Funding for claimants to attend Waitangi Tribunal events

Wai 3300: Treaty Principles Urgency Inquiry

Hearing 9 – 10 May 2024

This factsheet provides information about the funding and support available to help claimants participating in Waitangi Tribunal events/hearings for the urgent inquiry into the review of references to the Treaty principles in legislation and the proposed Treaty Principles Bill (the urgent inquiry).[1]

This factsheet includes information on:

- Who can apply for funding to attend the hearing
- What type of costs can be funded
- What the Ministry can book and pay for upfront
- If you have booked and paid yourself, how to seek reimbursement

What is an urgent inquiry?

An urgent inquiry is where the Tribunal decides to urgently inquire into a claim, a group of claims, or part of a claim.

Further information is available here:

Apply for urgency | Waitangi Tribunal

Upcoming Waitangi Tribunal events

The Tribunal will hold one two-day hearing in this urgent inquiry in Wellington on Thursday 9 and Friday 10 May 2024.

Who can access support to attend the events?

Individuals or groups who have filed a claim with the Waitangi Tribunal and have asked to participate in the urgent inquiry can access funding support to attendance at the hearing for the inquiry.

In general, three members of a claimant group and a total of up to three support people for each claimant group can be included.

Groups or individuals given 'interested party' status by the Tribunal may be considered for funding on a case-by-case basis. Interested parties must be in contact with the Ministry prior to incurring costs to discuss whether funding may be available.

Please note: staff of law firms will not be funded as support people unless the staff member is acting in their own capacity as a member of the public, and not performing tasks for a client of their firm / practice

What travel and accommodation support is available?

- Flights, where required
- Transport to and from airports and event venues where required, including taxis, intercity bus and train, uber or ride share options and/or parking
- Mileage for driving to and from the events
- Accommodation, where required
- Meals
- Preparatory hui so that claimant groups can meet and prepare ahead of Tribunal event. Please contact the Ministry prior to incurring any costs for a preparatory hui to discuss what can be funded.

[1] The urgent hearing was granted by the Wai 3300 panel on 10 April 2024 (Wai 3300, #2.5.18).

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Kuia/kaumātua, whānau hauā and tangata turi: Some people may need to break up their journey if they have to travel a long distance. For kuia, kaumātua, whānau hauā, and tangata turi funding could cover, for example: an extra night's accommodation to avoid long periods in cars; accessible taxis to events; extra costs of accessible accommodation; provisions for service animals. This is not an exhaustive list.

Other costs: We may be able to cover other costs that may arise on a case-by-case basis, such as a contribution to support people to attend via AVL, or reimbursing koha if the attendee is staying overnight in a private residence or marae.

To request funding for a cost not outlined above, please contact the Ministry prior to incurring the cost:

Email: claimantfunding@justice.govt.nz

Call: 0800 268 787 and tell them you want travel support for a kaupapa inquiry

Text: 027 361 2236 (we can call you back)

We can make and pay for travel and accommodation bookings for you

If you would like the Ministry of Justice to make and pay for travel and accommodation bookings for you, please contact:

Email: claimantfunding@justice.govt.nz

Call: 0800 268 787 and tell them you want travel support for a kaupapa inquiry

Text: 027 361 2236 (we can call you back)

The Ministry of Justice can make the following bookings through a travel agent:

- Flight, intercity bus, intercity train or ferry
- Airport shuttle, taxi (chits/pre-payment card)
- Accommodation

Flights: If there are no available seats on flights, we will let you know and you may wish to think about a different form of travel.

Taxi/Shuttles: We can also provide pre-payment taxi cards for short-distance travel, and may be able to organise and pay for shuttles between airports, accommodation and the venue. Talk to us and we will let you know what is possible.

Accommodation: In some areas the accommodation we can book is limited, and we may not be able to book enough rooms. If this happens, claimants may wish to make their own bookings through services such as Airbnb and be reimbursed.

Meals: If we have booked your accommodation, then meals at your accommodation such as breakfast and dinner may be able to be charged back to the Ministry. Not all accommodation is set up to do this. We will let you know if it is possible. If it is not available, you can seek reimbursement for meals.

You could make your own arrangements and ask us to reimburse you

If you have made and paid for your own arrangements, you could ask us to reimburse you.

Travel, meals, and accommodation costs related to attending Tribunal events can be included for consideration in a request for reimbursement.

Please see the table on page 4 for the full list of what we can reimburse and if evidence of the cost is required.

Actual and reasonable costs will be reimbursed.

Who decides whether costs are actual and reasonable to reimburse?

