

BEFORE THE WAITANGI TRIBUNAL
TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI

WAI 2700
WAI 381
WAI 2260

IN THE
MATTER of the Treaty of Waitangi Act 1975
and the Mana Wāhine Kaupapa Inquiry (Wai 2700)

AND of a claim filed by **DAME ARETA KOOPU** on behalf of herself and on behalf of the Maori Women's Welfare League Incorporated and by **DAME WHINA COOPER, DAME MIRA SZÁSZY, DR ERIHAPETI MURCHIE, DAME GEORGINA KIRBY, VIOLET POU, DAME JUNE MARIU, HINE POTAKA, DAME AROHA RERITI-CROFTS** (being past Presidents of the Maori Women's Welfare League) and by **DR HOPE TUPARA** (being the current President of the Maori Women's Welfare League) and on behalf of themselves and **RĪPEKA EVANS** of Ngāpuhi, Te Aupouri, Ngāti Kahu and Ngāti Porou for herself and on behalf of Māori women and by **MARY-JANE PAPAARANGI REID** of Te Rarawa and Te Aupouri for herself and on behalf of Māori women and by **DONNA AWATERE-HUATA** of Ngāti Whakaue and Ngāti Porou for herself and on behalf of Māori women and by **LADY ROSE HENARE** for herself and on behalf of Ngāti Hine and by **KATERINA HOTERENE** for herself and on behalf of Ngāti Hine and by **TEPARA MABEL WAITITI** for herself and on behalf of Ngāti Hine and by **KARE COOPER-TATE** for herself and on behalf of Ngāti Hine (Wai 381)

BRIEF OF EVIDENCE OF PROFESSOR TAHU KUKUTAI

4 December 2025



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Waitangi Tribunal

4 Dec 25

Ministry of Justice
WELLINGTON

I, Tahu Hera Kukutai, of Waikato, say:

Introduction

1. My name is Tahu Hera Kukutai. I whakapapa to Ngāti Tiipa, Ngāti Māhanga, Ngāti Kinohaku, and Te Aupōuri.
2. I am Professor of Demography at Te Ngira Institute for Population Research at Te Whare Wānanga o Waikato – the University of Waikato. I have a Master’s degree in demography from the University of Waikato and a Master’s degree and PhD in sociology from Stanford University.
3. I have 25 years of experience in the field of population research and have analysed many official data sets in New Zealand, Australia and the United States. I specialise in Māori and Indigenous demography and data sovereignty and have published more than 100 peer-reviewed articles, commissioned reports, book chapters and books. My research includes publications on data sovereignty and data governance, iwi demography, Māori in Australia, Māori identity, census methodologies, and government practices of ethnic classification globally.
4. I am an elected Fellow of the Royal Society Te Apārangi and a Life Member of the Population Association of New Zealand.
5. I am a founding member of Te Mana Raraunga, the Māori Data Sovereignty Network, and the Global Indigenous Data Alliance. In 2025, I was awarded the Te Rangi Hiroa Medal from the Royal Society Te Apārangi for world-leading research on Indigenous data sovereignty and Indigenous demography, and for distinguished contributions to these disciplines globally.

Summary of my evidence

6. There are well-documented gaps in relevant, high-quality statistics on and about wāhine Māori. Some of these have already been described in research undertaken for the Tribunal.¹ These data gaps exist because wāhine Māori –

¹ Te One, A. (2023). *Wāhine rangatira me te kāwanatanga: Wāhine Māori access to decision-making roles in the public sector from 1990 to 2020 – A report commissioned by the Waitangi Tribunal for the Mana Wāhine Kaupapa Inquiry (Wai 2700)* (20 October). https://forms.justice.govt.nz/search/Documents/WT/wt_DOC_204373482/Wai%202700%2C%20B001.pdf

our circumstances, wellbeing and aspirations – are not a matter of priority for the Crown. This lack of prioritisation is evident in government data collection and disaggregation practices which make it challenging, and at times impossible, to build a comprehensive statistical understanding of wāhine Māori. This disregard is detrimental, undermining the capacity to baseline, measure and monitor outcomes for wāhine Māori in ways that are culturally meaningful and actionable.

