

BEFORE THE WAITANGI TRIBUNAL**WAI 2490
WAI 2429**

IN THE MATTER OF

Te Ture Te Tiriti o Waitangi 1975

AND

IN THE MATTER OF

The Ngapuhi Mandate Inquiry (Wai 2490) and the claims concerning the Crown's recognition of the Tuhoronuku Deed of Mandate Wai 2341, Wai 2429, Wai 2431, Wai 2433, Wai 2434, Wai 2435, Wai 2436, Wai 2437, Wai 2438, Wai 2440, Wai 2442, Wai 2442, Wai 2483

AND

IN THE MATTER OF

An application by Waihoroi Shortland and Pita Tipene on behalf of Ngati Hine for an urgent inquiry into the Tuhoronuku Deed of Mandate (Wai 2429)

BRIEF OF EVIDENCE OF PITA TIPENE**Dated this 13th day of November 2014****RECEIVED**

Waitangi Tribunal

13 Nov 2014Ministry of Justice
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LAWYERS

MAY IT PLEASE THE TRIBUNAL:

1. My name is Pita Tipene and I am the Deputy Chairman of Te Runanga o Ngati Hine (“TRONH”), the Chairman of the Ngati Hine Forestry Trust, the Co-Chairman of Te Kotahitanga o Nga Hapu Ngapuhi and the Chairman of Nga Hapu o Te Takutai Moana.
2. Along with Erima Henare and Waihoroi Shortland I have filed evidence in this Inquiry on a number of occasions. To focus this brief of evidence and avoid repetition, I wish to locate and summarise my evidence that is already on the record, before responding to and providing new evidence on the Statement of Issues which concern whether the Crown engaged with hapu in relation to the mandate process fairly, reasonably and in good faith.¹

Evidence filed in the Wai 2490 Inquiry

3. Evidence that I have previously filed in the Wai 2490 Inquiry includes:
 - (a) Wai 2490, #A5, Affidavit of Pita Tipene, 22 August 2011 (filed on the Wai 2341 Record of Inquiry 19 September 2011) - This affidavit was filed in the Maori Land Court proceeding where Ngati Hine applied for a determination of a dispute; that the Court assist in the withdrawal of Ngati Hine from TRONH. The affidavit was also filed in support of the then Wai 2341 application for an urgency hearing into the Crown’s settlement policy in Ngapuhi due to the relevance of the issues before the Maori Land Court to the Crown’s mandate process for Tuhoronuku;
 - (b) Wai 2429, #A9, Affidavit of Pita Tipene on behalf of Nga Hapu o Te Takutai Moana, 12 March 2014 – In this affidavit I enclosed the 16 page submission that Nga Hapu o Te Takutai Moana made on the Tuhoronuku Deed of Mandate in August 2013. This submission sets out the series of correspondence and meetings between Nga

¹ Wai 2490, #1.4.1 see issues 1.3.a-i and issue 5 a-c.

Hapu o Te Takutai Moana and the Crown, as well as the basis for Nga Hapu o Te Takutai Moana's objections to Tuhoronuku;

- (c) Wai 2490, #A13, Affidavit of Pita Tipene, 14 April 2014 (sworn 10 May 2014) – I filed this affidavit in support of the application by Ngati Hine for an urgent inquiry into the Crown's recognition of the Tuhoronuku Deed of Mandate. In this affidavit I focussed primarily on issues concerning the flaws with the Tuhoronuku mandate process including the failure to hold a mandate hui for Ngati Hine, issues with the mandate postal vote, the facilitation processes conducted by the Crown, and issues with the Tuhoronuku Deed of Mandate itself; and
- (d) Wai 2490, #A35, Affidavit of Pita Tipene in reply to the evidence of the Crown and Tuhoronuku, 13 July 2013 - In this short affidavit I respond to a statement in the evidence of Sonny Tau concerning the establishment of the Tuhoronuku settlement subcommittee by Te Runanga a Iwi o Ngapuhi ("TRAION").

