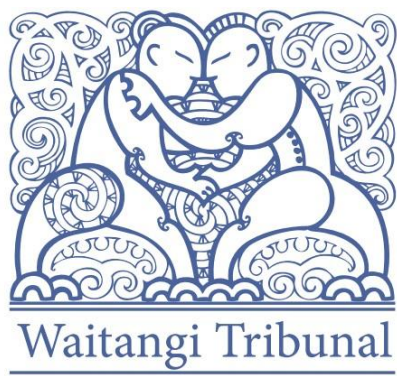




Waitangi Tribunal

Hauwhaikaha Report:

Chapter 12 – Accident

Compensation Corporation



Te Kaporeihana Āwhina Hunga Whara

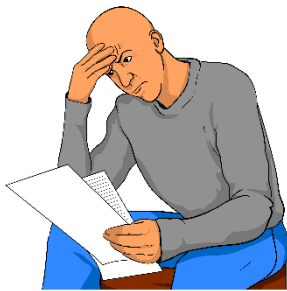


Published: September 2026

Before you begin



This is a long document.



It can be hard for some people to read a document this long.

Some things you can do to make it easier are:



- read it a few pages at a time
- set aside some quiet time to look at it
- have someone read it with you to support you to understand it.



What you will find in here

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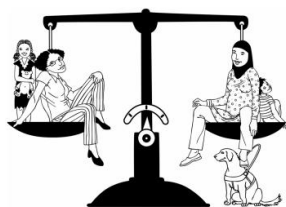
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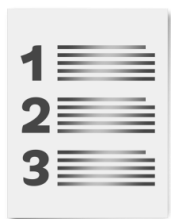
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About this Easy Read



This Easy Read is from the **Waitangi Tribunal**.



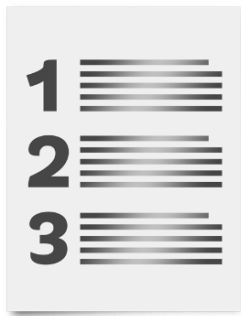
More information about the **Waitangi Tribunal** is on **pages 13 to 14**.



Where it says **we / us** this means the Waitangi Tribunal.



This Easy Read is a **summary** of **Chapter 12 – Accident Compensation Corporation** in the **Hauwhaikaha Report**.



A summary:

- is shorter than the main document
- tells you the important ideas.



The **Accident Compensation Corporation** supports people who have been injured in an accident.

The support includes money:

- for treatment
- if you cannot work because of your injury.



In this document the **Accident Compensation Corporation** will be called **ACC**.



The **Hauwhaikaha Report** is:

- from the **Health Services and Outcomes Inquiry** by the Waitangi Tribunal
- about **claims** that have to do with the disability system.

The **Health Services and Outcomes Inquiry** is about claims made about Aotearoa New Zealand health:

- services
- **outcomes.**

Outcomes means how things turn out for people in life.

For example getting good healthcare can mean being healthier for longer.

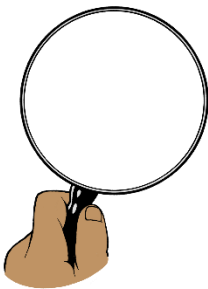


In this document the **Health Services and Outcomes Inquiry** will be called **the inquiry**.



Here a **claim** means someone:

- has told the Waitangi Tribunal that the Government has done something against **Te Tiriti o Waitangi / The Treaty of Waitangi**
- wants the Waitangi Tribunal to look into it.



In this document the word **claimants** means people who have made claims to the Waitangi Tribunal about the disability system.



More information about **Te Tiriti o Waitangi / The Treaty of Waitangi** is on **pages 11 to 12**.



In this document where you see the words **taangata whaikaha Maaori** this means Maaori disabled people.



Te reo Maaori / the Maaori language usually uses **macrons**.

ā ē ī ō ū

Macrons are lines above letters that show you how to say that word.



In te reo Maaori / the Maaori language a macron means to say that letter longer.

