

SUMMARY OF FEEDBACK FROM TE RŌPŪ TŪHONO ON ROUND 1 HUI – NGĀPUHI PROPOSAL ON EVOLVED MANDATE AND NEGOTIATION STRUCTURE

Te Rōpū Tūhono

Te Rōpū Tūhono is Hone Sandler, Raniera Tau (Tūhoronuku Independent Mandate Authority – *TIMA*), Pita Tipene, Rudy Taylor (Te Kōtahitanga o Ngāpuhi – *TKN*) and the Hon Andrew Little (Minister for Treaty of Waitangi Negotiations – *MfTOWN*). They are supported by their technical advisors: Willie Te Aho (*TIMA*), Jason Pou (*TKN*) and David Tapsell (*MfTOWN*).

Round 1 Hui

From 10 August to 6 September 2018, Te Rōpū Tūhono held hui at the following places and times to discuss and seek feedback from ngā uri o ngā hapū o Ngāpuhi on an evolved mandate and negotiation structure for Ngāpuhi.

<u>Date:</u>	<u>Venue:</u>	<u>Time:</u>	<u>Approximate attendance number:</u>
10/08/18	Whāngarei – Otangārei Marae	6:00-8:00pm	(200)
11/08/18	Mangakāhia – Mangakāhia Sports Complex	9:00-11:00pm	(60)
11/08/18	Kaikohe – Te Waimate-Taiāmai – Kaikohe RSA	1:00-3:00pm	(150)
11/08/18	Hokianga – Copthorne Hotel	4:00-6:00pm	(120)
12/08/18	Whāngaroa – Whangaroa College	9:00-11:00am	(50)
12/08/18	Te Pewhairangi/Takutai Moana – Whitiara Marae	12:00-2:00pm	(100)
17/08/18	South Auckland – Manurewa Marae Clendon Park	7:00-9:00pm	(120)
18/08/18	Central/West Auckland - Alexandra Park	12:00-2:00pm	(120)
24/08/18	Christchurch/Ōtautahi – Te Rangimārie Centre	5:30-7:30pm	(65)
01/09/18	Wellington/Pōneke – Te Wharewaka o Pōneke	5:30-7:00pm	(50)
06/09/18	Hamilton/Kirikiroa – Distinction Hotel	7:00-9:00pm	(50)

At each Round 1 Hui the technical advisors gave a presentation following an introduction from Minister Little (the handout that was distributed at the Round 1 Hui and which spoke to the presentation can be found at – <https://www.govt.nz/assets/Documents/OTS/Initial-proposal-for-Ngapuhi-Treaty-settlement-negotiations.pdf>). Feedback on the proposal was received from hapū, representative groups and uri of Ngāpuhi. This feedback took a variety of forms including presentations, discussions, and questions/answers. Office of Treaty Settlements (OTS) and Te Puni Kōkiri (TPK) staff attended all Round 1 Hui and have summarised the feedback as follows.

Collation of feedback disclaimer

Feedback received outside of the Round 1 Hui (feedback sent to Ministers, OTS, or the Ngāpuhi feedback email address – ngapuhifeedback@justice.govt.nz) and feedback received from hapū hui that were attended by the technical advisors and OTS are not included in this summary of feedback.

Feedback also does not account for the opportunities one had to speak, the number of times a speaker spoke to an issue across different hui, and who the speakers were representing. Where a speaker has provided views on several different issues, those views have been recorded against each issue.

It should be noted attendees at the earlier Round 1 Hui had a shorter amount of time to consider the proposal than those attending the later Round 1 Hui; this is reflected in the nature of their feedback.