Exhibits

- 4. Attached to this brief are a number of new Exhibits which relate to the matters I discuss below and I list them here for ease of reference:
 - (a) Exhibit "A" – Letter dated 29 October 2014, from Minister Finlayson to Pita Tipene declining to suspend engagement with Tuhoronuku during the Tribunal's urgent inquiry;
 - (b) Exhibit "B" – Letter dated 10 October 2014, from Nga Hapu o Te Takutai Moana to Minister Finlayson requesting that the Minister suspend engagement with Tuhoronuku during the Tribunal's urgent inquiry;
 - (c) Exhibit "C" – Open letter to Ngapuhi Nui Tonu from Tuhoronuku regarding the completion of the Tuhoronuku Independent Mandated Authority Election Process;

- (d) Exhibit “D”– Article, 3 October 2014, Ngapuhi agree on the need for unity;
- (e) Exhibit “E”– Tuhoronuku Independent Mandated Authority Structure;
- (f) Exhibit “F”– Tuhoronuku Panui, 12 October 2014, Ngapuhi Settlement Entity Encourages All Hapu to Participate; and
- (g) Exhibit “G”– Article, 30 July 2014 – Minister welcomes new Tuhoronuku Trustees.

Resourcing of the mandate process

5. As mentioned above, in my affidavit of 14 April 2014, I stated that, in my capacity as Chairman of the organisations listed in paragraph one, I have attended nearly all Te Tiriti claims hui concerning both the Waitangi Tribunal and Tuhoronuku mandate process. I spoke about what I believed were serious issues with the Tuhoronuku mandate process including among others, the failure of Tuhoronuku to hold a mandate hui in Ngati Hine, issues with the mandate postal vote, the nature of the facilitation processes issues and specific issues with the Deed of Mandate.
6. I do not think it is necessary that I provide evidence beyond what is contained in that affidavit and the evidence that Willow-Jean Prime will give regarding serious flaws with the mandate process, but I do stress that these issues were all raised with the Crown; however, to my understanding they have never been properly investigated and remain unresolved. There was a point during the facilitation processes that we agreed to distil issues concerning the Tuhoronuku Deed of Mandate to three key issues (discussed below) in order to avoid getting bogged down in discussion on a range of issues, and to be able to engage in constructive discussion toward developing options for bringing parties together. These facilitation processes were unsuccessful and therefore, in my view, the issues ranging from the commencement of the Tuhoronuku mandate process to date which concern transparency, fairness, accountability and the overall integrity of the mandate process conducted by the Crown and Tuhoronuku, remain live.

7. I find it perplexing that a resolution has not been reached when one considers the amount of time and resources, not to mention money that has been committed to settlement processes from all parties, whether it be from Te Kotahitanga, Takutai Moana, a specific hapu or Tuhoronuku and the Crown. The only difference is that the latter two have enjoyed the benefit of substantial and sustained financial resources to support their involvement in the process. The disparity in the resourcing between the parties has been a real issue for our ongoing participation, and it is humbling that the hapu and claimants belief and resolve in the kaupapa of achieving a fair and robust settlement is such that they have followed this process with little to no resources and support.
8. To give the Tribunal some idea from a hapu perspective of just how involved this claims process has been, since 2009 typically 2-4 representatives from Ngati Hine have been required to attend the monthly hui for Te Kotahitanga o Nga Hapu Ngapuhi and Nga Hapu o Te Takutai Moana. Those representatives report back to TRONH, which also meets monthly. Behind each of those monthly meetings are working group meetings to plan and prepare for the monthly meetings, and Ngati Hine has had representatives attend each of those meetings. At each of these collective levels there have been numerous special claims wananga called to discuss settlement matters. In addition, Ngati Hine had representatives attend all Tuhoronuku road shows and mandate hui, including those in Australia. This was close to 100 hui. In addition to this, our representatives participated in the Ngapuhi facilitation lead by Rt. Hon. Jim Bolger, Te Roopu Whaiti process and the facilitation by Mr Tukoroirangi Morgan and the numerous working group hui that were required for those processes. Many meetings were also held with OTS, Members of Parliament and Government Officials in an attempt to have our voice heard. Most, if not all participation, save for token gestures to recognise some peoples efforts, has be given on a voluntary basis.
9. Not only have we had to engage and respond to the mandate process, we have also had to meet to develop our own processes and strategies for settling our Te Tiriti o Waitangi claims. Our involvement in the Waitangi

Tribunal process has also been intensive, and we have had representatives attend over 15 hearing weeks in the Wai 1040 Inquiry as well as a many Judicial Conferences and hui with CFRT. Ngati Hine hapu and 35 Ngati Hine claimants worked collectively and coordinated to present their Te Tiriti o Waitangi claims to the Waitangi Tribunal in the Te Paparahi o Te Raki Inquiry in August 2014. This was a momentous occasion and a significant milestone for Ngati Hine in our journey towards settlement.

