

Record of Meeting

Hui: Ngā hapū o Ngāpuhi initial information hui, Copthorne Hotel, Hokianga

Date: Thursday 16 January 2020

Present: Ngā hapū o Ngāpuhi

Opening remarks

The hui opened at approximately 5:00pm with karakia. The facilitator advised:

- an attendance list was in circulation;
- a speakers list was also in circulation for those who wished to speak during the hui however this did not restrict anyone's ability to speak; and
- Te Arawhiti would present a slideshow and answer any questions.

The specific slideshow has not been recorded as it followed closely to the information on the slides. There were a number of questions and comments throughout that were answered and acknowledged (as detailed below).

Matters raised by ngā hapū o Ngāpuhi

He Wakaputanga, Te Tiriti o Waitangi and the Waitangi Tribunal inquiries

1. Speakers made strong statements about He Wakaputanga, Te Tiriti and the Waitangi Tribunal inquiries. Speakers stated ngā hapū o Ngāpuhi did not cede sovereignty and did not agree to be governed by the Crown.
2. Speakers advised He Wakaputanga, Te Tiriti and hapū rangatiratanga are bottom line issues for ngā hapū o Ngāpuhi. Speakers considered these issues should be resolved before moving forward with mandating and negotiations. One speaker also cited Wai 262 as a bottom line issue.
3. Speakers asked for the Crown's response to the Tribunal's finding that the Tuhoronuku Iwi Mandated Authority (TIMA) mandate process, as well as the Crown's recognition of the TIMA mandate, caused significant grievances and loss to hapū.
4. Speakers advised they did not want to engage until the Crown responds to the Stage 1 findings and the Stage 2 report is made available.
5. Te Arawhiti advised the Minister for Treaty of Waitangi Negotiations (the Minister) is willing to discuss He Wakaputanga, and the Crown has conceded in the Tribunal inquiries that it breached Te Tiriti. Te Arawhiti stated the Crown accepts and takes responsibility for its breaches of Te Tiriti and wants to start a new mandating process with ngā hapū o Ngāpuhi to enter negotiations and settle outstanding historical claims.

Hapū rangatiratanga

6. Speakers advised the Crown's wrongdoings towards ngā hapū o Ngāpuhi have had a serious impact on rangatiratanga.
7. Speakers emphasised they want the Minister to discuss rangatiratanga with them before they progress with any further mandating work.
8. One speaker stated individual hapū want to be able to speak for themselves and the Crown is taking that away by asking for mandate proposals from regional hapū groupings. This speaker asserted the Crown needs to better respect the mana of hapū and the mana of marae, including holding hui at marae and not in hotels and halls.
9. Speakers reiterated hapū should hold mana whenua and mana moana but the Crown is causing hapū to fight each other by enforcing its processes. Te Arawhiti advised Crown processes should not create further grievances. Ministers consider there are ngā hapū o Ngāpuhi historical Treaty claims that would be better dealt with collectively, and regional hapū groupings should help prevent hapū having to contest each other with respect to redress. Te Arawhiti advised hapū can decide how to group themselves in a way that feels natural.