7. The lack of readily available disaggregated data on wāhine Māori is not a mere technical issue. Rather, it is a human rights issue with material consequences. For several decades the United Nations has stressed the critical importance of data disaggregation for making Indigenous Peoples visible in official statistics, closing the implementation gap on their rights, and holding States to account with regards to their commitments to sustainable development. The United Nations Expert Mechanism on the Rights of Indigenous Peoples (UNEMRIP) states that the right to data, including with regard to data collection and disaggregation, “constitutes a fundamental human right for Indigenous Peoples.”² Gender is a key facet of data disaggregation and is crucial in order to “secure the rights of indigenous girls and women.”³ In New Zealand, this means data collected on wāhine Māori needs to be capable of capturing our distinct identities as both wāhine *and* Māori.
8. The United Nations Special Rapporteur on the right to privacy (UNSRPP) confirms that data is a “cultural, strategic and economic resource for indigenous peoples”⁴ and has called on Governments and corporations to “... recognize the inherent sovereignty of indigenous peoples with respect to data about them or collected from them, which pertain to indigenous peoples’ knowledge systems, customs or territories.”⁵ In the context of Te Tiriti o

² United Nations Expert Mechanism on the Rights of Indigenous Peoples (2025a, August 6). *Right of Indigenous Peoples to data, including data collection and disaggregation* (A/HRC/60/66), p. 2.

³ United Nations Expert Mechanism on the Rights of Indigenous Peoples (2025b, 24 March). Call for Inputs: Study on ‘Indigenous Peoples right to data, including data collection and disaggregation’. <<https://www.ohchr.org/en/calls-for-input/2025/call-inputs-study-indigenous-peoples-right-data-including-data-collection-and>>

⁴ United Nations Special Rapporteur on the right to privacy. (2018). *Big data open data taskforce report* (A/73/438), p. 13 < <https://docs.un.org/en/A/73/438>>

⁵ United Nations Special Rapporteur on the right to privacy. (2018), p. 9.

Waitangi, Māori data is more than a resource – it is a taonga.⁶ My evidence suggests that the Crown has been negligent in its duty to actively protect wāhine Māori data as a taonga.

9. To actively protect Māori data as a taonga, the Crown must move with urgency to facilitate and resource Māori data sovereignty and Māori governance over Māori data.⁷ There are existing models, designed by and for Māori, that the Crown can use and implement, including the Māori Data Governance Model (the MDG Model). The MDG Model has been recognised internationally⁸ and domestically⁹ as a best practice model of ethical, values-based, community-centred data governance.

Data gaps on Wāhine Māori

10. It is not within the scope of this evidence brief to provide a comprehensive stocktake of wāhine Māori data and data gaps. The issue of data gaps for wāhine Māori has been well described elsewhere, for example, in relation to the economy and unpaid work¹⁰, incarceration,¹¹ fertility and whānau formation,¹² and leadership.¹³ Dr Annie Te One's report on wāhine Māori access to decision-making roles in the public sector is particularly salient.¹⁴ She states:

“The most challenging part about presenting this data has been a lack of consistent collection of ethnicity data. While there is available data relating to

⁶ Kukutai, T., Campbell-Kamariera, K., Mead, A., Mikaere, K., Moses, C., Whitehead, J. & Cormack, D. (2023). *Māori Data Governance Model*. Te Kāhui Raraunga.

⁷ Te Kāhui Raraunga (2025). Communiqué from Hui Raraunga 2025. Protecting and caring for Māori data as a taonga in a changing census environment. <<https://www.kahuiraraunga.io/nga-hua-i-resources>>

⁸ United Nations Development Programme (2025). Redefining data sovereignty: Māori data governance in the digital age. <<https://istanbulinnovationdays.org/redefining-data-sovereignty-maori-data-governance-in-the-digital-age/>>

⁹ Payments NZ (2024). Māori data governance. <<https://www.apicentre.paymentsnz.co.nz/about/governance/maori-data-governance/>>.

¹⁰ Schultz, H., Reid, A., Dixon, H., McIndoe, C., & Yadav, U. (2024). Te Ōhanga Māori. The Māori women's economy. Ministry for Women and BERL. <<https://www.women.govt.nz/library/te-ohanga-wahine-maori-maori-womens-economy-2024>>

¹¹ Quince, K. (2010). The bottom of the heap? Why Maori women are over-criminalised in New Zealand. *Te Tai Haruru Journal of Māori and Indigenous Issues*, 99 – 128;

¹² Rarere, M. (2024). *Understanding contemporary Māori demographic fertility patterns and trends in Aotearoa New Zealand*. Unpublished PhD thesis, The University of Waikato.