10. Hui for the last 4-5 years have been completely dominated by the Tuhoronuku mandate process. We have held more hui and spent more time discussing settlement than any other kaupapa concerning our tribe. It has been hugely intensive for our people to not only progress our Te Tiriti claims in the Waitangi Tribunal, but ensure our settlement aspirations and right to settle were protected. We go to hui after hui and are committed to achieving a fair and robust settlement, even if it means opposing Tuhoronuku, because we have much to lose. I am of the opinion that, while Tuhoronuku and the Crown say that they have invested too much time and resources into developing a strategy towards settlement to veer from their path, so has Ngati Hine. The primary difference is that we have not had access to funds or the support of the Crown. As Rowena Tana provides, we have had to commit our own personal resources and appeal to our people for what little resources we could muster to support our participation. It has been very difficult, inequitable, unfair and unjust in that regard.
11. More often than the Crown may realise, the hapu in Te Kotahitanga and Takutai Moana have discussed the possibility of joining Tuhoronuku, however, save for a few hapu who have chosen that pathway (as it is their right to do so), the resounding majority have not. I think it is significant that a number of the representatives from the hapu who have joined Tuhoronuku have told me that they have only done so because they felt there was no other option but to join, and I understand the Tribunal will hear evidence from other hapu to that effect.

12. In my view, the reasons why we have never been able to reach a resolution and come together includes the fact that there has never been a genuine willingness on the part of the Crown or Tuhoronuku to allow an alternative model for settlement other than the single, all embracing settlement proposed by Tuhoronuku. There has never been a true willingness to adopt a model that would see hapu have real rangatiratanga in this process. Further, there has been too much grief and prejudice arising out of the Tuhoronuku process for the possibility of joining Tuhoronuku to be an option for the majority of hapu, unless the Crown required fundamental changes to the mandate, and given how tightly the Crown and Tuhoronuku worked together, it is now evident that this was never going to happen.

Alternative settlement models

13. I understand that Waihoroi Shortland has covered the issue of the election of Hapu Kaikorero to the Tuhoronuku Independent Mandated Authority. On reading the Deed of Mandate alone, this was a perplexing process, but in practice it was incomprehensible. In spite of the ease of entry to the Tuhoronuku IMA; a nomination from one individual could result in a valid appointment of a hapu kaikorero to the IMA, nominations were, in the end, received for very few hapu and, only a fraction of those listed in the Tuhoronuku Deed of Mandate Strategy and the Tuhoronuku Deed of Mandate. I mention this because one of the views of the Crown and Tuhoronuku that I always took issue with was that there were hundreds of hapu in Ngapuhi, and it would be impossible to settle with that number of hapu in any other model of settlement other than what Tuhoronuku was proposing.
14. Through Te Kotahitanga o Nga Hapu Ngapuhi we had a good idea of the number of active hapu and how they naturally aligned into, to use the Crown's term, 'large natural groupings', and we always believed that there were alternative workable models/natural groupings for settlement. However, as the series of correspondence clearly shows, the Crown was never willing to depart from its single settlement model contained in the Deed of Mandate.

15. In the three rounds of facilitation processes; the facilitation led by Rt. Hon. Jim Bolger; the mediation process run by Tukoroirangi Morgan and the Te Roopu Whaiti working group, alternative settlement models were discussed and debated, taking into consideration three key issues:²
- (a) The sequencing of Stage Two Waitangi Tribunal hearings and negotiations;
 - (b) The role of hapu and how they are represented in the settlement process; and
 - (c) The role of TRAION.
16. In my affidavit of 14 April 2014, I questioned whether the Crown was in fact genuine in its desire to find a middle ground and bring the two groups together, as it was my belief that the Crown supported these processes in order to give the perception that it was being fair and assisting parties to resolve the issues.³
17. I also pointed to circumstances which gave rise to the belief that both the Crown and Tuhoronuku were not genuine in their efforts:
- (a) During the Rt. Hon. Jim Bolger's facilitation process in 2011, Tuhoronuku withdrew from the process and advertised that it would commence mandating hui and the postal ballot on the Deed of Mandate Strategy. This was at the same time that Tuhoronuku was supposed to be engaged in a process where changes would have needed to be agreed on and included into the Deed of Mandate strategy before it consulted on it;
 - (b) During the Te Roopu Whaiti process, Tuhoronuku refused to take the completed report, which contained alternative settlement models, out to the people of Ngapuhi for consideration and feedback (as initially agreed in the Terms of Reference) and submitted its Deed of Mandate to the Crown. This action sowed

² Wai 2490, #A13, (a) He Ara Hou.

