TE MANA O TE WAI RANGATIRATANGA O TE WAI FACILITATION PROGRAMME

HAPŪ, IWI, MANA WHENUA FOCUS







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1 Rangatiratanga o Te Wai Facilitation Programme

The Rangatira o Te Wai Facilitation Programme has been developed to assist and empower iwi, hapu and mana whenua to prepare for Te Mana o Te Wai based engagement. The programme recognises that iwi, hapu and mana whenua have a unique standing, and have distinct rights, entitlements, and obligations in respect of their ancestral estate, matauranga and wellbeing. Importantly, the programme does not presume to tell indigenous peoples their rights, entitlements, and obligations; but instead provides a primer to access to information about the Resource Management regime, how and where there are levers for mana whenua influence and direction, and to develop (or revise) mana whenua plans, strategies, and modalities for wai Maori.

A separate, but aligned, Te Mana o Te Wai Training Programme has been developed for local Councils and decision makers.

The Rangatiratanga Programme is for;

- Iwi, hapu, mana whenua groups exercising mana in relation to wai
- Iwi, hapu or mana whenua representative organisations

2 Purpose and Content Summary

The purpose of the dual training programmes is to concurrently equip, with some speed and intensity, both local Councils and iwi/hapu with baseline information around Te Mana o Te Wai - so that they can both understand it, within the context of the NPSFW, and so that each feel sufficiently enabled to work together towards implementing Te Mana o Te Wai collaboratively.

Te Mana o Te Wai is not a new concept, it is ancient and enduring. It is, however, transformative that it has been incorporated, with active and positive obligations, within colonial law. This shift creates a challenge to hapu/iwi decision makers to ensure that they are properly prepared and adequately understand the concept of Te Mana o Te Wai, and the obligations it creates.

The two training programmes are aligned but tailored to the distinct needs of Council(s) and iwi/hapu respectively.

Module	Te Mana	0	Те	Wai	Trainir	ng Te Rangatiratanga o Te Wai Facilitation
	Programme					Programme
1	Te Whakata	u				Te Whakatau
2	Mana Wher	านล				Mana Whenua *with varied learning outcomes
3	Te Tiriti o W	/aitar	ıgi			Te Tiriti o Waitangi
4	Matauranga	Mac	ori			Te Whakapapa o Te Wai Maori
5	Understand	ing N	1aori	Repres	sentation	n - Understanding Local and Central
	*rohe specific					Government within the freshwater estate
6	Collaboratio	on, Co	o-Des	ign, En	gagemei	ent Collaboration, Co-Design, Engagement
	and Effective Participation			and Effective Participation		
7	Tiriti inforn	ned	Proce	ess and	d Practio	ce Tiriti informed Process and Practice
	Design					Design *with varied learning outcomes
8	Implementing Te Mana o Te Wai *rohe		Wai *roi	he Implementing Te Mana o Te Wai *hapu/iwi		
	specific					specific
	le across both				ith varied	Council specific module Iwi/hapu specific module
, ,			ing out ammes		icross the	



3 Assessment Summary

Module	Te Mana o Te Wai Training Programme	Assessment Type(s)	Weighting
1	Te Whakatau	Written summary of key learnings Personal reflective statement	10%
2	Mana Whenua	Written summary of key learnings Personal reflective statement	10%
3	Te Tiriti o Waitangi	Active, engaged participation in	35%
4	Matauranga Maori	facilitated workshop	
5	Understanding Maori Representation - *rohe specific	Written summary of key learnings Personal reflective statement	
6	Collaboration, Co-Design, Engagement and Effective Participation	Active, engaged participation in facilitated workshop Written summary of key learnings	45%
7	Tiriti informed Process and Practice Design	Personal reflective statement	
8	Implementing Te Mana o Te Wai *rohe specific		