Discontinued recognition of the TIMA mandate and views on the new proposal

10. Statements were made about how the TIMA mandate has left hapū segregated and a lot of damage has been done.
11. One speaker noted how Hokianga hapū were divided during the ngā hapū o Ngāpuhi evolved mandate proposal voting process with 12 hapū wanting to move forward with that process and 14 hapū not supporting it. This speaker said if hapū do want to take up this new mandate opportunity then they should be able to move forward and not be knocked down by other hapū. This speaker encouraged hapū to organise themselves and decide what they want to do.
12. One speaker advised that some hapū who voted "no" in the ngā hapū o Ngāpuhi evolved mandate proposal voting process are not necessarily opposed to a Treaty settlement.
13. Some speakers saw the new mandate opportunity as a positive prospect for hapū wanting to enter their own negotiations and settlement.
14. Some speakers commented they are glad the Minister has not walked away from giving ngā hapū o Ngāpuhi the opportunity to go through another mandating process. Hapū were encouraged to think about the proposed new mandate approach and decide what they want to do. One speaker asked how long it would take for claimant groups to receive an answer if they submitted a mandate proposal. Te Arawhiti advised Ministers would make decisions on mandate proposals on a case by case basis.
15. One speaker noted how neighbouring iwi have settled their historical Treaty claims and expressed concern that if ngā hapū o Ngāpuhi continue to wait there may be no suitable redress left. This speaker advised he wanted to see ngā hapū o Ngāpuhi progress with mandating and negotiations.
16. Some speakers considered the proposed new mandate process is the same as the last one and were disappointed ngā hapū o Ngāpuhi had not been able to design a new process in partnership with the

Crown. Speakers also expressed concerns the proposed new mandate process will continue to divide hapū and not result in any positive movements.

17. Speakers stated the Crown should not be dictating any processes to ngā hapū o Ngāpuhi and Hokianga hapū should be able to mandate themselves. Speakers said hapū will only go through a mandating process and negotiations if it is right for them. Te Arawhiti reaffirmed that Ministers are wanting Hokianga hapū to put up mandate proposals that are right for Hokianga hapū, and hapū will be responsible for choosing who should represent them.
18. Speakers informed the proposed timeframes for submitting new mandate proposals are unattainable and there should be no set timeframes. Te Arawhiti advised that while Ministers have called for regional hapū grouping mandate proposals by March 2020 and collective mandate proposals by May 2020, the timeframes are flexible.
19. Some speakers stated they did not want to enter negotiations or a settlement. They just wanted their land returned, governance over natural resources and the harbour cleaned up.

Collective mandate proposals

20. Most speakers did not agree with there being only one quantum offer for ngā hapū o Ngāpuhi.
21. Speakers highlighted how the Crown has offered other iwi split settlements and separate quantum amounts. Speakers stated Ngāpuhi are the largest iwi in Aotearoa and asked why the Crown will only make one quantum offer to them.
22. Speakers advised they want to know upfront from the Crown what financial, commercial and cultural redress can be negotiated.

Regional hapū mandate proposals

23. Speakers asked why the regional hapū grouping approach was not initiated earlier and why these conversations were not being held during the Waitangi commemorations when hapū are a lot more organised. Te Arawhiti advised that Crown officials are present today to engage with ngā hapū o Ngāpuhi at an officials level but Ministers will be at Waitangi Day and open to discussions.
24. Speakers asked whether the Crown will consider individual hapū mandate proposals or if a regional Hokianga hapū grouping mandate proposal is expected. Te Arawhiti noted Ministers and the Waitangi Tribunal have said it is not practical to negotiate individual settlements with every individual hapū. Te Arawhiti advised that Ministers believe it makes sense for hapū to group together by region.
25. Some papers and initial proposals were handed to Crown officials during the meeting and some hapū signalled they were readying themselves to have hui to discuss progressing a mandate.

Funding

26. Speakers questioned if the Crown is going to provide hapū with funding to meet and discuss the regional hapū grouping approach. Te Arawhiti confirmed funding will be made available for hui and the development of regional hapū grouping proposals. Claimant funding will also be provided for the formal mandating process as well.

27. Speakers stressed that hapū need more funding if they are going to hold hui and develop mandate proposals. Funding needs to be provided in advance, an adequate amount and reliable.
28. One speaker considered funding should only be given to Wai claimants. Te Arawhiti said the funding is intended for hapū and hapū groupings, not individuals.
29. Speakers queried if funding will come from the proposed sovereign fund and if it will also be separate to the ngā hapū o Ngāpuhi financial redress offer. Te Arawhiti clarified the funding for the new mandate opportunity is separate to the sovereign fund and separate from financial redress.
30. Speakers expressed disappointment that hapū still have to meet criteria to receive funding and do not have any control. One speaker considered hapū should administer the sovereign fund.
31. One speaker asked the Crown to provide funding and support to Tuhirangi marae as it needs maintenance work done.

