



# **Understanding the barriers and drivers for Māori to undertake succession to ownership of Māori Land**

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## I. Executive Summary

This report focuses on understanding the barriers and drivers for Māori to undertake succession through the Māori Land Court (MLC) to become owners of Māori freehold or customary land (Māori land).

Based on a survey developed out of exploratory workshops held with staff at Te Tumu Paeroa and the Māori Land Court, and *rangatahi*, a series of hypotheses were tested to measure how well the succession process is understood by owners of Māori land and what factors influence whether succession will take place. The alignment between concepts that underpin *Whānau Ora* and the drivers for *whānau* undertaking succession was also tested. Finally, the research explored how long it takes for *whānau* to be ready to apply for succession, and the preparations they make in advance for the land to pass to the next generation.

Based on the findings of this research, it recommends developing the pockets of expertise within *whānau* into a network of highly knowledgeable succession experts who can support succession applications; focusing on increasing trust, equalising control, and reducing risk in the partnership between *whānau* and the MLC during the application process; and greater alignment between the succession processes and *Whānau Ora* concepts in order to reduce the barriers and promote the drivers that enable the legal connection to the *whenua* to be maintained from generation to generation.

## II. Acknowledgements

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***Whāia te iti kahurangi, ki te tuohu koe me maunga teitei***

### III. Use of Te Reo Māori

*Te Reo Māori* has been used in the primary research that was undertaken and in the text of this report. Māori words are indicated with the use of *italics*. A glossary of terms is included in table 1 below.

#### Glossary of terms

Māori word or term	Definition
<b><i>Hapū</i></b>	Subtribe, multiple <i>whānau</i> with a common ancestor
<b><i>Kanohi ki te kanohi</i></b>	Face to face
<b><i>Kaumātua</i></b>	Elder
<b><i>Korowai</i></b>	Cloak
<b><i>Mahi</i></b>	Work
<b><i>Mana</i></b>	Authority, status, influence, charisma
<b><i>Mātauranga</i></b>	Knowledge, wisdom
<b><i>Ngākaupono</i></b>	Honesty, good faith
<b><i>Pakehā</i></b>	New Zealander of European descent
<b><i>Pānui</i></b>	Announcement, public notice
<b><i>Pūtea</i></b>	Fund, finance, sum of money
<b><i>Rangatahi</i></b>	Younger generation
<b><i>Raruraru</i></b>	Conflict, trouble, difficulty
<b><i>Rohe</i></b>	Territory, district, region
<b><i>Tangata whenua</i></b>	Local people
<b><i>Taonga tuku iho</i></b>	Treasure to be handed down
<b><i>Te ao Māori</i></b>	The Māori world
<b><i>Tino rangitiratanga</i></b>	Self-determination
<b><i>Tipuna</i></b>	Ancestors
<b><i>Tūrangawaewae</i></b>	Where someone has a right to stand, to reside
<b><i>Wahi tapu</i></b>	Sacred sites
<b><i>Whakapapa</i></b>	Genealogy, lineage
<b><i>Whānau</i></b>	Family group, extended family
<b><i>Whānau Ora</i></b>	A policy approach to increasing the wellbeing of individuals in the context of wider family wellbeing outcomes
<b><i>Whāngai</i></b>	Foster or adopted child under customary practice
<b><i>Whenua</i></b>	Land

Table 1. Glossary of Māori terms

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## 1. Introduction

This report focuses on understanding the barriers and drivers for Māori to undertake succession to ownership of Māori freehold and customary land (Māori land). Succession is the process undertaken to transfer shares in Māori land when an owner dies. Who can succeed to ownership is established in Te Ture Whenua Māori Act 1993 and there are legal limitations about who can succeed to ensure that ownership is retained by people who *whakapapa* to the land. The Māori Land Court (MLC) is the judicial forum that makes decisions about ownership of Māori land according to the Act. But it is estimated that between 400,000 and 1.5 million ownership interests in Māori land are held by people who are deceased. These ownerships have not yet been succeeded to through the MLC.

The central research question asks why succession to Māori Land does not take place, with the aim to understand the forces that influence whether someone will undertake the succession process through the MLC.

Succession, as transactional function of the MLC, is a process undertaken by partners to the Treaty of Waitangi, and so it is expected that the principles of the Treaty would underpin how the process is administered. This research aims to understand the influence of the dynamics between *whānau* and the Crown as partners during succession process, and to measure the impact of factors that act as barriers or drivers for Māori when it comes to succession.

Thus, in order to understand these factors, the following hypotheses are tested:

1. The succession process is not well understood by owners of Māori land.
2. The lack of trust, fear of losing control, and risks connected to the intimidating court process and *raruraru* within the *whānau*, means that succession does not take place.
3. The concepts that underpin *Whānau Ora* can be identified as drivers for undertaking succession.
4. After a person dies, it takes over a year for *whānau* to be ready to apply for succession.
5. No preparations are made in advance for the land to pass to the next generation.

The hypotheses are tested using an online survey conducted between 13 August and 28 September 2018 with 302 people with a connection to Māori land. The hypotheses and survey were developed based on findings from exploratory workshops held with two organisations that have an interest in succession, and a third workshop held with *rangatahi*. The survey aimed to test the validity of the barriers and drivers for Māori to undertake succession that were identified in the workshops in order to shape future practice. Ultimately, the research is designed to understand how the legal connection with Māori land between Māori land owners and the next generation can be maintained.

This report will inform the development of a series of action research projects being undertaken by Te Tumu Paeroa and a number of individual Māori land trusts. These action research projects aim to develop practical approaches to reducing the barriers and exploiting the drivers of succession so more generations of Māori are able to maintain their legal connection with their *whenua*.

The findings contained in this report will also be of particular interest to Te Puni Kōkiri to inform the development of Māori land services, and any future reform of Te Ture Whenua Māori legislation. The research will also support the Ministry of Justice and the MLC in their administration of succession applications and delivery of the services they provide. Finally, the report will contribute to Te Tumu Paeroa and the Māori Trustee in the delivery of core trustee duties as set out in the Māori Trustee Act 1953, Te Ture Whenua Maori Act 1993, and the Trustee Act 1956.

## **1.1. Research project context**

In the late 19<sup>th</sup> and early 20<sup>th</sup> century, Māori people lost control of significant tracks of their *whenua*. Through a series of Acts (New Zealand Settlements Act 1863, Native Lands Act 1865, Native Land Act 1873), collectively owned Māori customary land was systematically ‘individualised’ to break down group ownership (Kingi, 2008; Ambler 2008; Hooper & Kearins, 2008) and undermine tribal authority (Ministry for Culture and Heritage, 2016). The process, while trying to take into account Māori custom, did so clumsily (McHugh, 1979), and the result was acquisition of Māori land by the Crown.

In 1993, Te Ture Whenua Māori Act was established to reform the laws that relate to Māori land. The purpose of this new Act was to promote retention of the land in the hands of the owners, their *whānau* and *hapū*. However, there is a lack of consensus on whether or not Te Ture Whenua Māori Act 1993 provides for succession of land from deceased Māori owners to their *whānau*. Te Aho (2006) claims that the impact of the native land laws that have alienated Māori from their *whenua* is still evident in current legislation. In contrast, Judge Ambler (2008) stated that the current Act (Te Ture Whenua Māori Act 1993) provides for a straightforward and inexpensive succession process. However, MLC Chief Judge W Isaac (2011) stated that anecdotal evidence indicates that half of the approximately 2.3 million ownership interests in Māori land are held by people who are deceased. The lack of succession to ownership suggests that there is misalignment between how Māori land ownership is administered through a highly transactional legal process and what Māori who are connected to *whenua* need from Crown services established to protect land owners' interests.

Te Ture Whenua Maori Act 1993 recognises that land is *taonga tuku iho*, a treasure to be handed down, and that it has special significance for Māori people (Ruru, 2014). The significance of land to Māori means that motivation to stay connected, protect, and pass on their *whenua* to the next generation goes beyond financial returns. Thus, the lack of succession suggests that a barrier for Māori is the legal process for passing shares from one generation to the next, rather than a lack of desire on the part of owners to retain and maintain a connection to land.

## 1.2. The role of Te Tumu Paeroa in succession

Te Tumu Paeroa is the largest single administrator of Māori freehold land, providing trustee services for around 1,800 trusts on behalf of over 90,000 beneficial owners. It manages around seven percent of all remaining Māori freehold and customary Land, a legal status of land collectively owned according to *tikanga Māori*. Therefore, Te Tumu Paeroa is in a particularly strong position to support succession.

Te Tumu Paeroa has a funding agreement with the Crown to support owners to be more connected to their *whenua*. However, the organisation only deals with legal owners who have succeeded to ownership through the MLC.

This is worth noting because of the significant role in wellbeing *whenua* has within the Māori worldview (Ngaruru, 2008). Because of this significance, I argue that Te Tumu Paeroa has a role that goes beyond land administration. Te Tumu Paeroa is also engaged in delivering *Whānau Ora* outcomes and bridging Māori and non-Maori environments. Indeed, Te Tumu Paeroa Outcomes Framework [Appendix 1] reflects a number of *Whānau Ora* outcomes including supporting Māori land owners to be self-managing, participate fully in governance decisions and managing their own enterprises, achieve economic returns, and be responsible stewards to their living and natural environment.

Over 17,000 (18 percent) of the beneficial owners of land administered by Te Tumu Paeroa are marked as deceased (Māori Trustee Annual Report 2017). Based on the ownership data held by Te Tumu Paeroa, and the anecdotal evidence put forward by Judge Isaac, we can estimate that between 400,000 and 1.5 million ownership interests in Māori land have not been succeeded to through the MLC.

For Te Tumu Paeroa, there are a number of benefits to the organisation in supporting succession. These benefits directly link to Te Tumu Paeroa Outcomes Framework.

1. Relationship building: Creating a positive first experience with the organisation for future owners
2. Relationship maintaining: Empowering people to formalise their connection with their *whenua*
3. Process and systems improvements: Te Tumu Paeroa currently holds \$24 million in unclaimed monies, much of which is in accounts of clients who have been marked as deceased. It also receives a high number of enquiries about succession.