Module	Te Rangatiratanga o Te Wai Facilitation Programme		
1	T 144 1 1		
1	Te Whakatau	Written summary of key learnings Personal reflective statement	10%
2	Mana Whenua *with varied learning outcomes	Written summary of key learnings Personal reflective statement	10%
3	Te Tiriti o Waitangi	Active, engaged participation	35%
4	Te Whakapapa o Te Wai Maori	in facilitated workshop	
5	Understanding Local and Central Government within the freshwater estate	Written summary of key learnings Personal reflective statement	
6	Collaboration, Co-Design, Engagement and Effective Participation	Active, engaged participation in facilitated workshop Written summary of key	45%
7	Tiriti informed Process and Practice Design *with varied learning outcomes	learnings Personal reflective statement	
8	Implementing Te Mana o Te Wai *hapu/iwi specific		

^{*}Assessment is necessary in Te Rangatiratanga o Te Wai programme if iwi/hapu participants seek formal accreditation/certification. If they do not, assessment criteria are voluntary, but recommended.



4 Te Mana o Te Wai – Te Whakatau

SUBJECT LEARNING TYPE WEIGHTING DATE

Te Whakatau Self-Directed 10% Week 1

4.1 Overview

This module readies the learner to engage in the Te Mana o Te Wai Training Programme. It is vitally important to prepare the learner to engage with new learning and, given Te Mana o Te Wai is a concept that requires transformation and re-learning, this module focuses on providing basic, foundational information to the learner, and aims to ensure that all participants in the Te Mana o Te Wai Training Programme are engaging with the core basic information, and able to apply it appropriately. The module is self-directed, meaning the learner is able to access and complete the learning independently.

OBJECTIVES	To provide the learner with vital background information to consider by way of preparation for the completion of the Te Mana o Te Wai Training Programme.	
KEY LEARNING QUESTIONS	What is Te Mana o Te Wai? Why is it in the National Policy Statement on Freshwater? What obligations does it create?	
ACTIVITY - RESEARCH	Locate key documents Read the NPSFW Read Te Mana o Te Wai Consider, reflect – identify information/knowledge gaps, any issues/barriers, thoughts/reactions	
LEARNING OUTCOME	Students will be able to articulate what the NZPSFW is, and how Te Mana o Te Wai is referenced within it. Students will be able to identify what Te Mana o Te Wai is, within the NZPSFW framework, and have read its contents. Students are able to identify information/knowledge needs, gaps, strengths.	



	Students are able to start identifying what obligations the incorporation of Te Mana o Te Wai creates for those fulfilling at statutory role in relation to freshwater.	
ASSESSMENT	Reflective written/verbal assessment:	10%
	Providing summary of key learnings	
	Demonstrating understanding of the location, authority, and interrelationship between the NPSFW, Te Mana o Te Wai, and	
	preliminary identification of obligations upon Council and other statutory roles/entities.	
	Preliminary identification of issues, risk, needs.	
	Personal reflective statement	
RESOURCESS	NPSFW	
	Te Mana o Te Wai documentation	
NOTES	This module is compulsory for all participants.	



5 Te Mana o Te Wai – Mana Whenua

SUBJECT LEARNING TYPE WEIGHTING DATE

Mana Whenua Self-Directed 10% Week 2

5.1 Overview

This module readies the learner to engage in the Te Mana o Te Wai Training Programme. It is vitally important to prepare the learner to engage with new learning and, given Te Mana o Te Wai is a concept that requires transformation and re-learning, this module focuses on providing basic, foundational information to the learner, and aims to ensure that all participants in the Te Mana o Te Wai Training Programme are engaging with the core basic information, and able to apply it appropriately. The module is self-directed, as an initial backgrounder, meaning the learner is able to access and complete the learning independently. Aspects of this module will be revisited and unpackaged further in subsequent facilitated sessions.

OBJECTIVES	To provide the learner with vital background information to consider by way of preparation for the completion of the Te Mana o Te Wai Training Programme.	
KEY LEARNING QUESTIONS	What iwi/hapu do you affiliate to? What is the basis of their mana whenua in the rohe? Where is their traditional territory?	
	Who are the other iwi/hapu within the rohe? Are their whakapapa interconnections around territory that mean mana is shared, or exercised together, at times? Are there areas of exclusivity?	
	How do we know that? How do you know that?	
ACTIVITY - RESEARCH	Identify, locate, and read all Treaty settlements summaries for iwi/hapu within rohe; but with particular focus on Tribunal findings or settlement documents relating to the learners hapu/iwi.	



