



WORKING PAPER

FOR THE FOURTH MEETING BETWEEN TŪHORONUKU, TE KOTAHITANGA AND THE CROWN

13 May 2018

BACKGROUND

The Tūhoronuku Independent Mandated Authority (Tūhoronuku) briefing to the incoming Minister of Treaty Negotiations of 30 October 2017 reported that on 2 June 2017 Tūhoronuku representatives Hōne Sadler and Rāniera Tau, along with Rudy Taylor and Pita Tipene from Te Kotahitanga (TKT), met with the then Prime Minister Bill English to try to get the Ngāpuhi Te Tiriti o Waitangi claims negotiations back on track.

At that meeting Mr English agreed to withdraw Crown officials from internal Ngāpuhi settlement negotiation decision-making, acknowledging their interference had held back the Ngāpuhi settlement by several years and that these matters were for Ngāpuhi alone to resolve.

Both parties were asked to report back to Mr English, if he continued to be Prime Minister after the general election in September 2017, on steps taken to progress Ngāpuhi toward settlement. To address this issue Tūhoronuku extended an invitation to TKT to meet, but was turned down. Despite this reluctance to engage, Tūhoronuku established and implemented a consultation process with Ngāpuhi to discuss a way forward.

The outcomes of these hui were:

- i. Ngāpuhi want to settle
- ii. They have confidence in Tūhoronuku
- iii. Their message was “just get on with it - you already have the Mandate from Ngāpuhi”

In tandem with this round of hui consultation and to capture a wider Ngāpuhi participation, Tūhoronuku commissioned Horizon Research to conduct an independent survey throughout Aotearoa of Ngāpuhi aged 18 years and over. The outcome of the survey has been well reported, with 70% of Ngāpuhi wanting Tūhoronuku to continue representing them in Treaty settlement negotiations with the Crown. There are also many compelling statistics within that survey that point to Ngāpuhi “just getting on with it”.



It is from that backdrop Tūhoronuku negotiators wished to progress kōrero with the then Prime Minister and anyone else who wanted to become involved with trying to push Ngāpuhi forward. Then the general election took place and we have a new coalition Government in place.

INTRODUCTION

Hon Andrew Little was appointed the Minister for Treaty of Waitangi Negotiations after the general election in September 2017. In late 2017 and early 2018 Minister Little visited the North on several occasions to meet first, with the mandated entity Tūhoronuku, and secondly with the opposing TKT group. Minister Little also met with Ngāpuhi in all regions, culminating in a Ngāpuhi wide hui at Waitangi. The Minister wanted to get the feel of the land and hear first-hand what people on the ground were saying.

The Minister then invited appointed members of Tūhoronuku, Hōne Sadler and Rāniera Tau, along with TKT co-chairs Rudy Taylor and Pita Tipene, to join him in Wellington for discussions to see if we could get the Ngāpuhi settlement going.

At this hui, on 3 March 2018, the Minister reported that when he went around Ngāpuhi meeting in different rohe he got consistent messages. These messages, and his messages to us were:

- The people were critical of both TKT and Tūhoronuku – *he said this was to be expected*
- The overwhelming message he got from meetings throughout the rohe and regions was “Minister get on with it, whatever decision you make, we will live with it” – *he said he didn’t want that, he wanted full agreement amongst us all*
- There is no agreement from Tūhoronuku for Maranga Mai – *he said we need to work around that position*
- We are meeting for a kōrero as there is an expectation from Ngāpuhi that we will move forward
- He told us: “*Do not let the weight of the moment overwhelm us*”
- The Crown has legal restrictions on what we can and cannot do
- The Crown is very clear what we need to do from the Tribunal report perspective
- We must explore all options and see if we can find a way forward together
- We do not want to start afresh with a new Mandate, as that would take too long and be very costly
- There will only be one settlement for Ngāpuhi
- A partial commercial settlement can be put together relatively quickly once agreement is reached.



Te Manu Aute A Rāhiri

TŪHORONUKU

At this meeting in Wellington, Minister Little noted that after feedback from Ngāpuhi, his officials and studying other examples of iwi who have been through the settlement process, he would provide a straw man that he felt might take Ngāpuhi forward, or at least provide a basis for kōrero.

The point for noting here, in terms of Tūhoronuku, is that we conceded there could be organisations set up in the five rohe to increase Hapū Rangatiratanga and to negotiate with the Crown on Hapū specific and Cultural issues. This was a significant concession by Tūhoronuku, as it deviates from the Mandate structure voted on by Ngāpuhi

There have been two further tripartite meetings with the Minister since, both in Auckland: on 7 April and 14 April.

Since it was formed, Tūhoronuku has given a commitment to Ngāpuhi it will always report back on all settlement developments. We have issued a report to Ngāpuhi on these three meetings with the Minister.

This report is on how Tūhoronuku wishes to approach the fourth meeting.

What we have seen as Tūhoronuku representatives is what we thought was agreement on certain issues, only to return to the next meeting to have these issues revisited and the same kōrero regurgitated.

Tūhoronuku wants to move beyond that. We want to acknowledge and cement in place the ground we agree on so there is absolutely no need to rehash the same kōrero every time.

The Ngāpuhi settlement must be for all Ngāpuhi, no matter where we live

The majority of Ngāpuhi live in cities and, according to the Minister, one in every four Māori don't know who their Hapū is. That is a little lower than we are receiving registrations at the Runanga, however, we will go with the Ministers numbers. If there is one in every four Māori not knowing who their Hapū are, that is 25%. For Ngāpuhi that translates to 31,400 people. Therefore it is a flawed vision by TKT and the Maranga Mai Report, that all Ngāpuhi will come home and get involved through their respective Hapū.

We must provide a pathway for Ngāpuhi people that does not create an environment of alienation.