

To: Ngapuhi Whanui
From: Sonny Tau – Te Ropu O Tuhoronuku Interim Chairman
Date: 13th October 2012

Tena Tatou Katoa

Tuatahi me mihi atu kia koutou katoa nga uri o Rahiri e noho kainga mai na ki tena pito, ki tena pito o tenei ao hurihuri. E mihi kau atu ano hoki ki te hunga kua riro i te haa kore, i te kiri matao, i te ringa kaha o Aitua. Kua mihihia, kua tangihia me kii, kua ea te wahanga ki a ratou.

Tuarua iho, I want to quickly report on the hui of our Kaumatua/Kuia o Ngapuhi held at the Te Runanga-a-iwi o Ngapuhi Conference Centre, Kaikohe - on the 12th October 2012. This meeting was called to update our Kaumatua/Kuia on the activities of the Ngapuhi Mandated iwi Authority, Te Ropu o Tuhoronuku, (Tuhoronuku) whom is tasked with concluding Ngapuhi's Te Tiriti o Waitangi negotiations with the Crown. There was some 130 people in attendance, albeit not all were Kaumatua/Kuia.

As part of our report Tuhoronuku recapped on the pathway that Ngapuhi Kaumatua and Kuia had set for Ngapuhi at the AGM of Te Runanga-a-iwi o Ngapuhi in October 2008. From the resolution moved by Pita Tipene and seconded by Nora Rameka at that AGM, Te Ropu o Tuhoronuku has been working methodically for and on behalf of Ngapuhi to seek Direct Negotiation with the Crown and bring all Ngapuhi historical claims settlement to a Ngapuhi iwi endorsed conclusion.

The report back included:

1. DEED OF MANDATE RECAP
2. CROWN ISSUES
3. TUHORONUKU CONCESSIONS
4. HE ARA HOU - report commissioned by the Crown
5. NEXT STEPS

DEED OF MANDATE RECAP

The report back covered the 2008 Runanga AGM resolution mentioned above. Tuhoronuku covered the Pre Deed of Mandate Activities which included 40 hui to explain clearly to Ngapuhi-nui-tonu the process and what was required of any ropu seeking a Mandate to represent any iwi in settling their historical claims for grievances against the Crown for breaches of Te Tiriti o Waitangi. Consulting widely with Ngapuhi was critical to ensuring all understood the process.

Tuhoronuku went on to report how input from those 40 odd pre-mandating hui with Ngapuhi katoa assisted in developing a mandate strategy that would be submitted to the Crown for endorsement. After three years of working on this strategy and continuing to meet with Ngapuhi, the resulting strategy was submitted to the Crown. This Deed of Mandate Strategy was subsequently fully endorsed by the Crown.

Tuhoronuku then launched a huge Communications exercise that was the first of its kind seen in Te ao Maori, in terms of its size and spread. TV ads and ads in every newspaper where our iwi live was launched. The website also carried all this information. Every possible avenue of advertising was used to get this message out to our people. It was important to get this groundwork done before embarking on the round of Mandating hui.

Tuhoronuku then posted out 29, 389 voting packages to all Ngapuhi over the age of 18 who were, at that time, registered on the Te Runanga-a-iwi o Ngapuhi iwi data-base.

Tuhoronuku then embarked on a comprehensive 20 venue road-show round of Mandating hui to seek a mandate from Ngapuhi-nui-tonu to negotiate a comprehensive settlement of Ngapuhi Treaty claims. These hui began in the Auckland, then throughout the main centres of Aotearoa, back into Northland and concluded in Perth and Sydney, Australia. At the conclusion of every one of those hui, those present were asked to vote on the question of a Mandate for Tuhoronuku to represent Ngapuhi in entering direct negotiations with the Crown to settle Ngapuhi's historical grievances against the Crown. The question that was put to all Ngapuhi, including those sent voting papers, was:

That Te Ropu o Tuhoronuku is mandated to represent Ngapuhi in negotiations with the Crown for the comprehensive settlement of all Ngapuhi historical claims and Crown breaches against Te Tiriti o Waitangi/The Treaty of Waitangi.

The Ngapuhi mandate voting process was managed by independent Christchurch Company Electionz.com, who ran last year's local government elections. TPK also had observers at every one of those mandating hui and oversaw the voting process as well as provided a report on all Mandating meetings to the Crown. It must be remembered that every Ngapuhi over the age of 18 were given every opportunity to participate in that vote. The results of that ballot was an overwhelming landslide of 76% of those who voted, giving their Mandate to Tuhoronuku to get on with business.