	What resources are available to the iwi to 'tell its story'?	
	Identify any enabling legislation or Treaty derived arrangements, located, and read	
	Identify, locate, and read any iwi environmental plans (or like documents) authored by mana whenua hapu/iwi within the rohe. Does the learner's iwi/hapu have an active iwi environmental plan? How was it created? Does it require updating? How would that happen?	
	Consider, reflect – identify information/knowledge gaps, any issues/barriers, thoughts/reactions	
	Summarise key findings/observations	
LEARNING OUTCOME	Students are able to start identifying who the mana whenua are, where their territories are located, matters pertinent to their history and sacred geography, and any modern articulations of their aspirations/strategic planning	
ASSESSMENT	Provide summary of key learnings Personal reflective statement	10%
RESOURCESS	Treaty settlement documents Iwi environmental planning documents	
NOTES	This module is compulsory for all participants.	



6 Te Mana o Te Wai – Te Tiriti o Waitangi

SUBJECT LEARNING TYPE WEIGHTING DATE

Te Tiriti o Waitangi+ Approved Facilitation 1/25% Week 3

6.1 Overview

This module introduces (or for some, reintroduces) Te Tiriti o Waitangi, from an indigenous worldview – as this provides vital context for Te Mana o Te Wai and the recognition of Maori rights and interests in freshwater. It challenges long standing legal fictions, and the Crown's assumed monopoly on interpreting and determining the nature and extent of the Treaty relationship; particularly in light of the Waitangi Tribunal's finding that sovereignty was not ceded upon the signing of Te Tiriti o Waitangi.

The module takes a critical look at Te Tiriti o Waitangi; the context for its signing, its content, and its subsequent application or breach. It looks at Treaty settlements, and in particular looks at local case study application to inform the learner. The module also looks at the United Nations Declaration of the Rights of Indigenous Peoples – particularly the provisions relating to self-determination, political representation, land, territories, and resources.

OBJECTIVES	To challenge the learner's current understanding of Te Tiriti o Waitangi To provide the learner with new information around Treaty jurisprudence/analysis to assist in understanding how, what, and why Te Tiriti has an elevated and esteemed place in Aotearoa/NZ	
KEY LEARNING QUESTIONS	What is Te Tiriti o Waitangi? How is it relevant? What is the UNDRIP? How is it relevant? Did your iwi/hapu sign Te Tiriti o Waitangi? Who? Where? When? Has your iwi/hapu made claims against the Crown for breaching their obligations under Te Tiriti o Waitangi? If so, have those claims been heard or settled? Is there any moment in history where your hapu/iwi have voluntarily surrendered your	



	ancestral rights and responsibilities regarding fresh water?	
ACTIVITY - RESEARCH	Read rohe specific Te Tiriti o Waitangi Read UNDRIP Participate in facilitated workshop Consider, reflect – identify information/knowledge gaps, any issues/barriers, thoughts/reactions	
LEARNING OUTCOME	Students will be able to articulate what Te Tiriti o Waitangi is, what it says, and why it is relevant. Students will be able to articulate what UNDRIP is, and locate provisions specifically relating to self-determination, political representation, territorial rights, and the environment.	
ASSESSMENT	Provide summary of key learnings in relation to Te Tiriti, UNDRIP Preliminary identification of obligations upon Council and other statutory roles/entities Preliminary identification of issues, risk, needs Personal reflective statement	This module forms 1 part of 3 intersecting modules that together are valued at 25% of the total course weighting. In delivery terms, they will form the first full day of the facilitated learning workshop.
RESOURCESS	Te Tiriti o Waitangi UNDRIP He Puapua Matike Mai Waitangi Tribunal Wai Maori	
NOTES	This module is compulsory for all participants.	



7 Te Mana o Te Wai – Whakapapa o Te Wai Maori through Matauranga Maori lens

SUBJECT LEARNING TYPE WEIGHTING DATE

Whakapapa o Te WaiApproved Facilitation 2/25% Week 3

Maori

7.1 Overview

This module explores Matauranga Maori – what it is, where it fits, how it is relevant. There is a key interplay between colonial law and Maori customary concepts within the Te Mana o Te Wai schema. In order to grapple with that interplay, and retain the integrity of Te Mana o Te Wai, it is important to understand the educative framework it exists within.