In October 2017, Te Tumu Paeroa evaluated the work of its MLC Orders Processing Team and the perceived issues they have in processing Court Orders efficiently. The investigation highlighted the understanding of the succession process by *whānau* and future owners as an area where changes would improve both internal and external satisfaction.

### 1.3. Understanding why succession does not take place

#### 1.3.1. Exploratory workshops held by Te Tumu Paeroa

To identify the reasons why succession does and does not take place, Te Tumu Paeroa conducted a workshop on 13 March 2018 with seven staff members involved in communicating with land owners, maintaining the register of owners, and processing MLC succession orders. The workshop, led by the Manager of Communications and the Registry Manager, used a design thinking approach to define the problem, identify potential barriers and drivers for succession, and prototype ideas for how to reduce the barriers and exploit the drivers.

A second workshop, held with six MLC staff on 3 May 2018, identified a number of perceived process and policy barriers, as well as technological factors, and personal characteristics, circumstances, emotions and attitudes, for why succession does not take place. Finally, a third workshop was held on 18 July 2018 with 12 *rangatahi* to explore their knowledge, feelings and attitudes linked to Māori land.

#### 1.3.2. How the information was captured

Using Ishikawa Diagrams, the workshop participants identified potential causes of the problem of people not succeeding to ownership of Māori land. These causes were categorised under the themes of processes, people, policy, and technology [Appendix 2]. Using a Silent Conversation technique, Te Tumu Paeroa captured an extensive list of skills, knowledge and personal characteristics that are drivers for succession [Appendix 3].

#### 1.3.3. Workshop findings

From the workshops, a number of barriers that impede succession were identified. These can be broadly categorised as:

1. a lack of clear, accessible information and services for people undertaking the succession process;
2. ambiguity about who is responsible to managing the process;
3. the personal circumstances of individuals; and
4. the conflict between court and legal processes and *te ao Māori*.

*Rangatahi* also identified the reluctance for *kaumātua* to include younger generations in decision-making and discussions about Māori land, policies within

the *whānau*, and a perception that current land owners might fear *rangatahi* don't feel the same way as they do about the land.

The main drivers identified in the exploratory workshops with Te Tumu Paeroa and MLC staff, and *rangatahi* can be categorised as:

1. strong emotions and a desire have a connection to *whenua* and to protect it for future generations;
2. ability to navigate the through a complicated legal process;
3. knowledge about the entitlement to be an owner of Māori land; and
4. the authority to act on behalf of *whānau* and a sense of personal responsibility

At the end of the design thinking workshops, participants created prototypes for how to improve the rate of succession. One key insight from this activity was how the participant groups perceived the problem they were working to address:

- Te Tumu Paeroa staff developed prototypes that focused on increasing communications channels and information about how succession happens;
- MLC staff saw their role as transactional and developed prototypes that encouraged applications; and
- *rangatahi* focused on sharing information about *whakapapa* and encouraging participation through communal celebratory activities.

Succession is complex, and although the MLC process is transactional, for those who have a connection to Māori land it is personal and emotional.

Succession involves multiple organisations and people. For the legal connection to Māori land to be retained and maintained across generations, the relationship between partners involved in the process and the unique environment in which it takes place, need to be understood and managed to achieve better outcomes.

"I was in grief. I couldn't look at my mother's name on everything. It reminded me that the reason I was doing the process was because she had died."

- Survey respondent

## 2. Māori and succession to land ownership: A literature review

There is a lack of significant literature exploring Māori attitudes towards land succession. However, by understanding tension between *te ao Māori* and succession, learning from research into developing partnerships between Māori and non-Māori organisations, and applying the concept of *Whānau Ora* we can gain some insight into how barriers and drivers identified in exploratory workshops influence succession.

### 2.1. The tension between *te ao Māori* and succession

*Tino rangatiratanga* for Māori to have freedom to control their own destinies (David, 2000), and be responsible for developing policy and for their own affairs (Durie, 1995), is a central tenet in the Treaty of Waitangi (Walker, 2007). *Tino rangatiratanga* has characterised Māori political thought for nearly 200 years (O'Sullivan, 2008). However, land legislation has been aimed at undermining Māori customs, values, and systems of land tenure (Byrnes & Ritter, 2008).

The Native Lands Act 1862 established into law that land holdings of 5,000 acres or less could have no more than 10 recorded owners. The effect of this was an erosion of Māori culture and customs. Furthermore, this legislation failed to make a specific reference to succession. The purpose of this omission was not to encourage self-determination but, more likely, because legislators assumed ordinary laws relating to wills and intestacies (Walker, 2007) would govern succession.

The preamble to the Native Lands Act 1865, which established the Native (now Māori) Land Court, states the purpose of the legislation was to regulate the descent of the lands the Court investigates (Walker, 2007). While the Court had a role in protecting Māori ownership of land by investigating the title to customary land (Hanghey, 1974), its main objective, was to 'encourage the extinction of (native) proprietary customs' (Bourassa & Strong, 2002; Kingi, 2008). The Native Land Court became the body responsible for determining title to land (Bourassa & Strong, 2002).

There is a clear conflict between *te ao Māori* and succession law. Hohepa (1996) notes that Māori concepts have been forced to fit into legal precepts, but also recognises the need for Māori to create definitions of Māori concepts for

legal purposes to avoid the concepts being defined detrimentally by others. McHugh (1979) stated that cultural rub-off means that some *pākeha* elements have integrated into the Māori concept of land. Hepburn (2007) argues that Māori customary title sits outside of the inherited framework of New Zealand's land law. While attempts have been made to incorporate Māori customary title into legislation, the reality is that it has been difficult to put this into practice.

The result of this process is that our current succession legislation fails to recognise Māori self-determination. New Zealand's existing systems for recognising Māori land owners, and processes for making decisions about Māori land, are cumbersome, and expensive (Kingi, 2018), and incompatible with Māori customs and practices. This has created a potentially significant barrier for Māori who are legally entitled to succeed to land interests.

## **2.2. Learning from partnerships between Māori and non-Māori organisations**

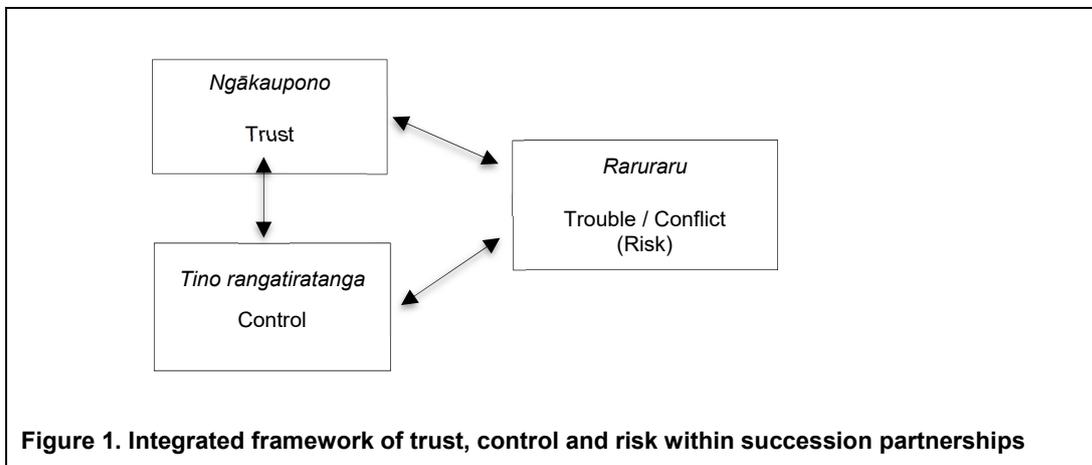
Another area of literature that provides insight into succession is research conducted by Walker (2007) into partnerships between Māori and non-Māori community organisations, and the development of strategies to support trust, reduce risk, and equalise control between the partners. Walker (2007) developed an integrated framework for trans-cultural partnership, based on the strategic alliances framework of Das and Teng (2001). The adapted framework (Figure 1) shows the interplay of the dynamics within a partnership between *whānau* and the MLC.

This integrated framework provides insight into how a strategic alliance between partners is maintained throughout the succession application process. It sets out how trust, control and risk interact on the partnership's ability to be effective in achieving a mutual outcome.

Within the integrated framework of trust, control and risk in succession partnerships, *ngākaupono* is composed of two components: goodwill trust and competence trust. Goodwill trust is reflected in the maintenance of positive expectations between partners throughout the process, while competence trust links to the resources and skills the partners need in order to be able to fulfil their roles.

*Tino rangatiratanga* is a function of control. In the context of succession, it is connected to how the behaviour of applicants is controlled through the MLC policies and processes, and the value the partners place on the outputs from the partnership.

*Raruraru* is linked to both relational risk, which is described as unsatisfactory cooperation; and performance risk, which is connected to changing relationships and policies acting as barriers. This includes the extent to which the MLC process aligns with the realities of *whānau* applicants. For example, an intimidating process, information that is hard to understand, and applicants' feelings about the process are associated with *raruraru*.



The framework shows how changes to functions and processes in one dynamic can impact positively or negatively on other parts of the system.

For example, by focussing on *tino rangatiratanga* in the case of succession, the value the MLC places on the process is functional, primarily focussed on processing applications. For *whānau*, succession is social and emotional. This suggests there is a lack of alignment between the output from the transactional interaction with the MLC with the emotional and social needs of the applicants. This imbalance of *tino rangatiratanga* is a mechanism of output control and influences both *ngākaupono* (reduction of goodwill between partners) and *raruraru* (increasing the likelihood of unsatisfactory cooperation), limiting the effectiveness of the partnership.

In this framework, the most effective partnership is one where *whānau* and the MLC share goodwill trust, and all partners are resourced in order to fulfil their roles. It is a partnership where *whānau* are able to express *tino rangatiratanga* through balanced control in how succession happens, and

cooperation is inherent in the relationship between *whānau* and the MLC as they work together towards the shared outcome of retaining and maintaining the connection to Māori land from generation to generation.