¹³ Te One, A. (2023).

¹⁴ Te One, A. (2023).

women generally, and some approximate data sets relating to Māori generally, wāhine Māori as a specific group have received only minimal attention in more recent years” (p. 83).

“The ability to provide an accurate and comprehensive snapshot of wāhine Māori representation in the public service from 1990 to 2020 timeframe is limited by insufficient data collection specific to wāhine Māori by the Crown. Prior to the 2019 Manatū Wāhine Gender Stocktakes, statistics were often presented by either gender or ethnicity, but rarely combined, thus producing limited data specific to wāhine Māori. This trend is also noted in the previous Chapters 2 and 3, as well as Chapter 5. Limited gender and ethnicity specific data prior to 2019 reflects insufficient monitoring by the Crown, despite the issues associated with the limited database of Māori public servants and insufficient collection and storage of such information being raised as early as 1998” (p. 132).

11. Data gaps on Indigenous Peoples have several causes, most of which can be traced to issues with data collection and data aggregation. In terms of data collection, the issues include: a lack of recognition of Indigenous Peoples in the census and other official data collections (i.e., no Indigenous identifier/s),¹⁵ racial misclassification leading to undercounting and under-representation,¹⁶ poor quality ethnicity data,¹⁷ inconsistent definitions over time and across data collections,¹⁸ and a failure to collect data that accurately capture Indigenous Peoples’ ‘lifeworlds’.¹⁹ Data disaggregation refers to the process of breaking down summary or aggregated data into smaller detailed sub-categories (e.g., Indigenous women). The United Nations Permanent Forum on Indigenous

¹⁵ Peters, E. (2011). Still invisible: Enumeration of Indigenous Peoples in census questionnaires internationally. *Aboriginal Policy Studies*, 1(2), pp. 68-100. <<https://journals.library.ualberta.ca/aps/index.php/aps/article/view/11685>>; Mullane-Ronaki, M. (2017). Indigenising the National Census? A Global Study of the Enumeration of Indigenous Peoples, 1985-2014. Unpublished Master’s thesis. University of Waikato. <<https://researchcommons.waikato.ac.nz/server/api/core/bitstreams/252593ff-afa3-4668-84d3-7b305aa93521/content>>.

¹⁶ Harris, R., Paine, S. J., Atkinson, J., Robson, B., King, P. T., Randle, J., & McLeod, M. (2022). We still don’t count: the under-counting and under-representation of Māori in health and disability sector data. *NZ Med J*, 135(1567), 54-78.

¹⁷ McLeod, M., Harris, R., Curtis, E. T., & Loring, B. (2023). *Considerations for Māori data analyses. A report for Te Aka Whai Ora*. <<https://www.tewhātuora.govt.nz/assets/Publications/Maori-health/Ethnicity-analysis-report-Sept-2023.pdf>>

¹⁸ Madden, R., Coleman, C., Mashford-Pringle, A., & Connolly, M. (2019). Indigenous identification: past, present and a possible future. *Statistical Journal of the IAOS*, 35(1), 23-27.

¹⁹ Walter, M., & Suina, M. (2019). Indigenous data, indigenous methodologies and indigenous data sovereignty. *International journal of social research methodology*, 22(3), 233-243.

Issues (UNPFII) identified data disaggregation for Indigenous Peoples as a “topic of primary importance” more than two decades ago.²⁰

12. In New Zealand, ethnicity and sex/gender are critical public policy variables and are collected across most, if not all, official population statistics. This means that it is possible to identify wāhine Māori as a specific population in most of those datasets. However, when it comes to data disaggregation practices, wāhine Māori are often rendered invisible because data is only disseminated or analysed by ethnicity *or* gender, not both simultaneously.
13. The lack of disaggregated data for wāhine Māori is an ongoing issue across the public sector. The annual stocktake of gender and ethnic diversity on public sector boards and committees illustrates this wider issue.²¹ Stocktake data is available on the Ministry for Women website but is disaggregated by ethnicity *or* gender, not both. If one wants to assess the specific situation of wāhine Māori alone or in relation to a comparator group (e.g., European women, tāne Māori) one must compute the figures from textual descriptions in the report which takes time and expertise, and can only be done at a high-level (i.e., not by public sector portfolio). Similar issues prevail with respect to other datasets evidencing wāhine Māori participation in leadership and decision-making, including in relation to private sector governance²² and the judiciary.²³
14. In addition to poor practice regarding data disaggregation, there are significant gaps in the collection of high-quality, culturally meaningful information that reflects the lived realities of wāhine Māori. As whare tāngata, wāhine Māori are the life force and foundation of te ao Māori. Wāhine Māori are not only the carriers of whakapapa, in a very literal sense, but also the carriers of our

²⁰ Permanent Forum on Indigenous Issues. (2004). Report on the workshop on data collection and disaggregation for Indigenous Peoples. E/C.19/2004/2 <<https://digitallibrary.un.org/record/517063?ln=en&v=pdf>>.