The NPSFW requires the use of 'best information' to make decisions; and this provision, like all others in the plan, is subject to the overarching requirement to ensure that Te Mana o Te Wai is upheld. That necessarily means a push away from a strict Eurocentric-lens based statutory interpretation, and in particular has relevance to how Te Mana o Te Wai, and Te Tiriti o Waitangi, are given effect to by decision makers. The module explores the legitimacy of a Matauranga Maori based system of science and intergenerational knowledge. It encourages learners to understand the benefit, legitimacy and application of indigenous lifeways, worldview; and with particular reference to environmental knowledge. This is not a catch all download of Maori environmental knowledge, instead it is an exploration of duality and pluralism in relation to freshwater.

OBJECTIVES	The learner community explores Te Mana o Te Wai, including whakapapa based matauranga Maori relating to water. The learner refreshes ancestral knowledge re wai Maori, atuatanga o tea o turoa.	
	Te Mana o Te Wai is contextualized for the learner within a greater indigenous worldview.	
KEY LEARNING QUESTIONS	How does your hapu/iwi consider wai Maori? What informs that position? What purakau, whakapapa, moteatea, haka, whakatauki, whakairo, moko, toi, compositions or histories are relevant to the learners	
	hapu/iwi understanding of wai Maori?	

ACTIVITY - RESEARCH	Discuss within the mana whenua collective how wai Maori is understood, related to, engaged with, provided for — how mana is exercised, how mauri is monitored, how balance and restoration is achieved. Is the hapu/iwi position known, widely within the collective? How is this knowledge held, kept, accessed?	
	Use case studies re mauri, tapu, use etc.	
	Consider, reflect – identify information/knowledge gaps, any issues/barriers, thoughts/reactions	
LEARNING OUTCOME	Students will be able to articulate what Matauranga Maori as a system is;	
	Students will be able to identify how Matauranga Maori as it relates to their own hapu/iwi understanding of wai Maori.	
	Students are able to start identifying what obligations the incorporation of Te Mana o Te Wai creates for those fulfilling at statutory role in relation to freshwater.	
ASSESSMENT	Reflective written/verbal assessment: Providing summary of key learnings Demonstrating understanding of the location, authority, and interrelationship between the Matauranga Maori, Te Mana o Te Wai, and the NPSFW, and preliminary identification of obligations upon Council and other statutory roles/entities. Preliminary identification of issues, risk, needs.	This module forms 1 part of 3 intersecting modules that together are valued at 25% of the total course weighting. In delivery terms, they will form the first full day of the facilitated learning workshop.



	Personal reflective statement
RESOURCESS	Te Mana o Te Wai documentation Matauranga Maori readings/video Hapu/iwi specific ancestral
NOTES	This module is compulsory for all
	participants.



8 Te Mana o Te Wai – Understanding Local and Central Government within the freshwater estate - *rohe specific

SUBJECT LEARNING TYPE WEIGHTING DATE

Understanding Local/Approved Facilitation 3/25% Week 3
Central Government

within the freshwater estate *rohe specific

8.1 Overview

This module readies the learner to understand local and central government structures, systems, and processes, as they relate to freshwater. It will look at various roles, responsibilities; and the legal frameworks that house them. It will look at what political representation and structures look like, how they are constituted. It will identify relevant mana whenua recognition and will unpackage roles and functions insofar as they relate to colonial governance arrangements, strategic alignment, and representation.

This module will draw upon Module 2; where learners have engaged in prior research, analysis, and reflection as part of the preparation for facilitated learning sessions.

OBJECTIVES	The learner is able to identify or summarise the role/responsibility distinction between local and central government (not resolve them); The learner is able to identify when they need help	
KEY LEARNING QUESTIONS	Who purports to exercise authority in relation to the freshwater estate? What is the role of local government under the NPSFW? What is the role of central government? What is the anticipated role of hapu/iwi? How can decision makers and their processes be strengthened to give effect to Te Mana o Te Wai?	
ACTIVITY - RESEARCH	Revise key Treaty settlements, iwi management plans or other planning documents provided/located for Module 2.	



