



OIATP-198

25 Huitanguru 2025

[fyi-request-29877-e2083d6a@requests.fyi.org.nz](mailto:fyi-request-29877-e2083d6a@requests.fyi.org.nz)

Tēnā koe Mr Wilson

## Official Information Act request

Thank you for your information request dated 25 Kohitātea 2025. You asked for the following information:

*“All documents, memoranda, communications, and related materials regarding the appointment of Philip Crump to the Waitangi Tribunal. This includes, but is not limited to:*

*Any correspondence, reports, or written materials authored by Philip Crump concerning his appointment.*

*Any documents that address Philip Crump’s character, suitability, and whether he was deemed a fit and proper person for the role.*

*Any assessments of Philip Crump’s Substack writings or his social media activity on X (formerly Twitter) under the pseudonym Thomas Cranmer..”*

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

### **Background information**

I have received a number of requests for official information regarding recent appointments to the Waitangi Tribunal. In considering these requests, I want to clarify the processes used to make appointments to the Waitangi Tribunal (**Tribunal**).

The Tribunal was established under section 4 of the Treaty of Waitangi Act 1975 and consists of a Chairperson and up to 20 members. Members are appointed by the Governor-General, based on the recommendation of the Minister for Māori Development, following consultation with the Minister of Justice (section 4(2)(a) of the Treaty of Waitangi Act). In considering recommendations for appointments as a member of the Tribunal, the Minister for Māori Development shall have regard to (see section 4(2A) of the Treaty of Waitangi Act):

- a. the partnership between the two parties to the Treaty; and
- b. not only to a person's personal attributes but also to a person's knowledge of and experience in the different aspects of matters likely to come before the Tribunal.

Members of the Tribunal hold office for a term not exceeding three years but may from time to time be reappointed (section 4(3) of the Treaty of Waitangi Act).

The positions are not advertised. It is common for the Minister for Māori Development to seek the views of the Tribunal's Chairperson about suitable persons for consideration who will meet the statutory criteria for Tribunal members. From time to time, the Minister for Māori Development might receive curriculum vitae from members of the public expressing an interest in being considered for appointment to the Tribunal.

Once directed to do so, Te Puni Kōkiri provides the Minister for Māori Development with a long list of suitable persons for possible appointment to the Tribunal. The Minister will seek views, from the Minister of Justice and other Ministerial or coalition partner colleagues. This advice informs the recommendations for appointment (and reappointment) to the Tribunal. All recommendations for Tribunal members go through the usual Cabinet process for appointments. That includes the Cabinet Appointments and Honours Committee noting the proposed appointment before proceeding to Cabinet for confirmation, and then the Governor-General for appointment.

***My response***

I have decided that, given the number of requests my Office has received for information concerning recently announced Waitangi Tribunal appointments, there is sufficient public interest to justify proactively releasing the advice I received from officials on appointments to the Tribunal.

Therefore, because the information you have requested is soon to be made publicly available I have decided to refuse your request. This decision is consistent with section 18(d) of the OIA 1982.

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](http://www.ombudsman.parliament.nz) or freephone 0800 802 602. Ngā mihi nui ki a koe.

Mauriora



Hon Tama Potaka  
Te Minita Whanaketanga Māori