²¹ Manatū Wāhine. Ministry for Women. (2025). *2024 Stocktake of gender and ethnic diversity on public sector boards and committees*. <<https://www.women.govt.nz/library/2024-stocktake-gender-and-ethnic-diversity-public-sector-boards-and-committees-2025>>.

²² Institute of Directors. (2024). *Insights from Māori directors*. <[https://www.iod.org.nz/news/articles/insights-from-maori-directors#/>](https://www.iod.org.nz/news/articles/insights-from-maori-directors#/)

²³ Office of the Chief Justice. (2024). *Chief Justice of New Zealand. Annual Report for the period 1 January 2023 to 31 December 2023*. <<https://www.courtsofnz.govt.nz/assets/7-Publications/2-Reports/20240827-Chief-Justices-Annual-Report-2023.pdf>>

collective identities.²⁴ Beyond the occasional Māori wellbeing survey Te Kupenga – undertaken in 2013 and 2018 – there are few official data sources that attend to these important aspects of wāhine Māori lifeworlds.

15. Some researchers and agencies have made use of linked data in Stats NZ's Integrated Data Infrastructure (IDI) to create bespoke, one-off datasets on wāhine Māori. For example, the Ministry for Women commissioned Business and Economic Research Limited (BERL) to estimate the size and nature of the Māori women's economy using data from the IDI.²⁵ Data used from the IDI are for research purposes, rather than official statistics, and require a moderate to high level of statistical expertise. Such data are generally not published open access and are not widely used outside of government agencies and research institutions such as universities and Public Research Organisations.
16. The intersectionality of wāhine Māori is important. We have the right to be counted and made statistically visible, on our own terms, in ways that are culturally appropriate, that situate us within our wider whānau, hapū and iwi communities, and that are useful for our own kaupapa.

Consequences of poor data practices

17. The way that data is collected, accessed and used reflects the power arrangements in a society.²⁶ Data gaps exist because wāhine Māori – our circumstances, wellbeing and aspirations – are not a matter of priority for the Crown. This statistical invisibility also contributes to a lack of action that contributes to maintaining a marginalised status.
18. The omission of specific data on wāhine Māori can be seen as a form of statistical erasure.²⁷ The most egregious form of statistical erasure occurs when Indigenous Peoples are excluded from official statistics or are counted

²⁴ Kukutai, T. & Rarere, M. (2017). Tribal sex ratios in the New Zealand Population Census: why are women so dominant? *New Zealand Population Review*, 43, 63-92. <<https://www.waikato.ac.nz/assets/Uploads/Research/CaDDANZ/Tribal-sex-ratios-in-the-New-Zealand-Population-Census-why-are-women-so-dominant.pdf>>

²⁵ Schultz, H., Reid, A., Dixon, H., McIndoe, C., & Yadav, U. (2024).

²⁶ Kukutai, T. 2012. Quantum Māori, Māori quantum: Representations of Māori identities in the census, 1857/8-2006, in R. McClean, B. Patterson & D. Swain (eds), *Counting Stories, Moving Ethnicities: Studies from Aotearoa New Zealand* (pp. 27-51). Hamilton: University of Waikato.

²⁷ Echo-Hawk, A., Locklear, S., McNally, S., Baker, L., & Gurule, S. (2025). How should epidemiologists respond to data genocide? *AMA Journal of Ethics*, 27(1), 44-50.

but not explicitly recognised. In a global context this latter form of erasure happens often. Our global study of ethnic classification found that, in the 2010 census round (2005-2014), only 45% of census-taking countries with Indigenous Peoples identified them in the census.²⁸ In New Zealand, wāhine Māori are not statistically erased through data collection practices. Rather, we are rendered invisible through data disaggregation practices, and through a lack of commitment to collecting relevant, culturally informed information. This disregard is detrimental. It undermines the ability to baseline, measure and monitor outcomes for wāhine Māori in ways that are culturally meaningful and actionable, and compromises the ability of decision-makers to justify allocating the resources necessary to address structural inequities.