LEARNING OUTCOME	Students will demonstrate an understanding of some of the complexity around Maori representation Students will be able to identify local mana whenua, where appropriate, or be able to talk through a process design for finding that out. Students will revisit and refresh knowledge of operative iwi management plans; and explore mana whenua related case studies Students are able to start identifying what obligations the incorporation of Te Mana o Te Wai creates for those fulfilling at statutory role in relation to freshwater.	
ASSESSMENT	Reflective written/verbal assessment: Providing summary of key learnings Identify why representation matters; and how colonization has impacted upon modern day representation; understanding of iwi/hapu variations to representation preliminary identification of obligations upon Council and other statutory roles/entities Preliminary identification of issues, risk, needs. Personal reflective statement	This module forms 1 part of 3 intersecting modules that together are valued at 25% of the total course weighting. In delivery terms, they will form the first full day of the facilitated learning workshop.
RESOURCESS	Maps Matauranga Maori based knowledge Treaty settlement documentation Iwi Management Plans	



NOTES	This module is compulsory for all participants.	



9 Te Mana o Te Wai – Collaboration, Co-Design, Engagement and Effective Participation

SUBJECT LEARNING TYPE WEIGHTING DATE

Collaboration, Co-Approved Facilitation 1/25% Week 4

Design, Engagement and Effective Participation

9.1 Overview

This module looks at models and philosophies relating to collaboration, co-design, co-governance, co-government; and reflects the general shift away from 'consultation' to 'engagement' – asking whether Te Mana o Te Wai requires decision makers to go further still. It will explore both procedural methodology, substantive engagement, and conceptual application – and look at the impact of procedural design and integrity on the expression of rights and interests.

OBJECTIVES	To provide the learner with an understanding of the design process, varying approaches, and styles, and enable the student to critically analyse developmental tools for their ability to facilitate (or undermine) giving effect to Te Tiriti o Waitangi	
KEY LEARNING QUESTIONS	What is process design? What is strategic alignment? What is equity? What is equality? What is prejudice? What is marginalization? What is fiduciary duty? What are the obligations on decision makers to make good, fair, Treaty compliant, decisions?	
ACTIVITY - RESEARCH	Case study analysis, using real examples, or engagement – analyse and critique. Consider what principles or benchmarks a truly co-designed process would have.	



	Measure the current practice, and plan pathway to transition to more inclusive 'Treaty compliant' process	
LEARNING OUTCOME	Students should be able to look critically at process design (including utilisation of past and present working examples); Students should gain familiarity with the concept of free, prior, and informed consent; Students will be able to identify where engagement is required, and the impact of engagement decisions upon hapu/iwi and the integrity of the process/duty on Council	
ASSESSMENT	Verbal group presentation analyzing case study Peer review of other group presentations Student recommendations for baselines underpinning procedural design	This module forms 1 part of 3 intersecting modules that together are valued at 25% of the total course weighting. In delivery terms, they will form the first full day of the facilitated learning workshop.
RESOURCES	Collaboration/think tank documentation	
NOTES	This module is compulsory for all participants.	



10 Te Mana o Te Wai – Tiriti informed process and practice design

SUBJECT LEARNING TYPE WEIGHTING DATE

Tiriti informed processApproved Facilitation 3/25% Week 4 and practice design

10.1 Overview

This module asks the question 'What would a process that upholds Te Tiriti o Waitangi' look like? It will explore both procedural methodology, substantive engagement, and conceptual application. Drawing on the learnings from Module 5 this module will look to explore, through regional application, how Te Mana o Te Wai processes can be co-designed, co-constructed and co-owned by hapu/iwi and the Council/Crown – and will examine specifically what it would take to shift the Council from current practice to 'Treaty compliant best practice'.