CROWN ISSUES

Tuhoronuku reported that despite that huge result and following the Crown endorsed Mandate Strategy to the letter, the Crown was still not satisfied that Tuhoronuku had done enough to warrant the Crown signing off the Mandate. The Crown then asked Tuhoronuku to go back to Ngapuhi and address three following issues:

1. Sequencing of Hearings and Negotiations
2. Hapu Representation
3. The Role of the Runanga

To address these issues Tuhoronuku agreed to establish a ropu called Te Ropu Whaiti comprising members of Tuhoronuku and disaffected Kotahitanga Hapu. This group met over several weeks and come out with a report entitled "the green paper". By and large the workings of this group did not manage to quell anxieties from disaffected Hapu and the Crown. Tuhoronuku reported that in our view the Crown was paying too much attention to an unmandated group of a few disaffected Hapu calling themselves Kotahitanga o nga hapu o Ngapuhi.

Tuhoronuku's answer to these issues was swift and simple.

1. Tuhoronuku reminded the Crown that Tuhoronuku always supported second stage hearings but did not agree that this should hold up negotiations with the Crown as there was much to do and at any rate, Waitangi Tribunal reports did not have any legal power to bind the Crown.
2. That we increase Hapu representatives on Tuhoronuku from 7 to 9.
3. That the role of the Runanga in the Treaty Claims arena has nothing to do with the Crown and that Te Runanga-a-iwi o Ngapuhi's board will make that decision in discussion with Tuhoronuku.

This still did not convince the Crown that a wide enough agreement was reached with disaffected Hapu. Out of sheer frustration with the elongated hold ups to Tuhoronuku submitting it's comprehensive Deed of Mandate, Tuhoronuku decided to present this Deed of Mandate to the Crown to advertise and put up for public submissions. On 31st March 2012, at a meeting with Minister Finlayson in Tamaki, Tuhoronuku presented its Deed of Mandate to the Crown. The Crown was still not satisfied and decided to engage the services of Tukoroirangi Morgan to enter Ngapuhi and report back on his findings relative to the three issues above. The Crown also raises

other issues that Morgan should look at.

HE ARA HOU (Report by Tuku Morgan)

We stand by our initial view of this Report as being very divisive and short on fact. It has to be said that on receiving the He Ara Hou report Tuhoronuku were rightfully angered and indeed dismissive of the report. Tuhoronuku stated in a Press Release the very next day that the Report was an "amateurish attempt to re-engineer Ngapuhi's Social and Political constructs." That Tuhoronuku did not support the report and sought the ear of the Minister of Treaty Settlements to discuss its contents and many flaws. We await their response.

Tuhoronuku then turned its full attention to the Report and commissioned our Projects Team to provide an analysis of that report. Tuhoronuku have concluded its analysis of He Ara Hou and reported to the Kaumatua/Kuia hui yesterday, that there are pockets of the Report that we can live with and that Tuhoronuku could make further concessions to bring this Mandate to a stage where the Crown will advertise it for further public submissions. We are confident that after the latest letter from Minister Finlayson's Office dated 8th October 2012 (see attached), that Ngapuhi are almost there. It must also be remembered that Tuhoronuku can not deviate too much from that Mandate content received from Ngapuhi at that time otherwise that Mandate becomes obsolete.

The report raised purported concerns but when one looks closely at the Report, those concerns are not raised within the text of the report so one can only assume that those concern are only in the mind of the architect. Tuhoronuku went to great lengths to explain the areas of agreement with the Report and areas that we do not agree with.

TUHORONUKU CONCESSIONS

Tuhoronuku reported that in its efforts to allay some of the disaffected Hapu anxieties, Tuhoronuku have made huge concessions and spelt out the principle behind the following concessions. Tuhoronuku conceded as follows:

- Ngapuhi fully represented and concessions actually strengthens Tuhoronuku structure
- To ensure Urban representatives are included in model
- Increased Hapu representation from 7 - 9
- Delayed mandating process 3 times
- Current Tuhoronuku members will step down once DoM is fully recognised by the Crown and transition to independent body completed.

- Tuhoronuku offered 4 seats to Kotahitanga o nga Hapu - this generous offer was turned down.
- Agreed to consider geographic spread of hapu representation when appointing Hapu Kaikorero to Tuhoronuku in future.
- Agreed to separate from the Runanga once Crown recognise DoM and funding started flowing.

WHERE TO FROM HERE

After a question and answer period Tuhoronuku then spelt out where to from here. Tuhoronuku put up some options for consideration which generated robust discussion. These options were:

- Walk away
- Seek meeting with Crown requesting they treat Ngapuhi as they have other Iwi - advertise the mandate and seek submissions
- Take legal action against the Crown
- Accept some aspects of the report
- Accept the report in total

After a lengthy discussion, often deviating from the subject, a resolution was put to the Kaumatua/Kuia hui. The resolution was:

That at the Ngapuhi Kaumatua Kuia hui held 12 October 2012, Te Runanga A Iwi O Ngapuhi, Ngapuhi Kaumatua Kuia ropu resolve to:

1. Receive the update report from Te Ropu o Tuhoronuku;
2. Direct Te Ropu o Tuhoronuku to consider aspects of He Ara Hou that strengthen Ngapuhi representation within the Te Ropu o Tuhoronuku Deed of Mandate;
3. Direct Te Ropu o Tuhoronuku to meet with the Crown to advance the advertising of the Deed of Mandate held by Tuhoronuku.