### **2.3. The wellbeing of the extended family to understand succession forces**

In *te ao Māori*, people are connected to the natural world and *whenua* through *whakapapa*, and the wellbeing of the individual is connected with the health of whole (Kidd, Gibbons & Kara, 2013; Whaanga & Wehi, 2017). The concept of *Whānau Ora* is well-used in policy setting, and it has been widely adopted as a practice model and approach to public sector service delivery. It has been described as a philosophy and an outcome in its own right (Boulton & Gifford, 2014; Magallanes, 2011).

*Whānau Ora* describes a *whānau*-centred holistic approach to individual wellbeing. Because Māori land ownership is largely *whānau* and *hapū* based, and generally, succession is a collective experience, the concept of *Whānau Ora* provides insights into understanding barriers and drivers, and strategies that can improve outcomes for Māori when engaging with the MLC. Because *Whānau Ora* is well understood in policy it is expected that there will be alignment between the MLC succession policies and processes and *Whānau Ora* outcomes.

Using *Te Korowai* framework (Kara, Gibbons, Kidd, Blundell, Turner & Johnstone, 2011) and *Whānau Ora* outcomes (Te Puni Kōkiri, n.d.), the environment in which succession takes place can be better understood. These broadly align to the themes that emerged from the exploratory workshops held by Te Tumu Paeroa (table 2).

<b><i>Te Korowai</i></b>	<b><i>Whanau Ora Outcomes</i></b>	<b>Emergent themes from exploratory workshops</b>
Completed <i>korowai</i> Self-determination and safety	Self-managing	Protection and self-determination
<i>Here</i> (cord) Empowerment	Participating fully in society	Entitlement, knowledge and personal-capabilities
<i>Taniko ki runga</i> (top border) Health and wellbeing	Living healthy lifestyles	Emotions and feelings
<i>Aho</i> (horizontal strands) Guiding values	Confidently participating in <i>te ao Māori</i>	Legacy and history
<i>Rārangī hurihuri</i> (feathers) Support across communities	Economically secure and successfully involved in wealth creation	Economic outcomes and engagement with the MLC
	Cohesive, resilient and nurturing	Obligation and <i>ngākaupono</i>
<i>Whenua</i> (vertical strands) Relationships	Responsible stewards to their living and natural environment.	<i>Taonga tuku iho</i> and connection

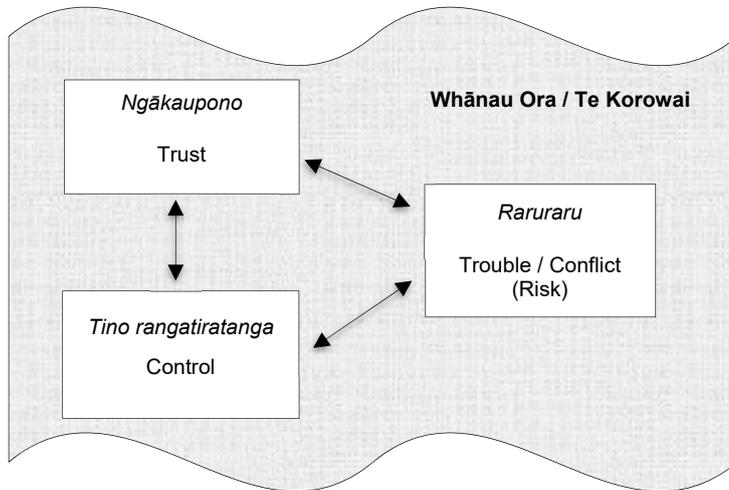
**Table 2. Te Korowai framework, Whanau Ora outcomes and workshops held by Te Tumu Paeroa**

## **2.4. A conceptual framework for understanding succession**

A conceptual framework for understanding the complexity of the environment in which succession takes place can provide valuable insight into the *Whānau Ora* based motivations for *whānau* and MLC to maintain a relationship. It also provides a strong argument to reframe the role of succession as a recognition of the legal connection to the *whenua*, which is just one of a range of connections Māori have to their land (including historical, spiritual, and *whakapapa* connections).

By combining *Te Korowai* (Kara, et al., 2011) and the integrated framework for trans-cultural partnership (Walker, 2007) based on the strategic alliances framework (Das & Teng, 2001) a conceptual framework emerges to understand the barriers and drivers that influence succession to ownership Māori land. *Te Korowai* metaphor is particularly strong because it is a garment that is handcrafted to fit the unique dimensions of the wearer, with all the connected pieces coming together to form a whole. In the integrated framework for barriers and drivers within succession to Māori land (figure 2) vertical and horizontal

stands hold the partnerships within *whānau*, and between *whānau* and the MLC in place.



**Figure 2. An integrated framework for barriers and drivers within succession to Māori land**

The key concept drawn from this framework is an understanding of the tension between *te ao Māori* and succession law, and how strategic alliances need to be maintained between individual *whānau* members, as well as with the MLC, throughout the process. It also describes the importance of the connection with *whenua* and the natural world for individual health and wellbeing. It promotes the need to improve succession outcomes, not by addressing single pain points, but by looking holistically at the motivations and shared values of the participants in the process to develop strategies to support trust, reduce risk, and equalise control.

Now that we have a greater understanding about the complex environment and relationships in which succession takes place, the validity of the barriers and drivers identified in the workshops are able to be tested using a survey.

## 3. Methodology

### 3.1. Data collection

The research undertaken for this report involved collecting data through an online survey using the Qualtrics Survey Tool. The survey targeted owners of Māori land to assess the knowledge participants have about how succession takes place; how easy or hard the succession application process was; and the length of time it took to be ready to make an application to the MLC. The survey also asked the participants to rate the significance of the barriers and drivers previously identified during the workshops held by Te Tumu Paeroa. Finally, it asked about what actions respondents had taken to prepare for the Māori land they own to pass to the next generation.

Because succession is usually the result of the death of a parent, the topic can be emotive and painful. The online survey ensured that participants could opt into taking part in the research free from coercion. Ethics approval was received from the Pipitea Sub-Committee of the Human Ethics Committee.

### 3.2. Sampling

The sample was drawn from a population of Māori land owners who have opted in to receiving digital communications from Te Tumu Paeroa. A link to the survey was included in a *pānui* sent to 25,617 Māori land owners. 12,724 people opened the email and 524 recipients clicked on the link to the survey. The link to the survey was also shared on the Facebook page managed by Te Puni Kōkiri and an article containing a link to the survey was posted on the Facebook page managed by Te Tumu Paeroa. The two posts were shared a total of 53 times and received 89 likes.

Through purposive sampling, a total of 302 respondents completed the survey. Māori make up just over 14% of New Zealand's population (Statistics NZ, 2013), and so the sample is not reflective of the New Zealand population as a whole; people with a connection to Māori land were targeted. 206 respondents were legal owners of Māori land, and 43 were either not yet owners, or had previously been owners but had gifted their land to someone else. In order to test the hypotheses, respondents who had made the application themselves or had a *whānau* member lead the process were identified. Of the legal owners, 39% were responsible for making the succession application to the MLC themselves and 29% stated that a member of their *whānau* made the application on their behalf. It

is estimated that around 10% of Māori live in Australia (Kukutai & Pawar, 2013). A higher proportion of respondents to the survey were Australia-based, with 192 stating they live in New Zealand, 45 in Australia, and one person in Canada. The sample is also older, reflective of the age in which people generally inherit land. 16% of owners who responded said they were aged 70+, and nearly half of the owners who responded were aged between 55-69, whereas for non-owners nearly half were under 44 years of age. The sample reported to be higher than average earners, with over 69% of respondents stating they earned above the median personal income for Māori of \$22,500 (Statistics NZ, 2013). A greater number of respondents were women; 168 stated they were women, 67 men, and 67 not stated.

The sample, although not fully representative of Māori, provides a good basis for insights into succession, and conclusions can be drawn that would apply to a more general population of Māori.

### **3.3. Research design**

The barriers and drivers that emerged from the initial workshops formed the basis of the following hypotheses that are tested using the survey:

1. The succession process is not well understood by owners of Māori land.
2. The lack of trust, fear of losing control, and the risks of approaching the Māori Land Court means that succession does not take place.
3. The concepts that underpin *Whānau Ora* can be identified as drivers for undertaking succession.
4. It takes over a year for *whānau* to be ready to apply for succession.
5. No preparations are made in advance for the land to pass to the next generation.

### **3.4. Data analysis**

The quantitative data has been analysed using a combination of SPSS and Excel. The data collected included ratio, ordinal, nominal and dichotomous variables. Frequency tables for ratio variables identified the most common responses for identified barriers and drivers, contingency tables were used to analyse the relationship between different demographics and their responses. Finally, for quantitative data, type-in responses were coded to identify common themes in the responses.

### 3.5. Limitations

In addition to limitations in the sample, *tikanga* commonly relies on *kanohi ki te kanohi* interactions. Although rapid technological changes and the increasing uptake of social media means that Māori are participating in virtual *tikanga* (O'Carroll, 2015) there is still risk in replacing *kanohi ki te kanohi* with online surveys. Results from this survey would benefit from further testing, and recommendations in this report would need further consultation with stakeholders.

## 4. Results and Discussion

This section addresses each hypothesis in turn. It provides the results from the survey relevant to the hypothesis, and discusses the findings by drawing out key observations from the data.

### 4.1. Hypothesis 1: The succession process is not well understood by owners of Māori land

In order to address this hypothesis, respondents were asked a series of questions about their knowledge of succession. When asked how much they know about succession, 33% of respondents stated that they know very little or nothing about succession to Māori land. Only 6% of legal owners said they know everything about succession (table 3).