³ Wai 2490, #A13, para 31.

the seed for further discontent and a lack of trust in the Tuhoronuku leadership; and

- (c) During the Tukoroirangi Morgan facilitation process, Tuhoronuku publically and shamefully rejected and ridiculed Mr Morgan's independent report commissioned by the Crown and continued pushing for its Deed of Mandate to be recognised.
18. Even when all options were put before the Crown and Tuhoronuku they refused to adopt them. Rather than consulting with Ngapuhi about changes made as a result of the Te Roopu Whaiti process, it was Tuhoronuku and the Crown alone who made the decision about what changes would be made to the Amended Deed of Mandate and these were stated as final decisions in the Amended Deed of Mandate for which public submissions were called.
19. Again, we were simply shut out of the decision making process, and what say we did have through the submission process, was ignored. This is a case in point of how we have been treated through the entire mandate process. I cannot point to one occasion where I left a meeting with confidence that our concerns were going to be addressed. It has been an extremely disheartening, disappointing and entirely frustrating process to be a part of.

Issues with Tuhoronuku Independent Mandated Authority and conditions on Tuhoronuku DOM

20. As I mentioned, the Tuhoronuku IMA election process was typically shambolic and perplexing. Waihoroi Shortland provides more detail on this. What I would say, is that the currently elected committee is not even remotely representative of hapu or "Ngapuhi". Most, if not all appointments to the IMA need to be scrutinised along with the adequacy of the entire election process itself. A thorough assessment must be undertaken of which hapu are not represented on the Tuhoronuku IMA. What one will find is that, even today, after all that has been invested in this process, Tuhoronuku still does not have a mandate or a validly constituted committee to continue on with negotiations.

21. As I mentioned in my affidavit of April 2014, Nga Hapu o Te Takutai Moana stated our intentions to seek a Deed of Mandate and offered options for an approach which would satisfy the Crown's large natural grouping policy, and offer a much more robust mandate from hapu in our collective. However, the Crown shut the door on our collective and said that it was not willing to consider any other mandates while it was considering the Tuhoronuku Deed of Mandate. This matter is covered in the submission made by Nga Hapu o Te Takutai Moana on the Tuhoronuku Deed of Mandate in August 2013.⁴
22. For Ngati Hine alone, the current Tuhoronuku IMA representatives are unsupported by the constituency. This is evidenced by, not only years of opposition, but by recent hui where their elections were rejected by our people and in excess of 1000 submissions were collected to oppose their appointments. This is covered in the Brief of Evidence of Waihoroi Shortland.
23. Ngati Hine, among others has raised the representation issues that have arisen through the Tuhoronuku IMA election process with the Crown. The Crown's response is that Tuhoronuku is required to meet the conditions of its mandate and that it will assess whether or not those conditions have been met at some point in the future. In the same time that it has taken to tender our complaints through an exchange of a couple of letters with the Crown, Tuhoronuku has completed its election process and is now developing terms of negotiations and looking to appoint negotiators. One would have to be extremely naive to think that there is any protection of our position or rights in the Crown's future assessment of whether or not Tuhoronuku has satisfied the conditions of its mandate.

Recent developments

24. What I have felt since the Crown's recognition of the Deed of Mandate and commencement of this urgent inquiry is a distinct hardening or arrogance of the Crown. The Minister and his officials are undeterred by

⁴ See Wai 2429, #A9, Affidavit of Pita Tipene on behalf of Nga Hapu o Te Takutai Moana, 12 March 2014.

the urgent inquiry and more direct in their insistence that a single settlement will be achieved with Tuhoronuku and that hapu must work in with Tuhoronuku.