Aa ee ii oo uu

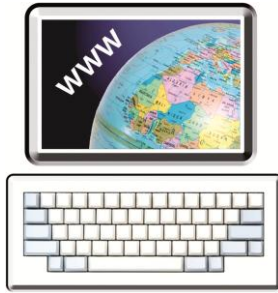
The Hauwhaikaha Report uses double letters instead of macrons.

Maaori / Māori

For example Maaori is the same as Māori.



This is so some people can read the words more easily.

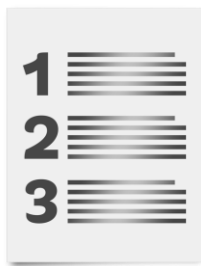


You can read the full Hauwhaikaha Report at this website:

www.bit.ly/Hauwhaikaha



The full report is **not** in Easy Read.

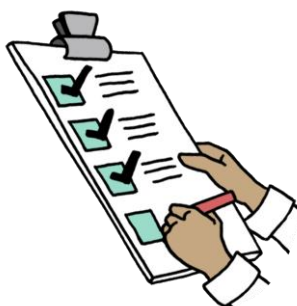


There are summaries of each chapter if you do not want to read the full Hauwhaikaha Report.



The summaries of each chapter are available in Easy Read at this website:

www.bit.ly/Hauwhaikaha-easy



The summaries of each chapter give an outline of:

- important issues
- things that were found out.



The summaries do not include all the:

- **analysis**
- **evidence.**



Here **analysis** means discussion / thinking about what was found out.



Here **evidence** is information about something like:

- what people said
- what happened to people
- records / files.



What is Te Tiriti o Waitangi / The Treaty of Waitangi?



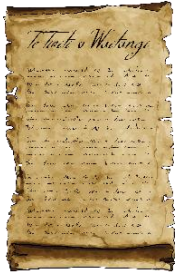
Te Tiriti o Waitangi / The Treaty of Waitangi:

- is an agreement signed between:
 - the Crown
 - and
 - Maaori
- was signed in 1840
- is about the:
 - promises made
 - **obligations** for everyone.





Obligations are important things that have to be done.



In this document Te Tiriti o Waitangi / The Treaty of Waitangi will be called **Te Tiriti / The Treaty**.



Where it says the **Crown** in this document this means the **government**.

What is the Waitangi Tribunal?



The Waitangi Tribunal:

- is a **commission of inquiry**
- listens to claims
- decides if the Government broke a promise made in Te Tiriti / The Treaty
- makes **recommendations** about claims Maaori have made about the Crown.

A **commission of inquiry** is a group of people put together by the Government who learn about things that happened.



Here **recommendations** are advice that would:

- fix a problem
- make things better.

Why are there claims?



Governments of Aotearoa New Zealand have not always kept to the promises made in Te Tiriti / The Treaty.



Maaori can go to the Waitangi Tribunal to talk about the Government not keeping the promises made in Te Tiriti / The Treaty.

What does ACC do?



ACC supports people who have been injured in an accident including people who are disabled from an accident.



Support from ACC includes:

- equipment like walkers
- help at home
- someone to look after children
- money that covers time off from work.





Support from ACC also includes paying for things people need when they are getting treatment like:

- transport
- somewhere to stay when getting treated
- medicine.



A person must make a **claim to ACC** if they want to get support.



Here a **claim to ACC** means:

- telling ACC about the accident
- asking ACC for support.



The claim is then assessed / thought about by ACC.

How do Maaori use ACC?



Claimants said ACC is hard to:

- access
- use.



Claimants said Maaori:

- have a higher **risk** of having an accident than people who are not Maaori



but

- do not use ACC as much as they could.



Here a **risk** is when something might happen to put you in danger.



Māori make fewer claims to ACC than any other group in Aotearoa New Zealand.



Claimants said this is because of **barriers** to accessing ACC like Māori having bad access to healthcare.



A **barrier** is something that can make it harder or impossible for you to do something.