Feedback on the proposal generally:

- **Some expressed outright rejection of the proposal** for reasons including:
 - the submitters' view of Te Whakaputanga, Te Tiriti o Waitangi and that hapū did not cede sovereignty;
 - the lack of authority of Parliament/Government/Minister to engage;
 - hapū tikanga;
 - hapū rangatiratanga;
 - the failure of TIMA to adopt Maranga Mai; and
 - a distrust/dislike of TIMA.
- **Some expressed rejection of the proposal for process reasons** including:
 - a lack of time to discuss the proposal;
 - a lack of detail in the proposal itself; and
 - the failure to have women on Te Rōpū Tūhono or the technical advisors group.
- **Some expressed outright support for the proposal** for reasons including:
 - concerns over the delays to date;
 - the need to do something now for Ngāpuhi and move forward; and
 - confidence in the Ngāpuhi leadership and/or MfTOWN to find a way forward and work through the detail.
- **Some expressed conditional support subject to process issues being addressed** including:

- more time to discuss the proposal;
- the provision of more detail, including on:
 - how hapū rangatiratanga can be achieved;
 - how cultural redress and commercial redress negotiations take place with the hapū involved;
 - how the hapū withdrawal process will work;
 - how Ngāpuhi in urban environments can participate in cultural redress and the negotiations of it;
 - how they can be involved in the governance of the mandated authority; and
 - how the mandated authority represents Ngāpuhi in the urban areas.

Feedback on the proposal to have 5 Regional Negotiation Bodies to negotiate cultural redress:

- ***Some expressed a desire to add a 6th region*** – Mangakāhia – to the Central Negotiation Body and Regional Negotiation Bodies.
- ***Some expressed a rejection of a Central Negotiation Body to negotiate commercial redress*** in favour of the Regional Negotiation Bodies.
- ***Some expressed support for the Regional Negotiation Bodies to negotiate cultural redress.***

Feedback on the options for kuia and kaumātua representation:

- ***Some expressed broad support for Kuia and Kaumātua representation*** on the Regional Negotiation Bodies and/or Central Negotiation Body.
- ***Some supported the status quo*** of two over 55 kuia/kaumātua representatives being elected to the Central Negotiation Body by Ngāpuhi.
- ***Some supported the option of Regional Negotiation Bodies kuia/kaumātua appointing*** the representatives to the Central Negotiation Body.
- ***Some expressed concern*** with the definition of kuia/kaumātua or having any non-hapū representatives on the Central Negotiation Body.

Feedback on the options for Ngāpuhi ki waho i te rohe representation on the Central Negotiation Body:

- ***Some expressed outright rejection of non-hapū Ngāpuhi ki waho i te rohe representatives*** for reasons including:
 - rejection of the idea that some Ngāpuhi don't know their hapū; and
 - rohe/taiwhenua/hapū should take care of their hapū members irrespective of where they reside.
- ***Some expressed the view that Tāmaki Makarau is not “ki waho i te rohe”*** as it is within the rohe of Ngāpuhi.
- ***Some expressed general support for Ngāpuhi ki waho i te rohe*** direct representation on the Central Negotiation Body.

- **Some expressed support for various options for Ngāpuhi ki waho i te rohe** representatives on the Central Negotiation Body:
 - Ngāpuhi ki waho i te rohe appointing their own representatives as per the status quo;
 - Ngāpuhi ki waho i te rohe appointing their own representatives but having more representatives than the status quo; and
 - Ngāpuhi ki waho i te rohe urban representatives appointed through the hapū kaikōrero process or Regional Negotiation Bodies only.

Feedback on the options for Rūnanga representation on the Central Negotiation Body:

- **Some expressed outright rejection of the Rūnanga as a representative** for reasons including:
 - if the Rūnanga is to transfer the fisheries asset then that can be done without having representation on the Mandated Authority;
 - the Rūnanga doesn't represent all Ngāpuhi because Ngāpuhi ki Whangaroa are not represented on it; and
 - the lack of accountability of the Rūnanga, therefore they do not support the Rūnanga having a seat on the Mandated Authority.
- **Some expressed support for the Rūnanga as a representative on the Central Negotiation Body** for reasons including:
 - the Rūnanga is the only collective Ngāpuhi entity;
 - it needs to oversee the transfer of the approximately \$60m fisheries settlement asset to the new Post Settlement Governance Entity;
 - the Rūnanga will not have a seat/role on the new Post Settlement Governance Entity; and
 - support of the Rūnanga and its work.

Waitangi Tribunal finding on cession of sovereignty

- **Some referred to the Tribunal's findings** on the Ngāpuhi mandate and how it should be accounted for in the mandate and negotiations.