#### How much do you know about succession to Māori land?

Everything	6%	13
A lot	24%	55
An average amount	38%	86
Very little	27%	61
Nothing	6%	14
Total		229

**Table 3. How much respondents report knowing about succession to Māori land**

Having gone through succession does not increase understanding of the process. Respondents were asked on a scale of zero to ten how much they know about succession, with zero being 'nothing at all' and ten being 'everything'. Statistical analysis shows there is no significant difference in how much legal owners and non-owners report they know about succession to Māori land; the mean for owners and non-owners was 4.8 and 5.4 respectively, with a t-Stat of -0.9, a t-Critical two-tail of 2.0 and a P-value of 5%.

When it comes to the next generation, 65% of legal owners reported that their children know very little or nothing about succession, and for their grandchildren this increases to 85%.

Regarding the legal processes involved in succession, 90% of legal owners reported that they understand that the MLC is responsible for succession, and that they understand the meaning of the word succession in the context of passing on shares in Māori land.

More concerning is the high number of respondents who reported not knowing that there is legislation about who can own Māori land. Over 30% of Māori land owners said they do not know that there is legislation about who can own Māori land, in spite of understanding the legal process and the role of the MLC in determining owners.

This could have an impact on how Māori land owners communicate about and plan for succession for the next generation. It also has the potential to cause issues for future generations if owners want leave the land to someone who is not legally entitled to succeed. For example, *whāngai* children, step-children, or non-blood relations.

“I am legally adopted out but not entitled to my grandfather’s land. That is not right. I am surrounded by my *whānau* and they want me to attend land meetings and have a say and I can’t.”

- Survey respondent

#### 4.1.1. Discussion about understanding of succession

Succession is not well understood by a significant number of owners of Māori land. However, there is evidence of pockets of expertise. By developing this into a community of highly knowledgeable succession experts, this could be tapped into to increase broader understanding of succession, and increase intergenerational sharing of knowledge.

## 4.2. Hypothesis 2: The lack of trust, fear of losing control, and the risks of approaching the Māori Land Court means that succession does not take place

In order to address this hypothesis owners were asked to rate the level of impact the barriers identified in the initial workshops had on their ability to undertake succession. These barriers were then categorised using the integrated framework for barriers and drivers within succession to Māori land based on the typology of trust, control and risk (Das & Teng, 2001). This allowed for the identification of opportunities to develop trust, reduce risk, and balance control within *whānau*, and between *whānau* members and the MLC, during the succession process.

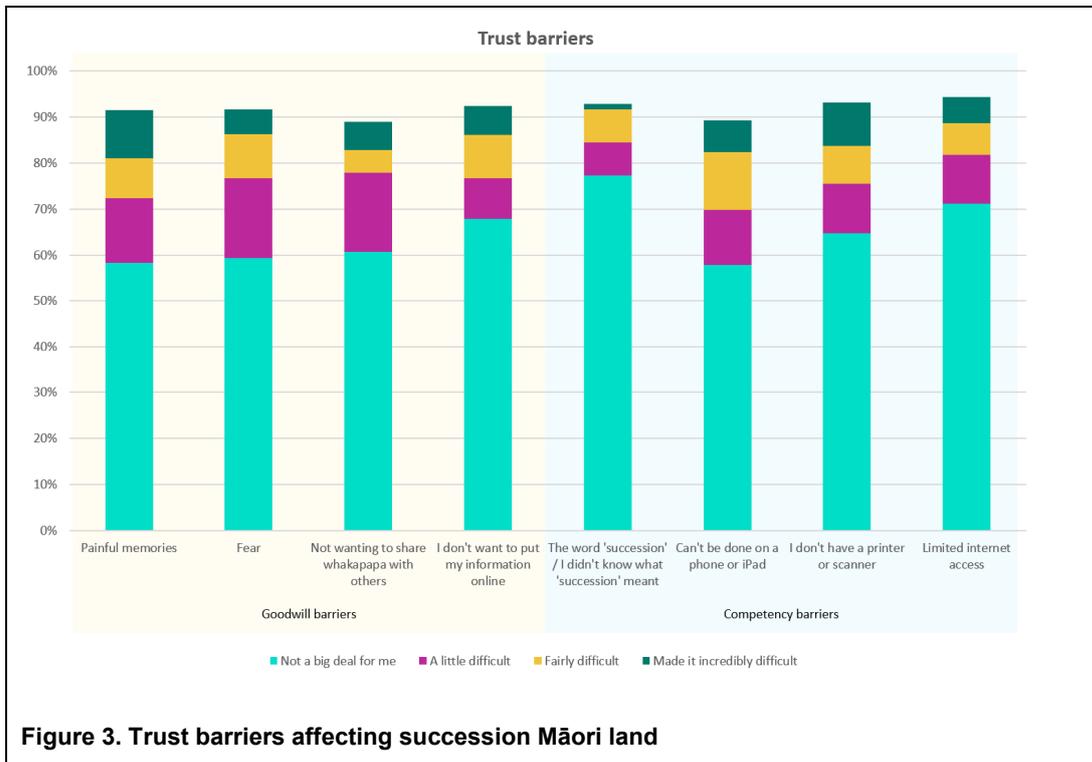
#### 4.2.1. Ngākaupono / Trust Barriers

Trust barriers were report to have the lowest impact on the level of difficulty experienced. On average, 65% of respondents rated trust barriers to be ‘not a big deal for them’, compared to 47% for control barriers, and 47% for risk barriers (table 4).

	<b>% of respondents who stated this was 'Not a big deal for me'</b>
<i>Ngākaupono / Trust Barriers Trust Barrier Average</i>	65%
<i>Tino Rangatiratanga / Control Barrier Average</i>	47%
<i>Raruraru / Risk Barrier Average</i>	47%

**Table 4. Trust, control and risk barriers for succession to Māori land**

Trust is multidimensional (Das & Teng, 2001), and in the context of succession it is grounded in the expectations *whānau* and the MLC have of their roles in the succession process, and the understanding of a social contract that exists within *whānau*, and between *whānau* and the MLC. Goodwill trust barriers linked to the concept of a social contract were reported have a greater impact than competence trust barriers that limit the ability for both *whānau* and the MLC to perform their role (figure 3).



**Figure 3. Trust barriers affecting succession Māori land**

33% of respondents said that painful memories made the process of succession difficult for them, and 32% identified fear as a barrier. 31% stated that not being able to apply on a phone or iPad caused some difficulty. 28% stated that having to share their *whakapapa* with others increased the difficulty of the process. The word 'succession' and not knowing what succession meant created difficulty for the fewest number of respondents, with only 16% of respondents saying this caused any degree of difficulty.

#### 4.2.2. Tino Rangatiratanga / Control Barriers

*Tino rangatiratanga* barriers regulate how people apply to succeed to interests in Māori land, and the policies and standards that are adopted to process applications.

57% of respondents said that the length of time the process takes made the process difficult for them, and 51% stated that not getting regular information from the MLC made the process difficult. 48% of respondents stated that having to appear at a MLC hearing made the process more difficult. Of the barriers that were identified as the most difficult by respondents, the length of time the process takes (13%), not knowing *whakapapa* (13%), the requirement to attend an MLC hearing (11%), and not being able to apply online (11%), were identified as the most challenging barriers (figure 6) that made the process incredibly difficult.

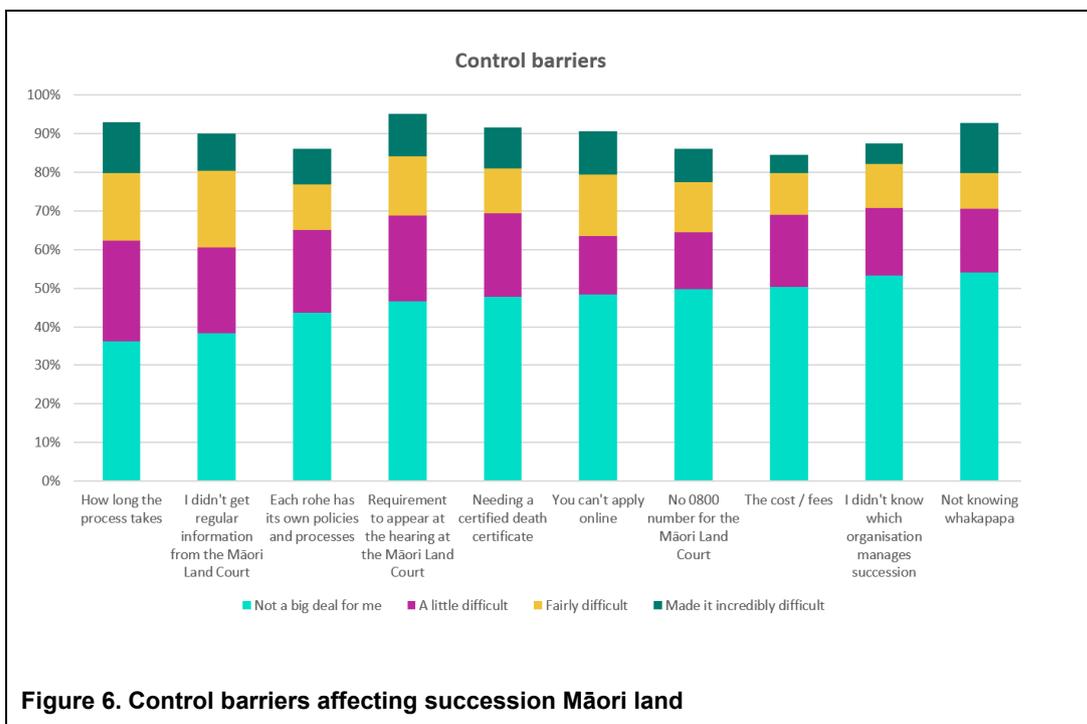
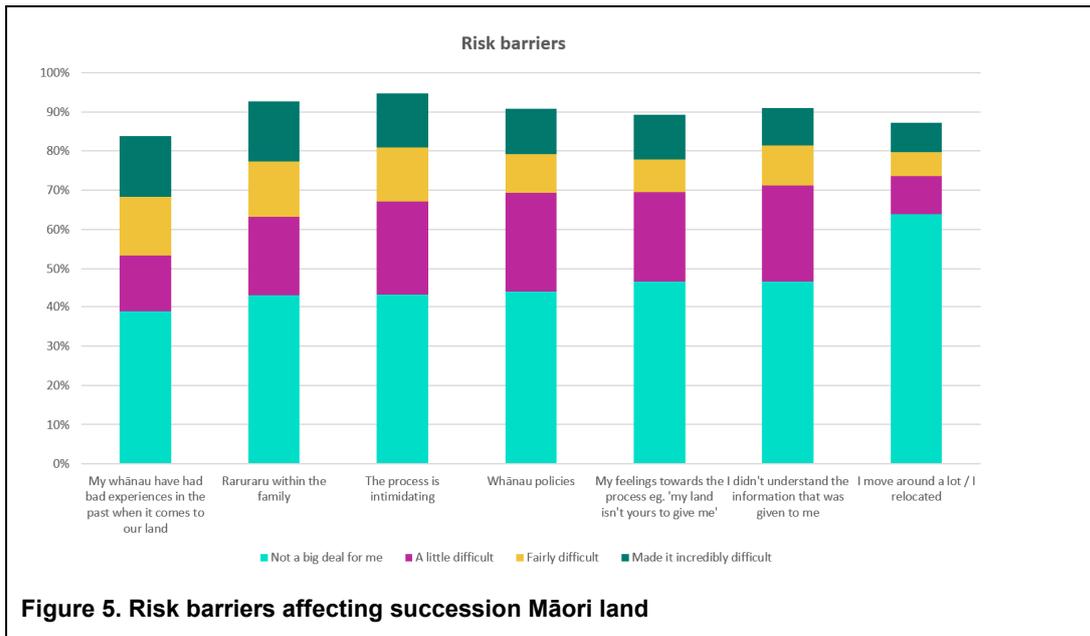