The Crown and ACC said they understand:

- Māori do not use ACC as much as they could

and

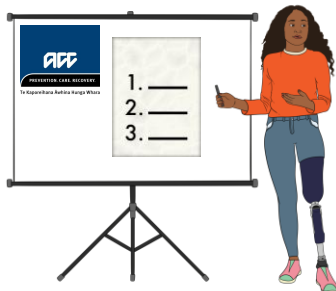
- there is a lot of evidence that Māori do not use ACC as much.





ACC also said it understands there is a higher risk of injury for Maaori because of things like:

- bad access to healthcare
- not enough work that is safe for them to do.



ACC said they had done many things in the last few years to get more Maaori to use ACC.



This includes new rules that mean ACC have to find and fix unequal access to ACC by Maaori.



The Accident Compensation Act 2001 says ACC must:

- find the problems Maaori have with accessing ACC
- help Maaori to use ACC.



There are barriers for Maaori when accessing ACC.



It is very important for taangata whaikaha Maaori to be able to access ACC.



We think:

- it is good that ACC has done things to improve access for Maaori

but



- better access for Maaori to ACC should have been done a long time ago.

Is home support working for Maaori?



Claimants said it is difficult to access:

- home support services
- community support services.



Claimants said Maaori get fewer care hours than people who are not Maaori.



Claimants also said ACC does not make sure Maaori can get support from a **kaupapa Maaori provider**.



Kaupapa Maaori means Maaori ways of doing things.



A **kaupapa Maaori provider** is a health or disability service:

- owned by Maaori
- run by Maaori.

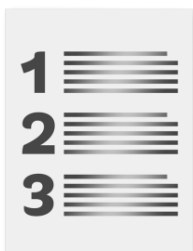


ACC said Maaori are supported by healthcare providers ACC has **contracts** with.



Here a **contract** is a written agreement that has:

- the rules about what must be done
- information about what providers get paid.





ACC said the healthcare providers it has contracts with must:

- support Māori **culture**
- work together with the client in ways that are good for their culture.



Culture is a way of:

- thinking that a group shares
- doing things as a group.



We were not given enough evidence to work out if support services done by ACC are not enough for Māori.



We found out that it is hard for Māori to get enough hours of care.



We could not figure out if disabled people who are not Maaori have as much of a problem getting care hours.



We think it is a good thing that ACC changed its contracts so providers need to think about the culture of the people they support.



We also think taangata whaikaha Maaori should get support from a kaupapa Maaori provider if they want to.

Can Maaori get rongoaa through ACC?



ACC said **rongoaa** could be used in services from June 2020.



Rongoaa is traditional Maaori medicine using things like:

- plants
- mirimiri / massage.



Under the Accident Compensation Act 2001 rongoaa:

- is able to be used under something called other social **rehabilitation**
- must be must be approved by ACC staff.





Here **rehabilitation** means support to get better when you are injured.



Claimants said this means:

- rongoaa is not always allowed
- rongoaa is harder to access
- taangata whaikaha Maaori are stopped from accessing rongoaa.



Claimants also said they think ACC staff do not understand Maaori culture well enough to make good decisions about rongoaa.



ACC said it gave their staff training about rongoaa when it was first able to be used in ACC claims.



The Crown said many more people are using rongoaa.



We think rongoaa being used under other social rehabilitation does not stop people from accessing it.



We also think ACC has put in rules to make sure people can access rongoaa.



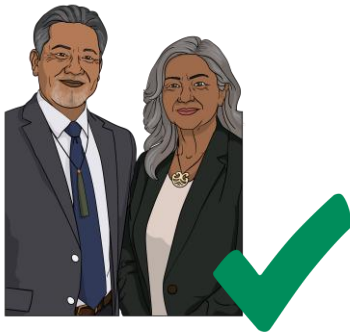
This includes making sure staff have a good understanding of rongoaa.

Does ACC support Maaori culture?



Claimants said ACC is:

- not **culturally responsive** to Maaori
- does not work with **tikanga**
- does not meet the needs of taangata whaikaha Maaori.



