



THE OFFICE FOR MĀORI CROWN RELATIONS

Takutai Moana Financial Assistance Scheme Consultation Hui

Date: 12 February 2025

Time: 12:00pm – 1:00pm

Location: Online

This was the third of four consultation hui on the Takutai Moana Financial Assistance Scheme (FAS). The hui serve as an opportunity to discuss the proposed changes to the FAS.

The following is a summary of feedback received during the second hui, arranged by themes.

Note that questions asked during the hui have been collated in a Frequently Asked Questions document, which is available [here](#).

Budgeted Workplan and Milestone Funding

- Support was indicated for the proposal to move to milestone funding that made funding available to applicants in advance. One proposal was that this might be managed through solicitor trust accounts due to their high levels of moderation.

Legal Funding

- It was noted that in previous hui attendees had raised that the caps on legal fees were not considered sufficient, especially for senior counsel and King's counsel. This point was reiterated.

Allocation of funding

- As with previous hui, the concern was raised that groups have aging kaumatua who are integral to the collection of research and evidence. Applicants would like to see this taken into consideration when deciding the prioritisation of criteria.
- A concern was raised by attendees that groups may not be prioritised for funding without a hearing date, but they cannot make progress towards being ready for a hearing without the funding to do so. Given the lengthy preparation timeframes, using confirmation of a hearing date as the basis for funding was raised as problematic. It was also noted that Legal Aid does not use confirmed hearing dates as a criteria in allocating funding.
- It was requested by attendees that Te Arawhiti share the information about which areas are being prioritised with applicants (via publication on the Te Arawhiti website or similar), to ensure clarity and transparency in the process. This should include the upcoming hearing schedule as understood by Te Arawhiti, so anything missing can be raised by applicants/counsel.
- It was submitted by an attendee that groups in the same coastal area should receive funding equitably, and that all groups in that area receive necessary funding or that none of them do.

Existing settings and systemic issues

- It was submitted by an attendee that some of the settings around disbursements should be reconsidered, such as caps on meals and accommodation expenses. A per diem (daily allowance) was suggested to make it easier to manage for applicants/counsel and Te Arawhiti.
- It was requested that counsel be permitted to facilitate the collection of tangata whenua evidence, as has been done in the past. The counsel who raised this said they find this preferable.
- It was requested that the role of legal counsel in the Recognition stage process be more clearly identified in the funding policy. One counsel noted that activities such as forming a trust rely heavily on legal processes so these activities are best managed by counsel rather than project managers.
- It was noted that the escalation process for contesting the assessment of funding requests to Te Arawhiti is not included in the policy documents. Te Arawhiti noted this information is on the Te Arawhiti website but also noted the request to include it in the policy documentation as well.
- It was submitted that the Recognition milestone activities should include hui between the overlapping groups in the event of shared title, as these hui are seen as key to ensuring clarity between parties on how the administration of the title will work. Te Arawhiti proposed that Collaboration funding might be available for some of these activities in the case that the costs cannot be easily and fairly split.