Figure 6. Control barriers affecting succession Māori land

#### 4.2.3. Raruraru / Risk Barriers

Of the 25 barriers respondents were asked to rank, three *raruraru* barriers were in the top five highest in terms of how difficult they made the process. Nearly 14% of respondents identified the intimidating process as a barrier that made the application incredibly difficult, and over 15% identified both *raruraru* within the family and *whānau* having bad experiences in the past when it comes to land factors that made the application incredibly difficult (figure 5).



*Whānau* policies also played a role in the level of difficulty experienced, with 47% of respondents saying this affected them to some extent. However, further research into defining this barrier needs to be undertaken to understand what respondents meant by *whānau* policies and how these policies influence succession.

#### 4.2.4. Discussion about barriers to succession

Given the history of the relationship between Māori land owners and the Crown, and the role of the Treaty of Waitangi in acquisition of Māori land, I argue that there is a Treaty obligation to recognise the relationship between *whānau* and the MLC as a partnership while a succession application is progressing. For this partnership to be effective, both partners need to be able to trust in each other's ability to perform their role (competency trust), and trust in the social contract that exists between the partners (goodwill trust).

Addressing *ngākaupono* barriers would create gains in developing trust between partners and will also contribute to the reduction of risk, for example, through reducing opportunistic behaviour (Das & Teng, 2011). Goodwill trust between *whānau* and the MLC can be created by establishing mutual interests that recognise that motivation for succession is driven by social and emotional forces over legal or economic forces. By adopting a more transparent succession process, one that moves beyond a purely transactional relationship, barriers like fear may be reduced, painful memories acknowledged, and confidence in the appropriate use of personal data supplied by *whānau* to the MLC will increase.

*Tino rangitiratanga* barriers strongly influence the succession process. They potentially provide the greatest insight into how the MLC can improve processes for *whānau*. In reviewing the succession processes, gains can be made by considering how to better use digital technology to give greater control to applicants undertaking the process. While digitising the application process so that people can apply for succession online will create some gains, effectively using technology could address multiple *tino rangitiratanga* barriers. For example, connecting to existing databases like births and deaths data to auto-populate fields would remove the barrier of needing to supply a death certificate, and exploring emerging blockchain technology to address applicants having to know and supply their *whakapapa* would remove both *tino rangitiratanga* and *ngākaupono* barriers. The benefit of digitising the process is that regular updates can be automatically generated so that applicants are regularly informed about the progress of their application, and existing identity verification tools like RealMe can replace paper-based processes.

Understanding the need for cooperation and the significance of relationships during the succession process provides insight into opportunities for improving the process, and providing better support and guidance to reduce barriers. While some of the *raruraru* barriers could be addressed through a design thinking approach to developing a process that is grounded in empathy with applicants, many of the risk barriers, like *raruraru* within the *whānau* are more challenging for organisation like the MLC and Te Tumu Paeroa to intervene in at a programme level. However, it does support the need for including succession in *whānau* services that provide family and relationship counselling, dispute resolution, mediation and arbitration. This could provide opportunities to consider a more holistic approach to succession that is *whānau*-based along the lines of *Whanau Ora*.

By making better use of online systems and making information about the process easier to understand some of the *raruraru* barriers can be addressed. For example, videos about the process could help people to understand the legal process and address the perception of applicants that the process is intimidating, while videos introducing the judges who make decisions about succession would acknowledge *tikanga* and address some of the fears applicants have about the process.

### 4.3. Hypothesis 3: The concepts that underpin *Whānau Ora* can be identified as drivers for undertaking succession.

In order to address this hypothesis, respondents were asked to rank a series of statements about what the most important things are to them when thinking about their land. Respondents were also asked to identify drivers that made succession easier for them. The statements and drivers broadly reflected *Whānau Ora* outcomes. The drivers were then categorised using the typology of trust, control and risk that was developed by Das & Teng (2001) to identify opportunities for interventions that exploit the drivers and increase motivation for people who are entitled to succeed to undertake the process.

The findings of the research reinforce a connection between *Whānau Ora* concepts and succession to legal ownership. When asked what is most important when thinking about the land, actions that fall under self-managing and being responsible stewards to their living and natural environment ranked as most important, with 33% of respondents ranking protecting the land, 23% ranking leaving a legacy for the next generation, and 20% ranking connection with *whānau* and *whanaunga* as most important (figure 6).

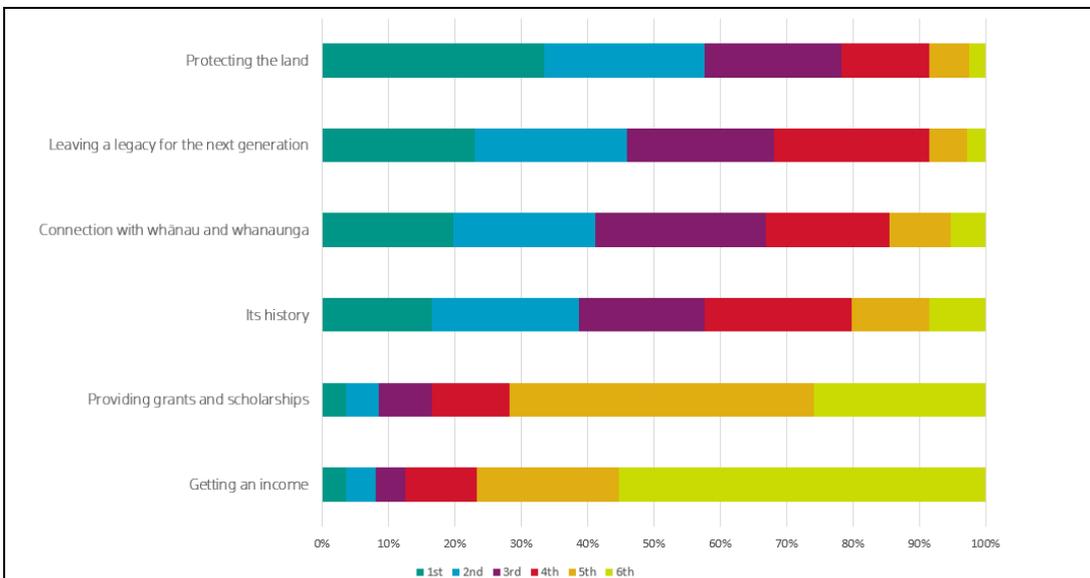


Figure 6. Aspects for owning Māori land ranked by importance (n=248)

The *Whānau Ora* outcome of being a ‘responsible steward to their living and natural environment’ is most aligned with being an owner of Māori land and the concept of *whenua* being *taonga tuku iho*. It is worth noting that the outcome ‘economically secure and successfully involved in wealth creation’ is the least

important in the context of Māori land ownership, with 55% of respondents ranking getting an income lowest.

#### 4.3.1. Drivers for succession

In mapping the drivers using the integrated framework for succession, trust drivers were ranked most highly for making the process easier (figure 7). Control drivers were also ranked highly. The two strongest drivers for making succession process easier, selected by just under 70% of respondents, were 'knowing the land is their entitlement' and 'having a feeling of duty and responsibility'. These align with *Whānau Ora* outcomes of self-managing and participating fully in society.