Here **culturally responsive** means understanding:

- when it is good to support Maaori culture
- how to support Maaori culture in good ways.





Tikanga means Māori ways of doing things that are important to Māori culture.

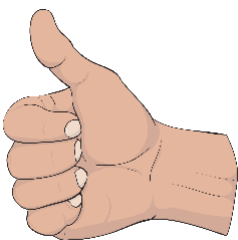


Claimants talked about bad experiences they had with ACC staff.



ACC talked about **initiatives** to teach staff about Māori culture including teaching about:

- Te Tiriti / The Treaty
- the ways Māori do things.



An **initiative** is a type of plan being done to make something better.



Staff do this training only if they want to.



ACC also started the Haapai programme which teaches **case managers**:

- how to support Maaori culture better
- what Maaori ACC clients experience.



Here a **case manager** works with the person who has applied for ACC to get the support they need.



Other people in the disability community said they worry about how culturally responsive ACC is.



We found out from claimants that taangata whaikaha Maaori do not always get support from ACC that supports their culture well.



We are happy that ACC has said it:

- understands that people are worried

and



- is doing things to make its services better.

Do Maaori have fair access to weekly compensation?



People who were working before their injury can get weekly payments from ACC.



The weekly payment is up to 80 **percent** of how much money they got for working.



Percent is a number that means 1 out of every 1 hundred.

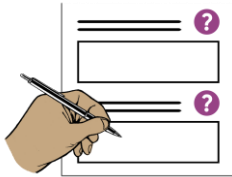


For example 80 percent means 80 dollars out of every 100 hundred dollars.



Claimants said:

- taangata whaikaha Maaori do not get equal access to payments
- there are barriers to getting payments like having to give ACC medical certificates from a doctor.



Claimants also said payments are not enough to cover everything they need to live.



ACC said it understands Maaori have lower **employment rates**.



Employment rates means how many people in a group have a job.



This means they might not be able to get weekly ACC payments.



ACC also said **statistics** show that weekly payments for Maaori have got better.



Statistics are a way to learn about the world using data / information about groups of people.

We found:



- more Maaori are getting weekly ACC payments

but

- there are still barriers to getting weekly payments like having to get a medical certificate often.





We ask ACC to fix the barriers to getting weekly payments including the need to get a medical certificate often.

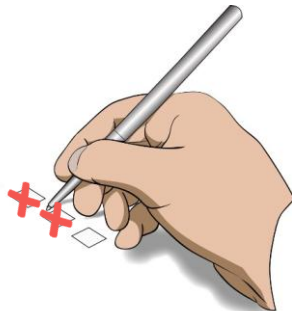
Do Maaori have equitable outcomes with ACC?



Claimants said Maaori do not get as good outcomes using ACC as people who are not Maaori.



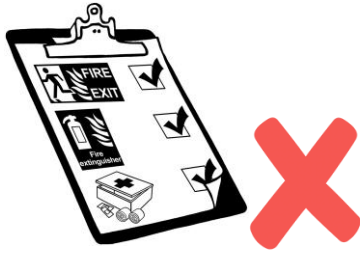
Equitable means treating everyone fairly.



Claimants said Maaori:

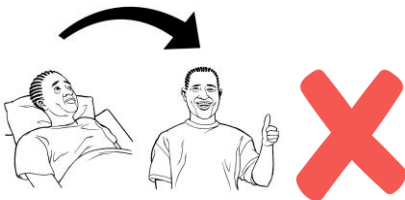
- have worse health outcomes
- are more likely to:
 - die after an injury
 - be disabled after an injury.





ACC said it understands Maaori can have bad outcomes after injury like:

- not being kept safe from other injuries
- not getting:
 - the same kind of care as other people
 - better from the injury as well as other people.



ACC said it had shown it was committed to equitable:

- access to ACC
- experiences for Maaori using ACC
- outcomes for Maaori using ACC.





This includes ACC having goals for equity in everything it does.



The Crown said it will take a long time to make outcomes better for Maaori.



We agree that Maaori do not have equitable health outcomes with people who are not Maaori.