Hokianga harbour

32. One speaker considered the biggest issue Hokianga hapū are facing is the future of the Hokianga harbour. This speaker shared their view that the degradation of the harbour began on 20 November 1820 and the Crown should consider claims back to that date. This speaker said most of the issues sit with local government and hapū need to be involved in the management of the harbour. This speaker considered ngā hapū o Ngāpuhi are holding up Te Roroa agreements with respect to the harbour and they did not want further delays.
33. Another speaker stated they disagreed with the previous speaker's views. This speaker advised development and erosion in Hokianga is the cause of the harbour being polluted. They also considered ngā hapū o Ngāpuhi should not rush their processes to satisfy Te Roroa.

Other feedback

34. Speakers expressed there is little to no trust with the Crown. Ngā hapū o Ngāpuhi want to meet with the Crown when they are ready and not when the Crown tells them to.
35. Speakers advised they find it difficult when statements like "the Crown has heard what ngā hapū o Ngāpuhi want" and "the Crown understands hapū rangatiratanga is important" are made but the Crown keeps trying to force processes on ngā hapū o Ngāpuhi.
36. One speaker expressed concern about hapū who do not have Wai numbers and wanted assurance these hapū will not be excluded from the new mandate and Treaty settlement processes. Te Arawhiti advised that mandate proposals and Treaty settlements need to be comprehensive so no one misses out. Te Arawhiti said the Crown wants mandate proposals to cover all hapū whether they have Wai number or not, and the regional hapū grouping approach will support this.
37. One speaker queried how the Crown will work through overlapping interests. Te Arawhiti stated overlapping interests will be a challenging component of mandating and negotiations however every claimant group has to address overlapping interests and they will be worked through.
38. One speaker asked whether the Iwi Chairs Forum (ICF) would get a say in the new mandating process and what the Crown is hoping to achieve with the ICF. Te Arawhiti advised the ICF do not have a role

in the mandating process and the Crown is wanting to talk to ngā hapū o Ngāpuhi directly. The ICF provides advice on government policy and shares knowledge and information on iwi development.

39. Speakers stated the word “settlement” should not be used with ngā hapū o Ngāpuhi. It was noted many hapū do not want to settle, they just want recompense and restitution.
40. Speakers raised some of the key socioeconomic issues they consider ngā hapū o Ngāpuhi are facing and concerns for their mokopuna.
41. One speaker advised that ngā hapū o Ngāpuhi will be honouring Dame Whina Cooper at the Waitangi commemorations. Another speaker also noted there will be a returned servicemen event during the Waitangi commemorations and asked for the Minister to support this event.
42. Speakers asked the Crown to do a better job at consulting before holding hui and providing information in advance to enable people to prepare. Speakers also said the negotiations process outlined in the slideshow was too simplified for what it is like in practice.
43. Hokianga Taiwhenua informed everyone that Hokianga are hosting ngā hapū o Ngāpuhi on 18 January at Otatara Marae and advised the door is open for anyone to attend.

Closing remarks

Following all speakers, Te Arawhiti summarised some of the key messages heard by the Crown and summarised the next steps including:

- Further discussions around He Wakaputanga, Te Tiriti and hapū rangatiratanga need to be had;
- The desire for the Waitangi Tribunal’s Stage 2 report to be released;
- Ngā hapū o Ngāpuhi still consider the Crown is dictating processes;
- The Crown should be transparent about what it can do, and what it cannot do, within negotiations;
- Hapū need more time and resources to consider and develop mandate proposals;
- Funding needs to be adequate, timely and reliable;
- Crown officials are willing to come back and meet with hapū who want to further discuss progressing a mandate proposal.

Copies of the presentation, funding application form and guidance for mandate proposals were available for all attendees to take away.

The hui closed at approximately 7.45pm.