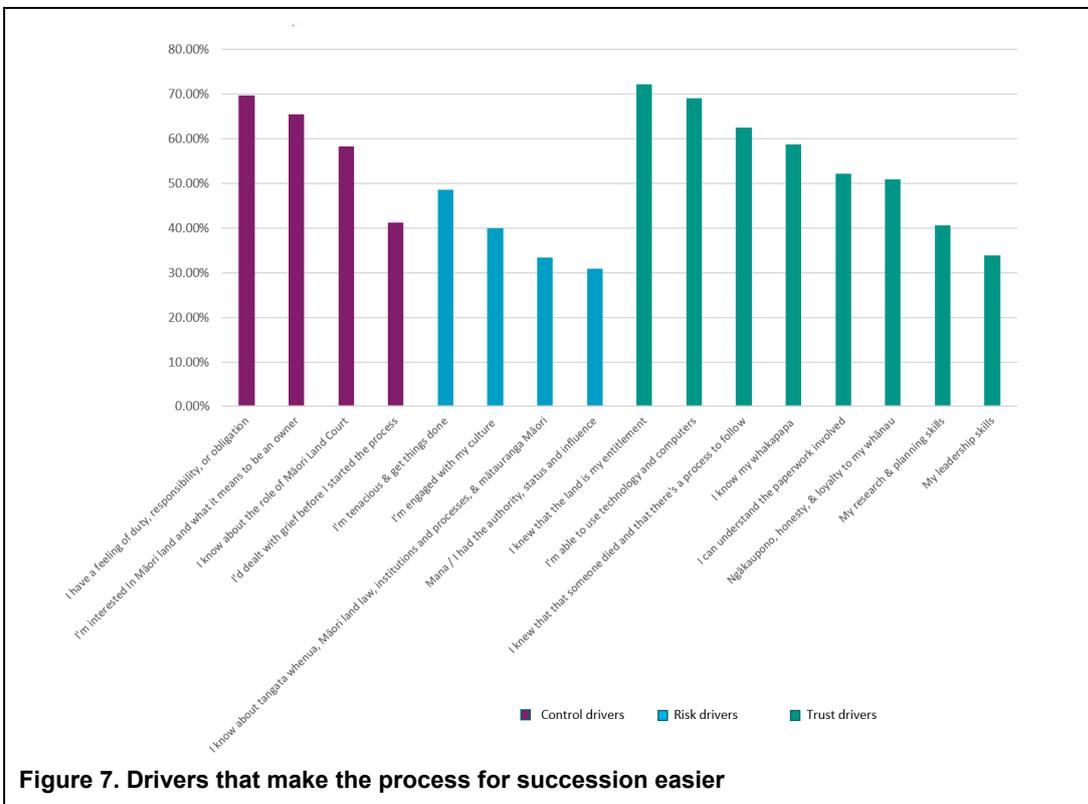


Figure 7. Drivers that make the process for succession easier

Conversely, the outcome of confidently participating in *Te Ao Māori* is reflected in the risk barriers around cooperation. These had the lowest reported impact on making succession easier, with only 31% stating that *mana*, authority, status and influence, and 33% stating knowledge about *tangata whenua*, Māori land law, institutions and processes made the succession process easier.

#### 4.3.2. Discussion about drivers for succession

*Whānau Ora* emerged from traditional Māori ways of viewing wellbeing (Kara et al., 2011). It has been adopted widely in New Zealand Māori health

policy, and links the wellbeing of individuals to the connection between *whānau*, the wider community, *tīpuna*, and the *whenua*. Because the framework is well understood within public services it is expected that a person who is in a healthy relationship with the Crown would exhibit *Whānau Ora* outcomes, and that the drivers to promote succession would align with *Whānau Ora*.

There is an opportunity when thinking about improving succession to align the processes with *Whānau Ora* concepts. Promoting trust drivers to increase confidence in participating fully in society and in *te ao Māori*, and control drivers associated with *tino rangatiratanga* will have positive influence on succession. For ongoing work in promoting succession, a focus on connecting with Māori who are entitled to succeed, increasing their understanding of the significance of *whenua*, and imparting a sense of duty and obligation will have the greatest impact.

#### **4.4. Hypothesis 4: It takes over a year for *whānau* to be ready to apply for succession**

In order to address this hypothesis, respondents who said they succeeded to Māori land after the death of a *whānau* member were asked how long it took for them to be ready to apply for succession through the MLC. They were then asked why it took them this amount of time to make the application. The type-in responses were then coded to understand if common themes could be identified. Respondents were also asked what actions they had taken before making the application.

Half the respondents took over a year to be ready to succeed, and 25% took over five years (table 5).

How long did it take for you to apply to the Māori Land Court to succeed to ownership after the death of your <i>whānau</i> member?	n	%
Less than a month	8	6%
Around 2-3 months	19	16%
More than three months but less than a year	34	27%
Over a year but less than two years	17	13%
More than two years but less than five years	18	13%
Over five years	30	25%
<b>Total</b>	<b>126</b>	

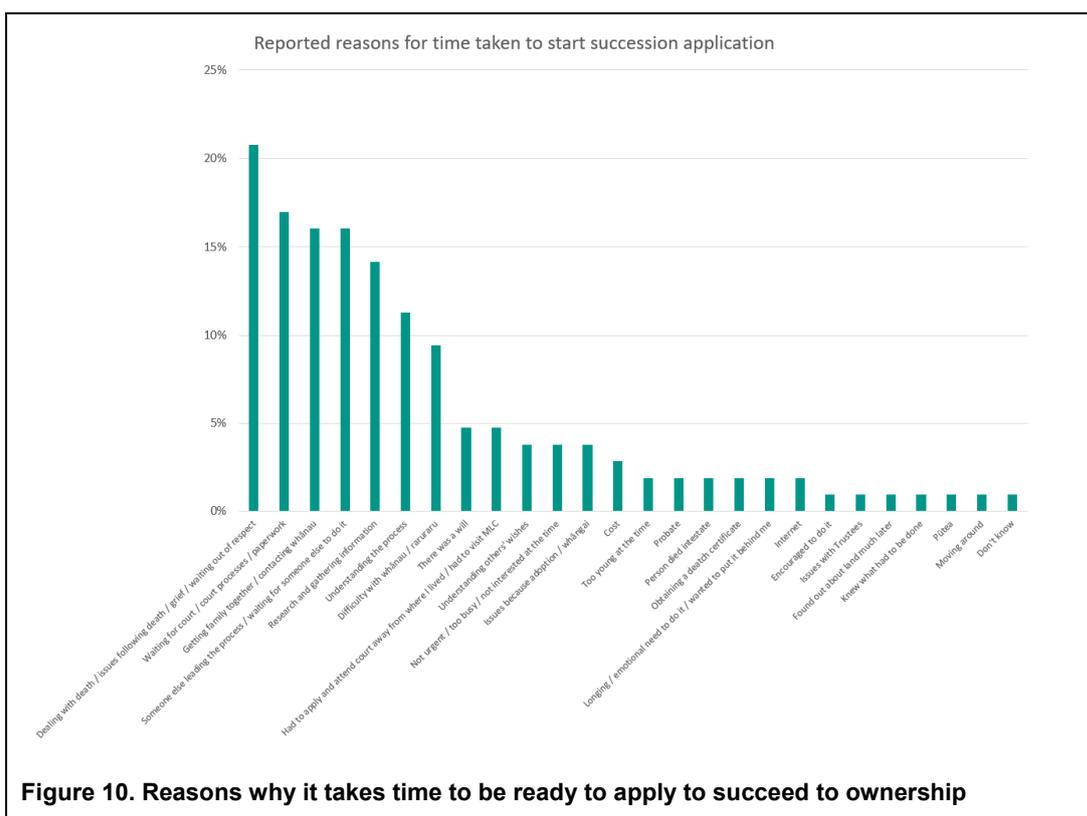
Table 5. How long it takes for an applicant to be ready to apply to succeed to ownership

To understand if the time taken between someone dying and the next generation succeeding to ownership is an issue that needs to be addressed the reason for the delay needs to be understood.

21% of respondents reported that dealing with grief or other aspects around death is the most common reason for the time taken to make the application (figure 8). These included wanting to wait a respectable amount of time before starting the process, not being ready to succeed because of grief, and wanting to wait until the headstone unveiling before starting the process.

"I waited 4 a respeck table time 2 succed"

- Survey respondent



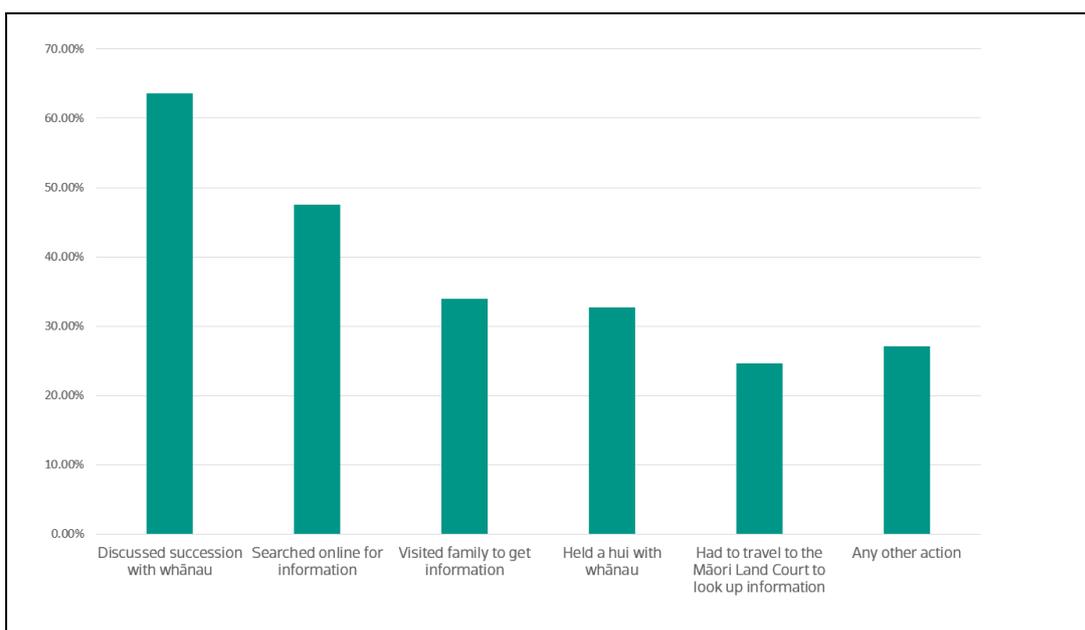
**Figure 10. Reasons why it takes time to be ready to apply to succeed to ownership**

Because succession tends to be done as a group it involves meetings, discussions and research before being able to approach the MLC. 16% of respondents said the time taken was due to having to get the *whānau* together, and 14% said they needed to conduct research before being able to make the application.