25. The same can be said for Tuhoronuku who have pushed on with the IMA election process and a process for an appointment of negotiators without concern that their processes are under investigation by the Tribunal. On the appointment of negotiators, I understand Willow-Jean Prime covers a range of deficiencies with this process in her evidence.
26. Because we were concerned with the developments that were taking place and that Tuhoronuku were making significant advancements, on 10 October 2014, Nga Hapu o Te Takutai Moana wrote to the Minister asking the Minister to delay all engagement with Tuhoronuku:⁵

The Tribunal has determined that to inquire further into these claims that a hearing will take place on 1-5 December 2014. Many hapu and claimants in Nga Hapu o Te Takutai Moana are applicants to this proceeding or interested parties in support of the Inquiry. While the Inquiry is proceeding under urgency we are concerned that the Crown will continue to progress matters with Tuhoronuku towards negotiations and that hapu and claimants will continue to suffer prejudice as a result. We also consider that it would be appropriate and in good faith if the Crown suspended all discussions and engagement until the Tribunal has completed its Inquiry.

We therefore ask that you take this letter as a formal request from Nga Hapu o Te Takutai Moana that the Crown suspend all discussion and engagement with Tuhoronuku and ask that your office confirm whether or not the Crown is willing to do so.

⁵ See Exhibit "B".

27. On 29 October 2014, the Minister responded and declined to delay engagement saying:⁶

As you know, the Crown is not yet in negotiation with Tuhoronuku. The Office of Treaty Settlements and Tuhoronuku are engaged in necessary discussions on matters preliminary to the signing of the Terms of Negotiation. Those discussions will continue. I see no risk whatsoever or prejudice to hapu and claimants arising. By contrast, I consider that a decision to suspend engagement as requested would result in prejudice to the majority of Ngapuhi who support the Deed of Mandate by unnecessarily delaying the commencement of negotiations.

There has recently been and will be, over the next several months, a number of important decisions or processes undertaken which may address some of your concerns with Tuhoronuku. Of particular importance is the condition on the mandate for Tuhoronuku to develop communication and negotiation plans that recognise hapu interests. The mandate condition was imposed to address issues raised through the mandating process by groups within Ngapuhi, and by the Crown, and to acknowledge the importance of hapu mana within Ngapuhi.

28. In that letter, the Minister goes on to invite Nga Hapu o Te Takutai Moana to meet with the Lead Negotiator for the Crown, Nigel Fyfe to discuss our concerns and find a pathway forward for the “benefit of all Ngapuhi”.
29. On 31 October 2014, Nga Hapu o Te Takutai Moana held a Te Tiriti o Waitangi claims wananga where this letter, among other matters, was discussed. At the hui, there was a great discomfort with the Ministers statements in the letter, for example:

⁶ See Exhibit “A”.

- (a) The Minister's statement that the *"Crown is not yet in negotiation with Tuhoronuku"* is the same rhetoric that we have been told for the last four years, yet we have been side-lined while their process makes substantial progress;
 - (b) The Minister, where he says *"I see no risk whatsoever or prejudice to hapu and claimants arising"* from the Crown's discussions is indicative of the lack of respect for our position. I do not believe that the Minister is so unaware as to our position and tribal dynamic that he can reach that conclusion. The Minister maintains that some kind of overarching prejudice will be suffered by the *"majority of Ngapuhi who support the Deed of Mandate"*. My proposition to the Minister is that if you withdraw all of the hapu and claimants who oppose the mandate, what/who is the *"majority of Ngapuhi"* that is left to suffer prejudice. It seems like a remarkable power that the Minister can decide what group is suffering prejudice and that his decisions unilaterally determine what party continues to suffer prejudice at the expense of the other;
 - (c) The Minister is aware of our concerns regarding the mandate conditions and we have raised, on a number of occasions, that we do not believe that the conditions safeguard our rights and interests; and
 - (d) Again the letter assumes that we will simply set aside our claims and get on board the Tuhoronuku process to find a pathway forward for the *"benefit of all Ngapuhi"*.
30. By all accounts, the Government still has a great interest in achieving a Ngapuhi settlement as soon as possible. When we first commenced this process, the Minister wanted to achieve a Ngapuhi settlement by 2014. It appears a Ngapuhi settlement remains a high priority for the National Government, as I have recently heard that the Minister's goal is to achieve a Ngapuhi settlement before the end of this term of Government

and that a Ngapuhi settlement, along with mining, are in the top 10 objectives for boosting regional development in Northland.

31. Another thing I have noted is a flurry of meetings between the Crown and individual hapu. More so than before, and perhaps in desperation to get hapu on board, there have been meetings between Crown officials and individual hapu members in what I believe, is an attempt to pick off those hapu in opposition one by one. This is frustrating for me because our collective structures, particularly Te Kotahitanga o Nga Hapu Ngapuhi and the regional Taiwhenua have long operated with a kaupapa of unity and we have the Crown and Tuhoronuku continuing to undermine that unity. If the Crown was genuine in its desire to bring us together, it would go back to these collectives and implement a proper process which goes further than simply asking hapu to join into the existing mandate as it is currently structured and tracking.

