

Immediate Release  
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## Crown failing Māori in disability system, Tribunal finds

*New disability findings reinforce Lady Tureiti Moxon's call for a system designed and delivered with tāngata whaikaha Māori.*

Four Waitangi Tribunal reports have now built a compelling body of evidence about the failure of Crown systems to properly recognise Māori needs, Māori models of care and Māori authority and the latest report on disability makes the case for change even more clearly.

Lady Tureiti Moxon says the findings of '*HAUWHAIKAHA Disability System Report*', released today as part of the Health Services and Outcomes Kaupapa Inquiry (WAI 2575), provide a clear challenge to the Crown that tāngata whaikaha Māori must have genuine power in the design, delivery and monitoring of the disability system.

The Tribunal finds that the Crown does not meaningfully incorporate Māori approaches to disability and does not adequately provide for the tino rangatiratanga and mana motuhake of Māori disabled people.

"Four reports have now told us information that the Crown should already know. Māori cannot be expected to thrive in systems that are designed, delivered and monitored without us," Lady Tureiti Moxon, Chair of the national Urban Māori Authority and Managing Director of Te Kohao Health said.<sup>1</sup>

"This report is particularly important because it goes to the heart of the disability system. It says clearly that tāngata whaikaha Māori need to be part of the design and the delivery of the system that supports them."

The Tribunal recommends that the Crown establish viable partnership models with tāngata whaikaha Māori, including a co-design process beginning with claimants, and establish the structures and services necessary to deliver "by Māori, for Māori".

It also recommends that tāngata whaikaha Māori participate in the design and delivery of the disability system and that appropriate mechanisms be established to replace the monitoring role previously provided by Te Aka Whai Ora.

Lady Tureiti says the Tribunal's recommendation regarding Te Aka Whai Ora is significant.

"It recognises the importance of the monitoring function of Te Aka Whai Ora and that function must be replaced. However the Crown chooses to do it, there must be independent mechanisms that can monitor whether Māori are actually getting better outcomes."

The report directly reflects evidence presented in her claim. One of the key issues identified was the fragmentation of home support, with services spread across multiple agencies and organisations, including the Ministry of Health, Te Whatu Ora, Whaikaha, MSD and ACC.

The claim demonstrated how difficult this complexity can make it for Māori to understand, access and navigate support particularly when they want to receive care from a kaupapa Māori provider.

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<sup>1</sup> Four Reports: [Hauora Report](#) [Health Services and Outcomes Kaupapa Inquiry WAI 2575], [Haumaruru Report](#) [The COVID Priority Report], [Hautupua Report](#) [Te Aka Whai Ora (Māori Health Authority) Priority Report, Part 1] and [Hauwhaika Report](#) [Disability System] (attached)

“Whānau should not have to become experts in navigating the machinery of government just to get the support they need to live independently,” she said.

“When services are fragmented across agencies, and when Māori providers are difficult to access or are not properly funded, the choice being offered to whānau is not meaningful choice.”

The Tribunal also considered evidence about the shortage of kaupapa Māori disability providers and the funding and contractual barriers they face.

The claimants argued that kaupapa Māori providers are recognised as providing culturally competent, high-quality care, yet the Crown has not adequately supported their growth.

The Hauwhaikaha Report recommends that funding is directly made available to tāngata whaikaha Māori to properly account for deprivation, rurality, access and cultural care needs.

“If the Crown is serious about choice, it has to fund the choices. Māori disabled people should be able to choose kaupapa Māori services without having to fight their way through a fragmented system to get there,” Moxon said.

The Waitangi Tribunal recommends genuine partnership with tāngata whaikaha Māori, tangata whenua participation in disability system design and delivery, independent monitoring, better data and stronger accountability.

“This is not about another consultation exercise. Māori need to be in the room when the decisions are made, when services are designed, when they are delivered and when the Crown is held accountable for the results.”

Another systemic factor identified significant gaps in data about tāngata whaikaha Māori, limiting the Crown’s ability to understand their needs, plan services, allocate resources and measure outcomes.

“You cannot fix what you cannot see. If the Crown does not have robust data about Māori disabled people and their experiences, how can it know whether the system is working?”

The Tribunal considered evidence relating to ACC and home and community support services. It recorded the evidence presented by the Moxon claimants, including concerns about Māori access to Māori providers.

However, the Tribunal concluded that it did not have sufficient evidence to make wider findings about inequities in ACC services. Lady Tureiti says that does not diminish the importance of the evidence that was heard.

“Our evidence is in the record. The experiences of our claimants, our providers and our witnesses are there for anyone who wants to understand what Māori disabled people and their whānau are experiencing.”

“The lesson from this part of the report is also clear: we need much better data and monitoring across the disability system so that inequities cannot simply remain invisible.”

The Tribunal has made recommendations spanning partnership, accountability, workforce, data, funding and service availability. It has also addressed the specific experiences and needs of Kāpō Māori (blind), Tāngata Turi (deaf) and people affected by fetal alcohol spectrum disorder (FASD).

“Tāngata whaikaha Māori have the right to live with dignity, independence, safety and connection to their whānau and community.”

“The question is no longer whether the Crown knows there is a problem. The question is whether it is prepared to share power and actually fix it,” said Lady Tureiti. ENDS

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