OBJECTIVES	To provide the learner with a critical opportunity to test Treaty application within the context of Te Mana o Te Wai	
KEY LEARNING QUESTIONS	What does Te Tiriti say, in relation to this rohe? What does that mean, for your hapu/iwi? For other tangata whenua? How do we know? What does that mean, for the Council? How do we know? Does the current process honorably implement Te Tiriti? How do we know? What would need to change? How does your hapu/iwi see Te Tiriti being implemented in regards to wai Maori? What would you need to answer that question? What could a Treaty informed process look like?	



ACTIVITY - RESEARCH	Students will explore the procedural development of systems and processes that 'uphold Te Tiriti o Waitangi' and do not undermine inherent indigenous or Tiriti protected rights, current or future Treaty settlements Students will identify who needs to be involved, when, and how; and, where relevant, identify risks, issues and further information required	
LEARNING OUTCOME	Students will have some understanding and appreciation of how to implement the free, prior, and informed consent international standard, and have some insight into the entitlement for hapu/iwi to participate; Students will gain some understanding of how procedural involvement or invisibility impacts upon substantive rights Students will critically reflect on the current positioning of their hapu/iwi and the optimal position to engage from; and what is required to strengthen positions/ready mana whenua for those decisions	
ASSESSMENT	Reflective written/verbal assessment: (1) Providing summary of key learnings (2) Preliminary identification of issues, risk, needs. (3) Personal reflective statement	This module forms 1 part of 3 intersecting modules that together are valued at 25% of the total course weighting. In delivery terms, they will form the second full day of the facilitated learning workshop.



RESOURCESS	Te Tiriti o Waitangi	
	UNDRIP	
	Te Mana o Te Wai/NPSFW	
	Treaty settlements	
	lwi environmental plans	
NOTES	This module is compulsory for all participants.	



11 Te Mana o Te Wai – Implementing Te Mana o Te Wai *rohe specific

SUBJECT LEARNING TYPE GRADE DATE

Implementing Te Mana oApproved Facilitation 3/25 Week 4

Te Wai *rohe specific

11.1 Overview

This module focuses on the implementation of Te Mana o Te Wai locally, as it applies to specific regions, Councils, or iwi territories. It will look at the 'nuts and bolts' of implementation, and test where and how those matters can be progressed with Council/Crown. Specifically, the module will take students through the technicalities of

- Limits / Limit setting
- Navigating the 'how do we set limits' minefield, and assist them in working through a process they can have confidence in.
- Monitoring and Enforcement
- A critical look at strengthening the system by way of monitoring and enforcement requiring a robust investigation into what the drivers and barriers for monitoring and enforcement are.

OBJECTIVES	To provide the learner with vital tools to implement Te Mana o Te Wai regionally	
KEY LEARNING QUESTIONS	Refreshing what is Te Mana o Te Wai? Refreshing why is it in the National Policy Statement on Freshwater?	
	What obligations does it create? How do hapu/iwi work with Council? How do hapu/iwi hold Council to account? How does Te Mana o Te Wai keep its integrity through implementation?	
ACTIVITY - RESEARCH	Locate key documents Read the NPSFW Read Te Mana o Te Wai	

	Consider, reflect – identify information/knowledge gaps, any issues/barriers, thoughts/reactions	
LEARNING OUTCOME	Students will be able to articulate what the NZPSFW is, and how Te Mana o Te Wai is referenced within it.	
	Students will be able to identify what Te Mana o Te Wai is, within the NZPSFW framework, and have read its contents. Students are able to identify information/knowledge needs, gaps, strengths.	
	Students are able to start identifying what obligations the incorporation of Te Mana o Te Wai creates for those fulfilling at statutory role in relation to freshwater.	
ASSESSMENT	Reflective written/verbal assessment: Providing summary of key learnings Demonstrating understanding of the location, authority, and interrelationship between mana whenua, the NPSFW, Te Mana o Te Wai, and preliminary identification of obligations upon Council and other statutory roles/entities. Preliminary identification of issues, risk, needs. Personal reflective statement	This module forms 1 part of 3 intersecting modules that together are valued at 25% of the total course weighting. In delivery terms, they will form the second full day of the facilitated learning workshop.
RESOURCES	NPSFW Te Mana o Te Wai documentation	



NOTES	This module is compulsory for all participants.	