Te Runanga a Iwi o Ngapuhi

32. Before concluding, I think that it is relevant contextual information for this Tribunal to know that the Crown's preferential treatment of Ngapuhi, or TRAION which purports to embody Ngapuhi – extends beyond settlement issues. Similarly the Runanga's rejection of hapu, in particular Ngati Hine, also extends beyond settlement. The constant dismissal of our hapu rangatiratanga by both the Crown and Tuhoronuku means that the settlement issues are complex, and the implications of the settlement process run through every thread of our tribal politics.
33. There are clear indications that there is a higher level of partnership between the Crown and the Runanga which is developing as a consequence of negotiations. For example, at the TRAION AGM, the Chair indicated that in spite of the hapu opposition to mining in Northland, the Runanga are not against it, and that the Runanga is also supportive of the controversial changes to the Te Ture Whenua Maori Act reform led by Minister Finlayson.
34. It has always been our fear that, in spite of a claimed level of independence by Tuhoronuku, the Ngapuhi Runanga will align itself to

manage any future settlement. While this was abundantly clear to us, the Crown and Tuhoronuku have always rejected this saying that it is too early to discuss and that the PSGE will be determined through ratification. The separation of the two bodies is quite fictitious and, at the TRAION AGM held on 1 November 2014, which was held the same day as the Ngati Hine Forestry Trust AGM, the Chair Sonny Tau publically confirmed that the Runanga wants to manage the settlement putea for all of Ngapuhi. The economic and political dominance to be gained through settlement is significant, and we believe there is imminent prejudice if a settlement is achieved by the Runanga or any related organisation. An influx of funds will again bolster an organisation which acts unilaterally and in the best interests of what it deems appropriate, rather than listening to the will of the people.

35. The point I want to stress is that, when we talk about our concerns with a single Ngapuhi settlement encroaching on our hapu rangatiratanga, we are not talking figuratively or about the unknown. Rather we have years of experience with exclusion and dismissal from the Ngapuhi Runanga. This is one of the reasons why we want to withdraw from TRAION but it is not the primary reason.
36. My concern is that for “public interest” and for “Ngapuhi” a single comprehensive settlement achieved through political preference will reduce the role and powers of our hapu, and mar our tribal dynamism for ever.

Concluding remarks

37. Settlement is supposed to offer Ngati Hine, and other hapu hope in restoring a Te Tiriti o Waitangi partnership with the Crown. We have looked forward to that for a long time and that is the vision that we hold fast to.
38. I want to be very clear that we are not anti-settlement and we are not trying to delay settlement for other hapu. We are only trying to secure what is rightfully ours. The aspiration of all the collectives that I am involved in is to ensure that a fair, robust and enduring settlement is

reached. We oppose Tuhoronuku because we see the kaupapa as being flawed, that the process has been divisive, it has been unfair, unjust, and we have been shut out of decision making when it really matters. The Crown has never, by letter or action, responded properly to the concerns we have raised regarding the mandate process. It is for these reasons that we simply have no confidence that the present Tuhoronuku model and those elected to progress the negotiations can achieve an enduring settlement.

39. There is a very successive and clear series of correspondence and action which shows that neither the Crown nor Tuhoronuku will withdraw us from their process, so, while they claim that Ngati Hine and those hapu in opposition to Tuhoronuku sit “outside” their process, we in fact do not. We cannot make the Crown and Tuhoronuku stop and they have clearly stated that they will not. We therefore require the intervention and direction of this Tribunal to safeguard our rangatiratanga and our rights and interests to settle our Te Tiriti o Waitangi claims as affirmed under Te Tiriti o Waitangi in 1840.
40. We ask that the Tribunal direct that the Crown remove Ngati Hine from the Tuhoronuku Deed of Mandate, and that the Crown no longer continue discussions with Tuhoronuku concerning Ngati Hine’s Te Tiriti o Waitangi claims. We ask that the Tribunal direct the Crown to allow time and space for the hapu, whanau and claimants to engage in a process to develop alternative options for negotiations and settlement.

A handwritten signature in black ink, appearing to read 'Pita Tipene', is centered on the page. The signature is written in a cursive, flowing style.

Pita Tipene, 7 November 2014