19. The lack of readily available disaggregated data on wāhine Māori is not a mere technical issue. Rather, it is a human rights issue with material consequences. For several decades the United Nations has stressed the critical importance of data disaggregation for making Indigenous Peoples visible in official statistics, closing the implementation gap on their rights, and holding States to account with regards to their commitments to sustainable development. The UNEMRIP states that the right to data, including with regard to data collection and disaggregation, “constitutes a fundamental human right for Indigenous Peoples.”²⁹ Gender is a key facet of data disaggregation and is crucial in order to “secure the rights of indigenous girls and women.”³⁰ In the context of Aotearoa this means data collected on wāhine Māori needs to be capable of capturing our distinct identities as both wāhine *and* Māori.

The urgent need for Māori data sovereignty and Māori data governance

20. To be clear, I am not advocating for the Crown to collect more data on wāhine Māori, or to disaggregate all its data sets to make wāhine Māori statistically visible and open to anyone. Rather, the Crown must recognise Māori data as a taonga and uphold its duty to actively protect data as a taonga.

²⁸ Explicit recognition means including a question on Indigenous identity in the census (e.g., Indigenous status, descent, language, tribe,) or including the name of an Indigenous People as a response category to a census question on ethnicity, race, descent/ancestry, language group etc. See, Mullane-Ronaki, M. (2017).

²⁹ United Nations Expert Mechanism on the Rights of Indigenous Peoples (2025a).

³⁰ United Nations Expert Mechanism on the Rights of Indigenous Peoples (2025b).

21. In order to actively protect Māori data as a taonga, the Crown must move with urgency to facilitate and resource Māori data sovereignty and Māori data governance.³¹ The UNSRRP asserts that data is a cultural, strategic, and economic resource for Indigenous Peoples and has called on Governments and corporations to recognise Indigenous Peoples' inherent sovereignty over data about them or collected from them.³²
22. Indigenous data sovereignty is a concept that is well recognised among Indigenous Peoples around the world³³, as well as bodies of the United Nations,³⁴ and some national governments.³⁵
23. Māori data sovereignty means the inherent rights and interests that Māori have in relation to the collection, ownership and application of Māori data.³⁶ Māori data refers broadly to digital or digitisable data, information or knowledge (including mātauranga Māori) that is about, from or connected to Māori. It includes data about population, place, culture and environment.³⁷ Only Māori can exercise Māori data sovereignty.
24. Māori data sovereignty is both an expression and an enabler of tino rangatiratanga. Because data sovereignty requires Māori authority over Māori data, it also acts as a safeguard against data harm. Data harm refers to the adverse effects caused by uses of data that damage or set back a person, group, entity or society's interests. It can take many forms and arises from unethical data practices.³⁸ In this context, we are concerned with data harm that is committed against wāhine Māori and their wider whānau, hapū and iwi.

³¹ Te Kāhui Raraunga (2025).

³² United Nations Special Rapporteur on the right to privacy (2018).

³³ Countries with Indigenous data sovereignty networks include New Zealand, Australia, Canada, the United States, Canada, Mexico, Norway, Sweden and Finland, and the concept of Indigenous data sovereignty is used by Indigenous Peoples in all regions of the world.

³⁴ United Nations Expert Mechanism on the Rights of Indigenous Peoples (2025a, 2025b); United Nations Special Rapporteur on the right to privacy (2018).

³⁵ Australian Government (2024). *Framework for governance of Indigenous data. Practical guide for the public service* <<https://www.niaa.gov.au/sites/default/files/documents/2024-05/framework-governance-indigenous-data.pdf>>.

³⁶ See "Māori data sovereignty" as defined in: Kukutai, T., Campbell-Kamariera et al., 2023.

³⁷ See "Māori data" as defined in: Kukutai, T., Campbell-Kamariera et al., 2023.

³⁸ See "Data harm" as defined in: Kukutai, T., Campbell-Kamariera et al., 2023.