This includes having worse outcomes for a long time after injury.



We think:

- it is good that ACC is doing things to make outcomes better for Maaori

but

- many of the things ACC is doing are new.



This means it is too early to work out if what ACC is doing will make outcomes for Maaori better.

Tribunal findings



We found there are many inequities / unfair problems for Maaori using ACC.



The Crown and ACC agree that Maaori have barriers to accessing ACC.



Te Tiriti / The Treaty **principles** we thought about for taangata whaikaha Maaori accessing ACC are:

- **equity**
- **active protection**
- **options.**





Here **principles** are ideas / beliefs that tell people:

- about what Te Tiriti / The Treaty means to people now
- the obligations the Government has to Maaori.

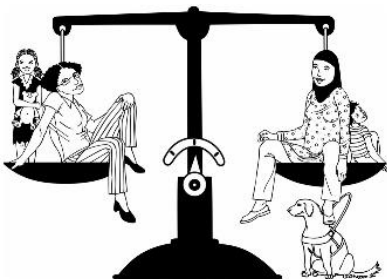


The principles come from the words of Te Tiriti / The Treaty.



Equity means taangata whaikaha Maaori:

- are treated fairly:
- get what they need to live a good life
- get the same things as other people means everyone gets what they need to live a good life.





Here **active protection** means the Crown has to protect things that are important to Maaori.



Here **options** means having a choice of what to do.



The principle of equity means the Crown must:

- treat everyone in a fair way
- find out about things that are not fair
- do work to show everyone things can be fair.



We found the Crown understood that things are not fair for accessing ACC between:

- Maaori

and

- people who are not Maaori.





We thought that not fixing access barriers for a long time might be a **breach** of the principle of equity.



Here **breach** means:

- rules have not been followed
- things have not been done like they were promised.



We found:

- problems with access to ACC have been known about since over 25 years ago
- the Crown has done some important things to fix inequities / unfair problems in ACC.





It is not right that inequities / unfair problems could keep happening.



We did not get enough information about home and community support services to decide if inequities / unfair problems are still happening for them.



We think equity has not been breached here because the Crown has:

- found out about inequities / unfair problems in ACC
- done many things to fix the problems in ACC.





The principle of active protection means the Crown must make sure everyone has access to health services including:

- services that support the culture of a person in a good way
- fixing inequities / unfair problems for Māori.



ACC have come up with initiatives to:



- fix many inequities / unfair problems
- support Māori to access ACC
- make the understanding of culture better:
 - in ACC
 - by ACC staff.





This better understanding of culture includes rongoaa being used through ACC.



We could not work out if there is a breach of active protection has happened because many of the initiatives had only just started.



The principle of options means the Crown must make sure kaupapa Maaori services are available.



This is so Maaori can choose the service that is right for them.



The principle of options also means all services:

- are **maintained** in a fair way
- can be used by Maaori.



Here **maintained** means health services are given the right amount of:

- money
- staff
- resources like:
 - buildings
 - equipment.





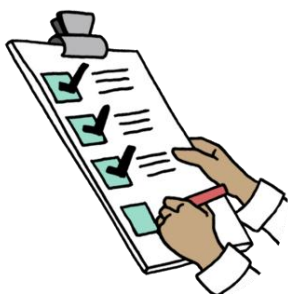
There is not enough choice with ACC including staff not understanding the culture of their clients.



We found:

- access barriers make it harder for Maaori to use ACC

but



- ACC has done important things to:

- fix many access barriers
- understand how to support culture in the things it does.



We found the principle of options had not been breached.



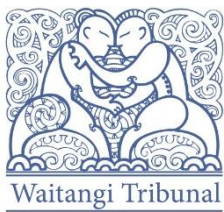
We found:

- there are many places ACC could make things better

but

- there are no breaches of Te Tiriti / The Treaty.





This information has been written by the Waitangi Tribunal.



It has been translated into Easy Read by the Make it Easy Kia Māmā Mai service of People First New Zealand Ngā Tāngata Tuatahi.



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