

IN THE WAITANGI TRIBUNAL

Wai 2750

CONCERNING

the Treaty of Waitangi Act 1975

AND

the Housing Policy and
Services Kaupapa Inquiry

**MEMORANDUM-DIRECTIONS OF JUDGE C T COXHEAD COMMISSIONING
RESEARCH**

24 May 2022

1. Pursuant to clause 5A of the second schedule of the Treaty of Waitangi Act 1975, the Waitangi Tribunal commissions Dr Shiloh Groot, Social Psychologist, to prepare a report on social housing and special housing needs, 1991 to 2021, for the Housing Policy and Services Kaupapa Inquiry (Wai 2750).
2. The researcher should focus on providing an outline of social housing and special housing needs policy and services relevant to Māori, how these are implemented, the impacts and outcomes for Māori, and Māori responses. Māori participation in social housing and special housing needs provision, legislation, governance and policy developments should also be examined. The researcher will provide an overview of significant developments since 1991 relevant to the development of the social housing and special housing needs system for Māori including how these may have contributed to any current barriers to service or housing provision. Where possible the report will address:
 - a) To what extent did the Crown consult with Māori and provide for Māori participation in the development of major social and special needs housing legislation and policy reforms and their implementation from 1991 to 2021?
 - b) What were the Crown's and Māori expectations and intentions for major social and special needs housing reform over this period and to what degree have these been fulfilled by 2021?
 - c) To what extent has the Crown fostered partnership with Māori in the development of social housing and housing for Māori with such housing need and how have Māori been able to participate in the provision of such housing, and become Community Housing Providers? What strategies have Māori adopted to ensure adequate provision of such housing programmes for their communities and with what Crown response?
 - d) What kinds of monitoring has the Crown undertaken of social and special needs housing provision and impacts and how effective has this been for Māori? What have been the main agencies tasked with any monitoring from 1991 to 2021 and what role was provided for Māori to participate in the development of any such monitoring?
 - e) What barriers, if any, do Māori experience in gaining access to and providing special and social housing under relevant programmes and policies established since 1991?
 - f) What have been the impacts for Māori of developments with social and special needs housing from 1991, including such changes as the move to a wider range of social housing providers, and changes throughout this period in resourcing, oversight, access to and provision of such housing?
3. A completed draft of the report will be circulated to parties for feedback by 30 November 2022, to be followed by quality assurance and final revision.
4. The commission ends on 1 March 2023, at which time a copy of the final report must be submitted to the Registrar for filing in unbound form, together with indexed copies of any supporting documents or transcripts. An electronic copy of the report and supporting documentation should also be provided in Word or PDF file format.
5. The report may be received as evidence and the author may be cross-examined on it.

6. The Registrar is to send copies of this direction to:

- (a) Dr Shiloh Groot;
- (b) Claimant counsel, Crown counsel and unrepresented claimants in the Housing Policy and Services Kaupapa Inquiry;
- (c) Chief Historian, Waitangi Tribunal Unit;
- (d) Principal Research Analysts, Waitangi Tribunal Unit;
- (e) Manager Research Services, Waitangi Tribunal Unit;
- (f) Manager Inquiry Facilitation, Waitangi Tribunal Unit;
- (g) Principal Inquiry Facilitators, Waitangi Tribunal Unit;
- (h) Solicitor-General, Crown Law Office;
- (i) Director, Te Kāhui Whakatau (Treaty Settlements), Te Arawhiti; and
- (j) Chief Executive, Te Puni Kōkiri.

DATED at Rotorua this 24th day of May 2022



Judge C T Coxhead
Presiding Officer

WAITANGI TRIBUNAL