25. Statistics can be used to stigmatise and represent wāhine Māori in deficit ways that reinforce stereotypes, prejudice and discrimination. The risks of data harm arising out of collection and use of this data include 'deficit' data analysis and visualisation that stigmatises or blames wāhine Māori.
26. Data collection, use and storage must prioritise the needs of wāhine Māori and our communities – not those of the Crown or its agencies. The fundamental question we must ask ourselves is: kei a wai te mana? To me, the answer is simple: Māori should have authority over our own data. This does not preclude data sharing with the Crown, or non-Māori organisations. But it does require Māori to have authority over what Māori data should be shared, with whom, and on what terms.
27. The case for rangatiratanga over Māori data is more crucial than ever. The Crown has recently announced that it will halt census enumeration and opt instead for linking and repurposing government administrative data, along with targeted surveys.³⁹ For Māori, the decision to abandon census enumeration comes at a critical point in our fight for rights and recognition.⁴⁰ This is particularly apt in the context of this inquiry into the systemic exclusion of wāhine Māori from participating in decisions that directly affect us and our communities.
28. A linked administrative data approach is likely to increase – rather than ease – Māori and iwi data gaps⁴¹, with negative impacts on the implementation of Māori rights.⁴² Unlike census questionnaires, which are subject to a high level of scrutiny and testing, administrative data systems (e.g, health, tax, social welfare) are typically not designed for statistical, let alone census, purposes.⁴³

³⁹ Reti, Hon. S. (2025). Sharpened focus on quality economic, population stats. Beehive, Press Release, 18 June. <<https://www.beehive.govt.nz/release/sharpened-focus-quality-economic-population-stats>>.

⁴⁰ Kukutai, T. (2025a). Census in crisis—further erasure of Indigenous Peoples? *Science* <<https://www.science.org/doi/10.1126/science.aea0932>>.

⁴¹ Stats NZ (2025). *Evaluation of New Zealand's future census options for 2028 and beyond. A report prepared by the Future Census Independent Evaluation Panel.* <<https://www.stats.govt.nz/assets/Uploads/Evaluation-of-New-Zealands-future-census-options-for-2028-and-beyond.pdf>>

⁴² Te Kāhui Raraunga (2025).

⁴³ Kukutai, T. (2025b). Census change: Can we make it work for us? *e-tangata*, 20 July <<https://e-tangata.co.nz/comment-and-analysis/census-change-can-we-make-it-work-for-us/>>.

29. There are also ethical concerns with the Crown’s proposed census transformation. Free, Prior and Informed Consent (FPIC) is a specific collective right that pertains to Indigenous Peoples, allowing them to give or withhold consent to a project that may affect them, their communities and territories.⁴⁴ However, FPIC is almost impossible to uphold in contexts where data is continuously being generated from interactions with government agencies. In this context, wāhine Māori may lack awareness of what data are being generated about us and how such data are being used.
30. In response to the Crown’s announcement to adopt a linked administrative data approach, the Māori data sovereignty network Te Mana Raraunga expressed concerns about the “digital back door” that Stats NZ has built into the lives of New Zealanders and challenged the agency on its claims that it has the “social licence” to link and reuse peoples’ data.⁴⁵ There are also concerns about the risk of data surveillance and the lack of Māori oversight over Māori data.⁴⁶
31. These concerns are significant and highlight the need, and opportunity, to address the inevitable data gaps by building on existing iwi and Māori-led data efforts. The data group of the National Iwi Chairs Forum and its operational arm, Te Kāhui Raraunga, have laid the foundations for a future-focused iwi data system with a successful 2023 Census iwi data collection pilot,⁴⁷ an iwi data platform,⁴⁸ and a sovereign data storage repository.⁴⁹

⁴⁴ UN Food and Agriculture Organisation of the United Nations (2016). *Free, Prior and Informed Consent: An Indigenous Peoples’ right and a good practice for local communities – manual for project practitioners*.

<<https://openknowledge.fao.org/server/api/core/bitstreams/8a4bc655-3cf6-44b5-b6bb-ad2aeede5863/content>>.

⁴⁵ Te Mana Raraunga (2025). New Census plan poses risk to Māori data sovereignty and public trust.

<<https://static1.squarespace.com/static/58e9b10f9de4bb8d1fb5ebbc/t/6892d4a62d970a2b21b323df/1754453158773/Te+Mana+Raraunga+M%C4%81ori+Data+Sovereignty+Network+on+scrapping+the+traditional+Census.pdf>>.

