

TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI

Wai 2575

E PĀ ANA KI
CONCERNING

the Treaty of Waitangi Act 1975

Ā
AND

the Health Services and
Outcomes Kaupapa Inquiry

HE PĀNUI WHAKAHAU A TE MANA WHAKAHAERE KAIWHAKAWĀ D
STONE

MEMORANDUM-DIRECTIONS OF PRESIDING OFFICER JUDGE D STONE

12 Noema 2024

Introduction

1. This memorandum-direction addresses material relevant to the Health Services and Outcomes Kaupapa Inquiry (Wai 2575).

Documents to be added to the record of inquiry

2. On 27 February 2024, the Crown proactively released a range of documents to the public, including Cabinet material, which related specifically to the Crown's decision to disestablish Te Aka Whai Ora.¹
3. It has come to the Tribunal's attention that there is Cabinet material relevant to the priority inquiry into the disestablishment of Te Aka Whai Ora which is not yet on the record of inquiry.
4. Pursuant to clause 6(1) of Schedule 2 of the Treaty of Waitangi Act 1975 (the Act), the Tribunal may receive as evidence any document which in the opinion of the Tribunal may assist it to deal effectually with the matters before it.
5. Accordingly, I direct that the documents listed at **Appendix A**, be placed on the Wai 2575 record of inquiry for the purposes of these proceedings.

Request for unredacted documents

6. Further, it has come to this Tribunal's attention that there are documents which are publicly available or have been filed in this inquiry which have redacted information, which was considered out of scope for the purposes of proactive release to the public, but may not be out of scope for the purposes of this inquiry.
7. Pursuant to section 4C of the Commissions of Inquiry Act 1908, and clauses 6(1) and 8(2)(c) of Schedule 2 of the Act, the Tribunal can require any document to be produced before it for the purpose of its inquiry.
8. Accordingly, I direct that the Crown file unredacted copies of the following documents with the Tribunal by **5 pm Thursday, 14 November 2024**:
 - (a) Department of Prime Minister and Cabinet, "Report of the Cabinet Legislation Committee: Period Ended 23 February 2024" CAB-24-MIN-0044;
 - (b) Ministry of Health, "Briefing to the Incoming Minister of Health" (November 2023);
 - (c) Department of Prime Minister and Cabinet, "Report of the Cabinet 100-Day Plan Committee: Period Ended 22 December 2023" (27 February 2024) CAB-24-MIN-0001;²
 - (d) Department of Prime Minister and Cabinet, "Report of the Cabinet 100-Day Plan Committee: Period Ended 19 January 2024" (27 February 2024) CAB-24-MIN-0002;³

¹ Ministry of Health 'Cabinet and briefing material: Disestablishment of the Māori Health Authority – Next Steps on Māori health' (12 August 2024) [Cabinet and briefing material: Disestablishment of the Māori Health Authority – Next Steps on Māori health | Ministry of Health NZ](#).

² Redacted version is 'Wai 2575, #M35(a)' at p 3.

³ Redacted version is 'Wai 2575, #M35(a)' at p 6.

- (e) Department of Prime Minister and Cabinet, “Report of the Cabinet Social Outcomes Committee: Period Ended 28 June 2024” (12 August 2024) CAB-24-MIN-0234;⁴
- (f) Ministry of Health, “Aide memoire, Invitation to meet with the Hauora Māori Advisory Committee on Monday 12 February 2024 at 5:00pm” (9 February 2024) H2024035780;⁵ and
- (g) Ministry of Health “Briefing to the Minister: Opportunities to improve Māori health outcomes across your priorities” (20 March 2024) H2024037412.⁶

9. Further, I request the Crown provide the following document:

- (a) The Cabinet direction addressed to Minister of Health Shane Reti, referred to at p 7 of the “Report of the Cabinet 100-Day Plan Committee: Period Ended 19 January 2024” (27 February 2024) CAB-24-MIN-0002.⁷

10. If there are concerns regarding these directions, information should be directed to the Tribunal registry at WT.Registrar@justice.co.nz.

The Registrar is to send this direction to all those on the notification list for Wai 2575, the Health Services and Outcomes Kaupapa Inquiry.

WHAKAPŪMAUTIA ki Whanganui-a-Tara i te 12 o Noema 2024



Kaiwhakawā Stone
Te Mana Whakahaere

TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI

⁴ Redacted version is ‘Wai 2575, #M40’ pp 17-18.

⁵ Redacted version is ‘Wai 2575, #M40’ pp 29-31.

⁶ Redacted version is ‘Wai 2575, #M40’ p 44;

⁷ Wai 2575, #M35(a) at [7].