Moved: Rose McLean
Wimutu Te Whiu

Seconded:

The resolution was voted on and the results announced on the day by scrutineers was 67 votes for with 24 votes against. The motion was carried. This then sets Tuhoronuku on it's pathway to achieve what has already been stated in their Mandate Strategy, to secure a Mandate to represent Ngapuhi in negotiations with the Crown.

This is not a verbatim report on the meeting yesterday but a

summary of what transpired and the outcome from that meeting. It would be fair to say that there was opposition to Ngapuhi heading in this direction and many words of advice were rendered, which Tuhoronuku will discuss before embarking on this latest direction.

When suggested, Tuhoronuku made the commitment to meet with disaffected Hapu representatives to discuss how the Tuhoronuku Mandate could be strengthened and will wait until an invite is extended to them to participate.

SOME FACTS TO NOTE:

- Tuhoronuku is currently a sub-committee of Te Runanga-a-iwi o Ngapuhi with Terms of Reference
- Tuhoronuku will separate from Te Runanga-a-iwi o Ngapuhi once the Crown fully recognises Ngapuhi's Deed of Mandate
- Te Runanga-a-iwi o Ngapuhi currently funds Tuhoronuku and has done so for the past four years
- The total cost of this spend is about \$3M
- This money comes from money generated by the Ngapuhi Asset Holding Company
- This money will be reimbursed by the Crown once our Deed of Mandate is recognised
- Tuhoronuku is the only Ropu that holds the Ngapuhi Mandate - not Te Runanga-a-iwi o Ngapuhi
- He Whakaputanga o Te Rangatiratanga and Te Tiriti o Waitangi will form the foundation of Ngapuhi's negotiations with the Crown
- The process undertaken by Tuhoronuku has been open, transparent and very clear on our pathway to securing the Mandate to represent Ngapuhi in negotiating Ngapuhi's grievances regarding the Crown's breach of Te Tiriti o Waitangi
- All avenues have been exhausted to try and bring unity to Ngapuhi - including disaffected Hapu.
- Tuhoronuku has made great concessions on the pathway to where we are today
- Tuhoronuku is committed to moving along the pathway set out in this latest Kaumatua/Kuia o Ngapuhi hui resolution.

CONCLUSION

I want to thank all those Kaumatua and Kuia who answered the call to assemble in conference yesterday to advance Ngapuhi's push to take its rightful place in the Politics of this great Nation of ours. Your input is, as usual, very important to the direction that Tuhoronuku will take on behalf of all Ngapuhi as we move into the future. I want to apologise to anyone of you who may have been intimidated or

threatened by the behaviour of the usual disrespectful culprits and can only hope that they will learn the hard lessons that Kaumatua and Kuia are not silly and know what is right from wrong. I am looking forward to the time when meetings of Kaumatua and Kuia are once again thoroughly enjoyed by all. Where Kaumatua and Kuia are able to express their wise views without interruption or the threat of intimidation.

I want to especially thank all members of Tuhoronuku who have taken a lot of flak from a small number of people who are hell-bent on halting Ngapuhi's progress to bring the Crown to account for their transgressions against Ngapuhi. I am flummoxed as to why people would want to do that. Often members of Tuhoronuku have come under personal attack which sometimes leaves whanau damaged as they see these things happening to their fathers, mothers or Tupuna. The team have stuck together through some very trying times and have come out in pretty good shape. To the Tuhoronuku members wives, husbands and partners, thank you very much for sticking with us and being that support in both the good and bad times. Again thank you to all Tuhoronuku members.

To the project team, from Lorraine Toki, our projects manager, to all her staff and assistants. I do not know of another project who have been so thorough in keeping records and doing the bidding of the Tuhoronuku members. Thank you so much.

In closing I want to apologise to anyone who may have been offended by remarks made by any member of the Tuhoronuku team however at the end of the day the accountability for all what Tuhoronuku does and stands for stops with me as the interim chair. I am happy to shoulder that responsibility.

E nga Matua, e nga Tupuna, kua tukuna e koutou i a matou o Tuhoronuku ki a aru i te huarahi kua oti nei i a koutou te para, hei huarahi mo Ngapuhi ki a tutuki ai te moemoea a Ngapuhi-nui-tonu, ara, ki a tu tika ai Te Whare Tapu o Ngapuhi.

Please also find attached the latest letter from the Ministers office to Tuhoronuku and our answer to that letter.

Mauri Ora

Raniera T (Sonny) Tau
Interim Chair - Te Ropu o Tuhoronuku