25 respondents to this question took over five years to begin the application process. Of these, 28% said the reason for the delay was due to needing to bring the *whānau* together, 16% said they thought someone else would make the application on their behalf, and 16% said they found out about their entitlement to land much later. 12% said they needed to understand the process, and 12% said they had to deal with issues around death.

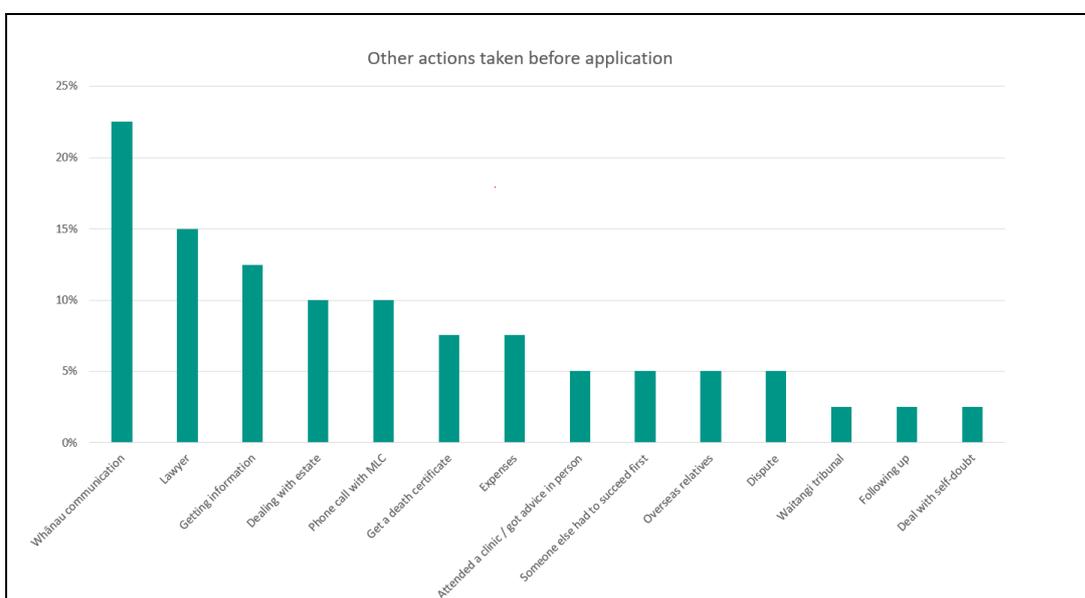
“Had to have a *hui* with *whānau* and agree to succession and to provide information about the process.”  
**- Survey respondent**

When asked what actions they took before applying for succession, 64% said they had to discuss succession with *whānau*, and 48% said they searched online for information. A quarter of all respondents had to travel to one of the nine MLC offices to access information (figure 9).



**Figure 9. Actions taken before succession application was made**

27% of respondents stated they took an action not listed. Of these, 23% stated *whānau* communication, including getting information via Facebook, and 16% said they needed to talk to a lawyer (figure 10).



**Figure 10. Other actions taken before succession application was made**

#### 4.4.1. Discussion about time taken before submitting a succession application

Succession is not something that will take place as soon as someone dies. It should be accepted that grief is an important part of the process of succession, and that the administrative process is secondary to this. Ultimately,

succession is a very human process and should be approached with empathy. In redesigning succession so it is *whānau*-centred, a design thinking approach should be used. It should also be recognised that, so long as succession occurs because of the death of a parent, there will always be some delay in the next generation becoming legal owners, potentially increasing the alienation of Māori from their *whenua*.

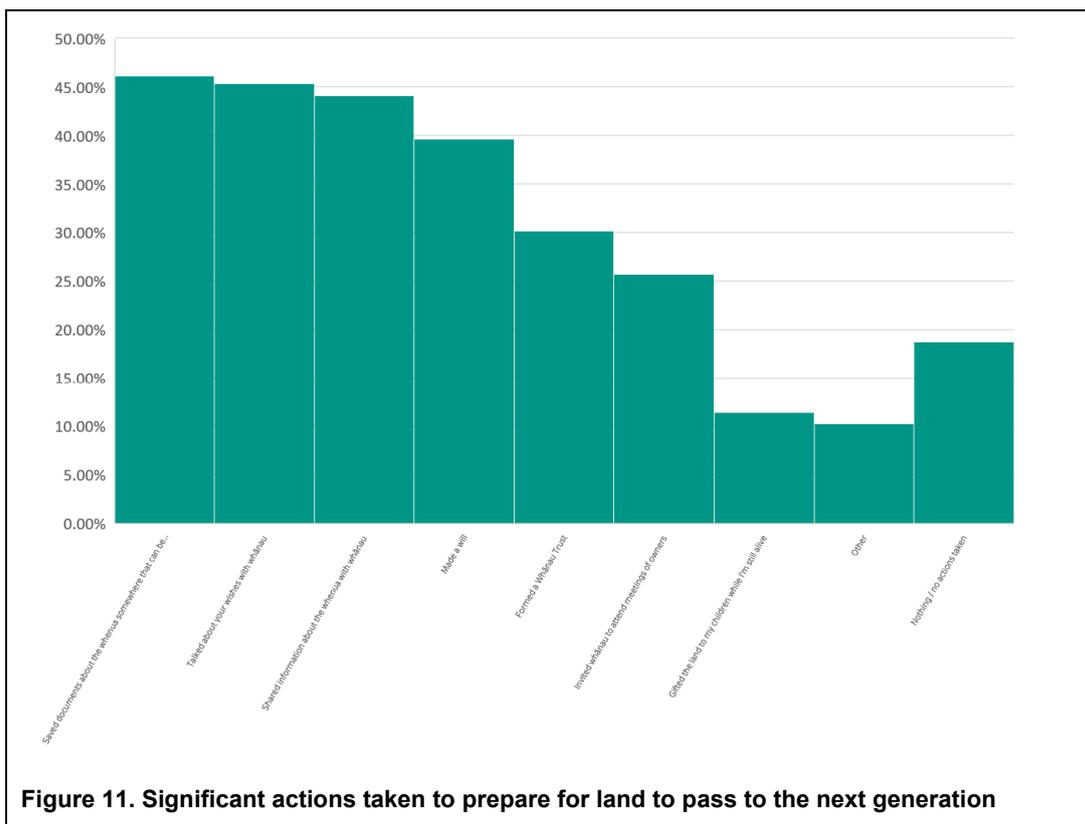
Support should be given to bring *whānau* together to arrange succession. *Whānau* would also benefit from assistance with research and planning, and guidance about succession should be targeted sibling groups.

#### **4.5. Hypothesis 5: No preparations are made in advance for the land to pass to the next generation**

In order to address this hypothesis, respondents were asked to select from a list the actions they had undertaken to prepare for their land to pass to the next generation. They were then asked if they had talked to their children or *whānau* about various aspects related to their land.

81% of respondents stated they had taken at least one action to prepare in advance for the land to pass to the next generation. 46% of respondents said they had saved documents about their land somewhere accessible by *whānau*, 45% had talked about their wishes with *whānau*, and 44% stated they had shared information about the *whenua* with *whānau* (figure 11).

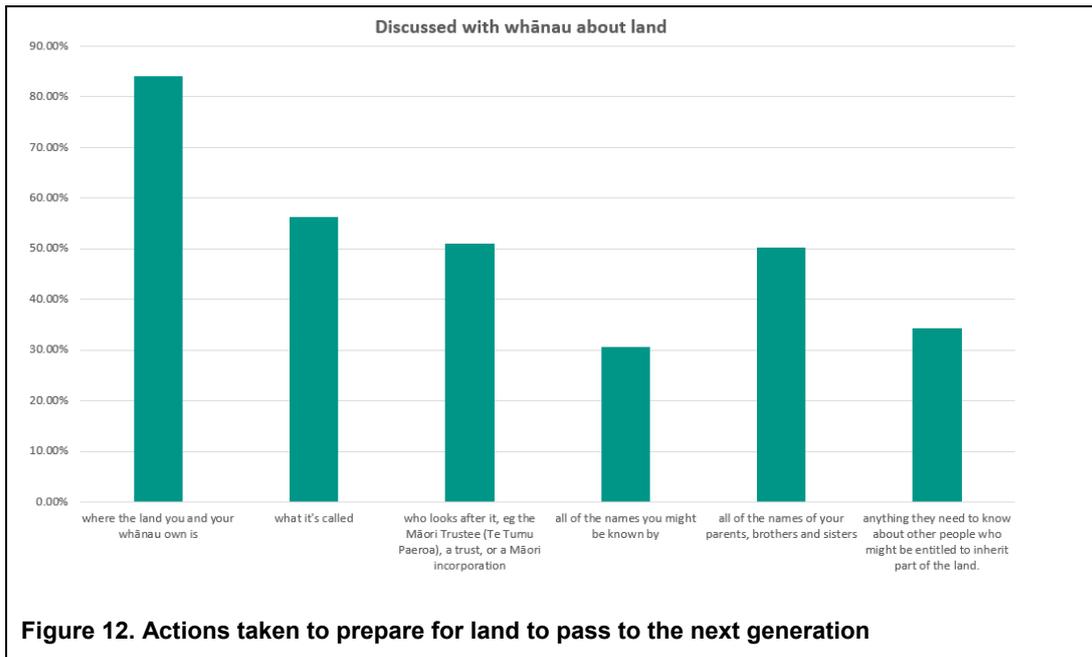
However, only 40% of respondents stated that they had made a will. This is below the national figure of 62% of adults in New Zealand having a will (Perpetual Guardian, 2016). 30% had formed a *whānau* trust, 25% had invited *whānau* to attend a meeting of owners, and 11% had already gifted land to their children.



21 respondents reported that they had undertaken an action not listed. These included researching all the land in grandparents' names, keeping a *whakapapa* database, searching Māori Land Online, and getting *whānau* to help with succession applications.

19% of respondents stated they have taken no action to prepare for their land to pass to the next generation. However, when asked if they had talked to their children and other *whānau* about what their land is called and who manages it, all the names they might be known by, the names of their parents, or others who might be entitled to succeed to the land, all 21 had all had taken at least one of these actions.