⁴⁶ Greaves, L., Pēpi Tarapa-Dewes, E., West, E. & Renfrew, L. (2025). Scrapping the national census raises data sovereignty and surveillance fears for Māori. *The Conversation*, 19 June. <<https://theconversation.com/scrapping-the-national-census-raises-data-sovereignty-and-surveillance-fears-for-maori-259274>>.

⁴⁷ Paewai, P. (2023). Te Mana Whakatipu sees Māori census participation rates up to 92 percent in pilot rohe, Radio New Zealand, 1 November. <<https://www.rnz.co.nz/news/te-manu-korihī/501473/te-mana-whakatipu-sees-maori-census-participation-rates-up-to-92-percent-in-pilot-rohe>>.

⁴⁸ Te Whata. <<https://tewhata.io/>>.

⁴⁹ Te Pā Tūwatawata. <<https://tepatuwatawata.io/>>.

32. Iwi and Māori-led initiatives are more likely to generate data that is directly relevant to our information needs as Māori, including wāhine Māori. In that sense, recognising Māori data sovereignty can provide a partial solution to addressing data gaps relating to wāhine Māori. Importantly, it will do so in a manner that gives effect to our rangatiratanga and is consistent with our tikanga.

Implementing the Māori Data Governance Model

33. Māori data sovereignty establishes the principle and right to exercise rangatiratanga over our own data. Despite this, the Crown has been reluctant to recognise Māori data sovereignty and implement our rights in a practical and meaningful way. This is likely because Māori data sovereignty necessarily requires Māori data governance – which is a direct challenge to the way power is currently exercised over our data.
34. Te Kāhui Raraunga has published the Māori Data Governance Model – which provides an alternative Māori-led framework for all stages of Māori data handling.⁵⁰ Māori data governance refers to the principles, structures, accountability mechanisms, legal instruments and policies through which Māori exercise control over Māori data.⁵¹ Māori data sovereignty thus establishes the principle and right, while governance provides the practical framework for implementing those rights.
35. Māori data governance is essential for the development of a trustworthy data system. There are existing models, designed by and for Māori, that the Crown can use and implement. The MDG Model has been recognised internationally and domestically as a best practice model of ethical, values-based, community-centred data governance. Indeed, Te Kāhui Raraunga and other rōpū, including iwi trust boards, have called on the Crown to:
- (a) fully implement the MDG model immediately and in a meaningful and transparent way;
 - (b) recognise that Iwi-Māori data should be under the control of Iwi-Māori;

⁵⁰ Kukutai, T., Campbell-Kamariera et al., 2023.

⁵¹ See “Māori data governance” as defined in Kukutai, T., Campbell-Kamariera et al., 2023.

- (c) explore options for Māori-led collection, storage and use of Māori descent and iwi affiliation data; and
 - (d) prioritise mana motuhaka data solutions.⁵²
36. The vision and goal of the MDG model is *Tuia te korowai o Hine-Raraunga* – data for self-determination – to enable iwi, hapū and Māori organisations, businesses and communities to pursue their own goals for cultural, social, economic and environmental wellbeing to address inequities.⁵³
37. The model includes the following eight pou:
- (a) **Data capacities and workforce development:** The successful implementation of a Tiriti-led government data system requires investing in data and digital capacities and capabilities. Agencies should implement anti-racist data practices and invest strategically in Māori data and digital expertise and leadership.⁵⁴
 - (b) **Data infrastructure:** Data infrastructure must be fit for Māori purposes, rather than continuing to be solely orientated to meeting agencies' priorities. Centralisation is a common feature of data infrastructure and trust for holding large repositories of data is declining due to the way it centralises power. A Mana Motuhake system of distributed and decentralised data provides options for securely housing data, thereby supporting Māori to achieve their self-defined aspirations.⁵⁵
 - (c) **Data collection:** Agencies undertake data collection in ways that are often extractive, narrowly focused on agency agendas and/or result in inadequate benefits for those providing data. A Tiriti-led approach supports the prioritisation of Māori data needs, setting a clear purpose for why data should be collected and what it will be used for, and data collection practices that uphold people's dignity (which, at a minimum, includes FPIC).⁵⁶

⁵² Te Kāhui Raraunga (2025).

⁵³ Kukutai, T., Campbell-Kamariera et al., 2023, p. 23.

⁵⁴ Kukutai, T., Campbell-Kamariera et al., 2023, pp. 23-26.

⁵⁵ Kukutai, T., Campbell-Kamariera et al., 2023, pp. 27-29.