If you ask us to reimburse you, the Ministry will decide which costs are actual and reasonable based on the information you provide.

When deciding if costs are actual and reasonable the Ministry may consider the following:

- If the number of people from a claimant group and support people attending the event is reasonable

- The distance the claimant or claimant group must travel and if a suitable form of travel has been selected
- If there is the need for a claimant and their group to stay overnight.

Please note: The Ministry may ask claimants to provide further information and verification to decide if a cost is reasonable. If you have questions, please talk to us.

What costs are not covered?

The Ministry will not provide claimant funding to cover:

- Costs of legal representation, as this is available through legal aid
- Funding in advance of the events except where we make and pay for bookings through our travel services
- Research for individual claims
- Resolving issues of equity between funding allocated for different claimant groups.

How to request reimbursement

To request reimbursement, each person needs to complete a *Reimbursement Form for Wai 3300: Treaty Principles Urgency*.

Along with an explanation of each cost, the following documentation and evidence are required before the form will be processed:

- **A legible GST receipt is required as evidence for any single transaction over $50.** Single transactions below $50 require proof of purchase (itemised receipt) but do not require a full GST receipt. GST receipts are not needed for claims relating to mileage, koha for accommodation or accommodation through an online service such as Airbnb (although a copy or screenshot of the Airbnb receipt needs to be provided). *Please see the table on page 4 for the full list of what we can reimburse and if evidence of the cost is required.*
- **A bank deposit slip or screenshot** including bank logo, account name and account number for the person named in the claim.

Send your forms to:

Email: claimantfunding@justice.govt.nz

Post:
Te Tāhū o Te Ture - Ministry of Justice
Crown Response to Treaty Principles Urgency Inquiry
Sector Directorate – Level 5
SX 10088
Wellington
New Zealand

If you have questions please **call:** 0800 268 787 or **text** 027 361 2236

Need support with a request for reimbursement?

The Ministry will have staff available at each of the Tribunal events and can provide kanohi ki te kanohi (face to face) support with making a request for reimbursement.

This could include help with filling out forms, making copies of receipts and lodging a claim for reimbursement. Hard copies of this factsheet and the reimbursement form will be available at each event.

Please note the team will not be able to provide funding to reimburse costs at the event, or provide advice on legal aid applications.

Questions?

If you have further questions:

- **Email:** claimantfunding@justice.govt.nz
- **Call:** 0800 268 787 (Monday- Friday 8am- 5pm)
- **Text:** 027 361 2236 (we can call you back)

Appendix A: Cost Guidelines Table

The following table contains the guidelines of what financial support can be provided and if evidence of the cost is required.

Cost Guidelines Table			
Cost type	**Maximum amount** *$ Including GST*	**Further information**	**Evidence required**
Travel *Transport fares*	Actual and reasonable	**If we book:** Flights, inter-city bus, ferry, airport transfers, and shuttles could be booked by the Ministry.	No
		If you book: Airfare, bus, ferry, taxis, ride sharing services, train, or car rental costs can be included for consideration in a claim for reimbursement.	Yes
Travel *Personal vehicle mileage*	Actual and reasonable	Personal car use at $0.95/km can be included for consideration in a claim. Please specify where your trip started and finished, and the km travelled when claiming personal vehicle costs.	No
Travel *Parking*	Actual and reasonable	Car parking can be included for consideration in a claim.	Yes
Meals *Excluding alcohol*	Up to $83.95 *per person per day*	Depending on the accommodation provider, breakfast and dinner may be able to be charged back to the Ministry if we have booked the accommodation.	No
		Breakfast, lunch, or dinner purchased by you can be included for consideration in a claim for reimbursement.	Yes
Accommodation *Excluding alcohol, minibar, video, telephone, or other extra charges*	Actual and reasonable	**If we book:** Accommodation if there is availability in that particular location. We cannot book Airbnb and similar online services for you, but we can reimburse them if you book yourself.	No
		If you book: Accommodation can be included for consideration in a claim for reimbursement. Please specify the type of accommodation and number of nights spent.	Yes
Preparatory hui	Actual and reasonable	Costs of claimant hui to support preparation for the event could be included in a claim. For example, funding could include venue hire, kai, travel to and from preparatory hui, and other costs as funded for Tribunal events. Please contact us to discuss what could be covered.	Yes
Other costs	Actual and reasonable	Other costs may be able to be included for consideration in a claim. For example, support for people to watch the livestream of the events, or reimbursement of koha for accommodation in a private home or marae at $50 per person, per night. Please contact us to discuss what other costs you may require.	To be assessed on a case-by-case basis