Overall, 84% of respondents said they had talked with *whānau* about where the land they own is. However, only 56% said they had told their *whānau* what the land is called, and 51% had told them who manages it. Only half of respondents have told their children and other *whānau* all the names of their parents, brothers and sisters (figure 12).



#### 4.5.1. Discussion about succession preparation

There is room for improvement in the preparations people make for passing their *whenua* on to the next generation. For example, the opportunity exists to reduce some of the barriers for the next generation by encouraging *whānau* during their succession application to take steps for the next generation to succeed. This aligns strongly to the identified driver for owners to leave a legacy for the next generation previously discussed (p. 27).

Succession is typically led by one individual on behalf of a generation of siblings. By promoting Māori to research the *whenua* of their *tīpuna* multiple owners may succeed. It is useful to consider how to target the person in the *whānau* who generally takes on this responsibility.

There is a need to increase support for Māori to write a will. This can be achieved by providing clear and detailed information to the legal profession, law schools, and services like Community Law about succession, as well as providing information to land owners about how to include Māori land in their wills.

## 5. Conclusions and Recommendations

### 5.1. Conclusions

This report has focused on understanding the barriers and drivers for Māori to undertake succession to ownership of Māori land. The central research question that was explored through the initial exploratory workshops as well as through a survey focussing why succession to Māori Land does not take place. With a greater understanding of the forces that influence whether someone will undertake the succession process through the MLC the research has found that there are opportunities for all organisations that have an interest in protecting Māori land to improve how they support succession.

In testing the hypotheses I draw the follow conclusions:

1. The succession process is understood by owners of Māori land, but not well, and the understanding about succession decreases rapidly with each generation.
2. The relationship between Māori land owners and the MLC is a partnership where trust, control and risk need to be managed to ensure the process for succession is fit for purpose.
3. The application of *Whānau Ora* concept into the succession process may address some of the more complex issues that delay succession taking place.
4. After a person dies, it takes over a year for *whānau* to be ready to apply for succession.
5. There are significant opportunities to increase the preparations made in advance for land to pass to the next generation.

Succession is a complex legal, social, and emotional process. There are significant opportunities to improve succession outcomes for *whānau* in order to protect and retain the *whenua* for future generations. However, these improvements cannot be made in isolation from each other. The system of Māori land ownership, the experience of Māori in their interactions with the MLC, and the role of *whenua* in individual wellbeing need to be considered collectively to develop effective strategies that promote succession and the retention Māori land as *taonga tuku iho*.

## 5.2. Recommendations

1. Develop the pockets of expertise within *whānau* into a network of highly knowledgeable succession experts
2. Increase trust, equalise control, and reduce risk between *whānau* and the MLC:
  - a. Establish mutual interests that recognise that motivation for succession is driven by social and emotional forces over legal or economic forces.
  - b. Adopt a more transparent succession process.
  - c. Use digital technology to address multiple barriers by 1) connecting to existing databases to auto-populate data; 2) exploring emerging blockchain technology to record *whakapapa* records; 3) increase communications throughout the process using automatically generated updates about the progress of applications; 4) using existing identity verification tools like RealMe to replace paper-based processes; and 5) removing the requirement to attend the MLC in person.
  - d. Use a design thinking approach to developing a succession process that is grounded in empathy with applicants.
  - e. Include succession in *whānau* services that provide relationship and family counselling, dispute resolution, mediation and arbitration.
3. Align the succession processes with *Whānau Ora* concepts
4. Use online tools and videos to make information about the process easier to understand, to communicate about the process, and introduce the people involved in making decisions about succession in line with *tikanga Māori*.
5. Promote succession by focussing on connecting with Māori who are entitled to succeed, increasing their understanding of the significance of *whenua*, and imparting a sense of duty and obligation to protecting and retaining their *whenua* for future generations.
6. Accepted that grief is an important part of the process of succession, and that the administrative process is secondary to this.

7. Support *whānau* to come together to arrange succession, provide assistance with research and planning, and produced guidance about succession for sibling groups.
8. Encouraging *whānau* when they are undertaking succession to take steps to leave a legacy by writing or updating their will, and making other preparations to make succession easier for the next generation
9. Encourage Māori to research the *whenua* of all their *tīpuna* and to undertake succession on behalf of siblings and others who are entitled to succeed.
10. Providing clear and detailed information to the legal profession, law schools, and services like Community Law about succession, as well as providing information to land owners about how to include Māori land in their wills.
11. Address the alienation of future-owners from their *whenua* by taking steps to ensure that succession is easier, more inclusive, and faster.
12. Acknowledge the *mahi* that is undertaken before succession applications are made to MLC and make efforts to reduce the financial and emotional costs for undertaking the process.

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## 7. Appendices

### 7.1. Appendix 1: Te Tumu Paeroa Outcomes Framework

## Outcome A:

### Māori land owners making and acting on their own decisions

#### IMPACTS

A1: Owners are more connected to their whenua	A2: Land owners have greater participation in decision making	A3: Land owners are more capable of making governance decisions	A4: Land owners are more capable of managing and running their own enterprise	A5: Formal governance arrangements for Māori land are strengthened
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#### OUTPUTS (ACTIVITIES)

<ul style="list-style-type: none"> <li>i. Maintain Registry of land owners' details &amp; shareholdings</li> <li>ii. Collect &amp; maintain land information &amp; data</li> <li>iii. Provide access to information on the land &amp; its potential</li> <li>iv. Provide communication on events &amp; news relevant to the land</li> </ul>	<ul style="list-style-type: none"> <li>i. Facilitate and capture owners' articulation of their aspirations</li> <li>ii. Implement governance arrangements that encourage land owners to take greater accountability for their land</li> <li>iii. Provide opportunities and channels for land owners to engage and participate in decision making</li> </ul>	<ul style="list-style-type: none"> <li>i. Enhance the governance skill-set of land owners</li> <li>ii. Get more land owners into governance roles</li> <li>iii. Provide governance support with a view to land owners having a choice regarding future governance arrangements</li> </ul>	<ul style="list-style-type: none"> <li>i. Inspire more land owners to become entrepreneurs</li> <li>ii. Enhance the enterprise management skill-set of land owners</li> <li>iii. Provide access to latest industry best practice</li> <li>iv. Provide leadership support with a view of making enterprises self sufficient</li> </ul>	<ul style="list-style-type: none"> <li>i. Ensure that governance arrangements for Māori land are fit for purpose</li> <li>ii. Ensure that governance obligations are understood and met</li> </ul>
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## Outcome B: Fuller and more effective utilisation of Māori land

B1. Māori land is protected for future generations	B2. Land owners pursue opportunities to achieve the best & highest use of their land aligned to their aspirations	B3. The return (social, cultural, environmental, economic) from leasing & managing our clients' assets is increased	B4. The number of individual land owners running single or collaborative enterprises on their land is increased	B5. Individual land owners have greater ability to access enablement funding
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<p>i. Undertake trustee duties to protect all land owner rights</p> <p>ii. Deliver support services to Custodian Trusts &amp; Agencies</p>	<p>i. Identify potential opportunities to achieve the best &amp; highest use of the land</p> <p>ii. Agree with land owners to explore opportunities</p> <p>iii. Understand the social, cultural, environmental &amp; economic benefits of each opportunity</p> <p>iv. Evaluate options with land owners &amp; agree on the best option to proceed with</p>	<p>i. Lease the land to maximise the social, cultural, environmental, economic return from our clients' assets</p> <p>ii. Maximise the economic return from the Common Fund</p>	<p>i. Encourage land owners to tenant their own land</p> <p>ii. Identify sector or scale opportunities</p> <p>iii. Work with land owners to design innovative single or collaborative business ventures</p> <p>iv. Confirm business venture &amp; assist land owners to get it up &amp; running</p> <p>v. Increase business performance to showcase the commercial talents of Māori</p>	<p>i. Ensure the long term sustainability of the General Purposes fund</p> <p>ii. Attract and assess funding proposals from Māori business ventures</p> <p>iii. Assist individual businesses to secure external funding</p>
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## 7.2. Appendix 2: Identified barriers from exploration workshops

Table 2 below details the main barriers identified in the exploratory workshops with Te Tumu Paeroa and MLC staff, and *rangatahi*.

Policy	Process	People	Technology
<i>Whānau</i> policies	The process is intimidating	The word 'succession' / I didn't know what 'succession' meant	Limited internet access
You can't apply online	My <i>whānau</i> have had bad experiences in the past when it comes to our land	Fear	I don't want to put my information online
No 0800 number for MLC	Needing a certified death certificate	Not wanting to share <i>whakapapa</i> with others	Can't be done on a phone or iPad
Each <i>rohe</i> has its own policies and processes	Requirement to appear at the hearing at the MLC	Painful memories	I don't have a printer or scanner
The cost / fees	I didn't get regular information from MLC	I move around a lot / I relocated	
	How long the process takes	My feelings towards the process (eg. 'my land isn't yours to give me')	
	I didn't understand the information that was given to me	<i>Raruraru</i> within the family	
		I didn't know which organisation manages succession	
		Not knowing <i>whakapapa</i>	

Barriers for succession identified in workshops held by Te Tumu Paeroa

### 7.3. Appendix 3: Identified drivers from exploration workshops

Skills	Knowledge	Personal characteristic
Leadership	<i>Tangata whenua</i> , Māori land law, institutions and processes & <i>mātauranga Māori</i>	Tenacious, keen, brave & patient
Research & planning	<i>Whakapapa</i> , knowledge of genealogy	Feeling of duty, responsibility or obligation
Literate & able to use technology	Role of MLC	Engaged with culture
<i>Mana</i> , the authority, status and influence	That someone died and that there's a process to follow	Has dealt with grief
<i>Ngākaupono</i> , honesty & loyalty	That it's their entitlement	Engaged & interested

**Drivers for succession identified in workshops held by Te Tumu Paeroa**