⁵⁶ Kukutai, T., Campbell-Kamariera et al., 2023, pp. 30-32.

- (d) **Data protection:** Privacy, security, and Māori authority over Māori data are the main tenets of Tiriti-led data protection. The impacts of colonisation are intergenerational and continue to affect individuals, whānau, hapori, hapū and iwi, and it is these impacts that contribute to mistrust of government agencies, institutions and agendas.⁵⁷
- (e) **Data access, sharing and repatriation:** Data access, sharing and repatriation is about creating relationships of reciprocity and trust, and invoking rules for what data can be shared, by whom, and under what conditions. There must be a clear and demonstrable link between access to and use of Māori data, and the fair and equitable sharing of benefits with Māori communities.⁵⁸
- (f) **Data use and reuse:** Using data well requires agencies to address issues of consent (that includes collective and individual consent). Māori research questions and analysis priorities should be the focus of data use and reuse. This includes instances where algorithms are used – Māori should have the right to interrogate and influence data practices and processes that affect them, including “colonising inherencies” present in any operational algorithms.⁵⁹
- (g) **Data quality and system integrity:** Achieving high-quality Māori data depends on developing and applying Māori-defined data standards, monitoring the quality of Māori data, and requires agencies to be held accountable for providing culturally safe governance of Māori data;⁶⁰ and
- (h) **Data classification:** A Māori data classification framework is urgently needed. For example, it is critical to know which data:⁶¹
 - (i) should be classified as Māori data;

⁵⁷ Kukutai, T., Campbell-Kamariera et al., 2023, pp. 33-37.

⁵⁸ Kukutai, T., Campbell-Kamariera et al., 2023, pp. 38-42.

⁵⁹ Kukutai, T., Campbell-Kamariera et al., 2023, pp. 43-47, citing: Brown, P. & Wilson, D. (2022). He Kokonga Hātepe: A framework for challenging colonising inherencies in algorithmic system. Presentation at International Indigenous Research Conference.

⁶⁰ Kukutai, T., Campbell-Kamariera et al., 2023, pp. 48-50.

⁶¹ Kukutai, T., Campbell-Kamariera et al., 2023, pp. 51-53.

- (ii) is of special significance to specific Māori collectives, in particular iwi and hapū as Tiriti partners (such as iwi affiliation, whakapapa and mātauranga);
 - (iii) requires special legal or extra-legal protections; or
 - (iv) is sensitive because, if disclosed or misused, has a greater risk of resulting in harm, regardless of intent.
38. A rōpū of wāhine Māori researchers (including myself) have applied the MDG model to Māori health data.⁶² As part of this research, a Māori health data governance planning and protocol checklist was developed using the model, with guidance questions aligned with from the Wai 2575 Health Services and Outcomes Kaupapa Inquiry.⁶³ An audit tool based on the MDG Model was also developed for a Ministry of Health assessment of the COVID-19 Tracer App.⁶⁴ There are ample tools and guidance for the Crown to give effect to the MDG Model – there are no valid reasons *not* to do so. It is interesting to note that Payments NZ, which was established with support from the Reserve Bank to govern New Zealand’s core payments systems – has adapted the MDG Model for its own purposes, stating that “Māori data governance is a more respectful approach to data governance, and its application has benefits to all.”⁶⁵
39. Implementation of the MDG model will require considerable resourcing, including infrastructure investment and workforce development, to be feasible and sustainable. In that respect, the Crown has a role to play in facilitating rangatiratanga over data. Whether the Crown will be prepared to divert some

⁶² Kremer, L., Crengle, S., Bartholomew, K., & Kukutai, T. (2025). The Māori Health Data Governance Model: A planning and protocol checklist. [First Nations Health and Wellbeing-The Lowitja Journal, 3, 100074.](#)

⁶³ Kremer et al., 2025.

⁶⁴ Sterling, R., Kukutai, T., Chambers, T., & Chen, A. 2024. A Māori Data Governance Assessment of the NZ Covid Tracer App. *Discover Social Science and Health*. <https://doi.org/10.1007/s44155-024-00092-2>.

⁶⁵ Payments NZ (2024).

of the cost-savings from census transformation to relocate into more decentralised, community-centred Māori data collection remains to be seen.

DATED this 3rd day of Tīhema 2025

A handwritten signature in blue ink, appearing to be 'Tahu Kukutai', written in a cursive style.

Tahu Kukutai