section 18(d) - the information requested is or will soon be publicly available.

The Cabinet papers you have requested can be found on the Te Arawhiti (<https://tearawhiti.govt.nz/>) and Ministry of Justice (www.justice.govt.nz) websites.

Of the Cabinet papers I refer to in Appendix One, you will note that one is not currently publicly available. This paper will be available on the Te Arawhiti (<https://tearawhiti.govt.nz/>) website by the end of May 2020.

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

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'Kelvin Davis', written in a cursive style.

Hon Kelvin Davis

Minister for Māori Crown Relations: Te Arawhiti

Appendix One – List of Cabinet papers

DOCUMENT NUMBER	DATE	DOCUMENT DESCRIPTION	RELEASED / WITHHELD / REFUSED	NOTES
1	21/10/2019	Cabinet paper – Treaty of Waitangi Guidance	Refused under s18(d)	Relevant to Part (a) of request. Can be found on Te Arawhiti website.
2	4/11/2019	Cabinet paper – Roles and Responsibilities of Te Puni Kōkiri and Te Arawhiti	Refused under s18(d)	Relevant to Part (a) of request. Can be found on Te Arawhiti website.
3	5/03/2018	Cabinet paper - Initial scope of Crown/Māori Relations Portfolio	Refused under s18(d)	Relevant to Part (c) of request. Can be found on Ministry of Justice website.
4	18/09/2018	Cabinet paper – Proposed final scope of the Crown/Māori Relations portfolio and a Crown/Māori engagement framework and guidelines	Refused under s18(d)	Relevant to Part (c) of request. Can be found on Te Arawhiti website.
5	2/11/2018	Cabinet paper – Establishment of the Office for Māori Crown Relations	Refused under s18(d)	Relevant to Part (c) of request. Will soon be available on Te Arawhiti website.