



Office of the
**Minister in Charge of Treaty of Waitangi
Negotiations**

Te Tari o Te
**Minita Nōna te Mana Whakarite Take e pā ana ki
Te Tiriti o Waitangi**

DISPATCHED
HON. DOUGLAS GRAHAM

24 APR 1998

ATTORNEY-GENERAL
MINISTER OF JUSTICE
MINISTER IN CHARGE OF
TREATY OF WAITANGI
NEGOTIATIONS

Pat Heremaia
Chairperson
Ngati Ruanui Muru Me Te Raupatu Working Party
PO Box 72
HAWERA

COPY

Dear Mr Heremaia

In July 1997 the Ngati Ruanui Muru Me Te Raupatu Working Party submitted to the Crown a Deed of Mandate to represent Ngati Ruanui Iwi in its Treaty settlement negotiations. The Deed of Mandate was also to represent those individuals who identify exclusively as Tangahoe or Pakakohi.

As you are aware, the Crown publicised its receipt of the Working Party's Deed of Mandate in October and November 1997 and invited submissions from Ngati Ruanui beneficiaries. The Office of Treaty Settlements and Te Puni Kokiri undertook separate assessments of the risks to the Crown of recognising the mandate. These included an analysis of the submissions received and of the supporting material provided by the Working Party. Consideration was also given to the findings of the Waitangi Tribunal in its *Taranaki Report* and to other historical research. A report was then prepared for Cabinet's consideration.

I wish to advise you that on 20 April 1998 Cabinet agreed to recognise the Working Party's mandate for the purpose of Treaty settlement negotiations with the Crown. This recognition is subject to the Working Party meeting certain conditions, most particularly that ongoing and appropriate provision is made for the representation of Tangahoe and Pakakohi interests.

Tangahoe and Pakakohi representation

The submissions objecting to the Working Party's mandate were all from groups or individuals that identified as either Tangahoe or Pakakohi. In general these submitters challenged the tangata whenua status of Ngati Ruanui. The Crown, like the Waitangi Tribunal, recognises that the Tangahoe and Pakakohi submitters may have some interests that are distinct from the wider Ngati Ruanui group. However, the Crown does not support their claims regarding the status of Ngati Ruanui and is not prepared to enter into separate Treaty settlement negotiations with groups representing Tangahoe or Pakakohi.

In arriving at this decision account was taken of the Waitangi Tribunal's finding that Ngati Ruanui is one of the three principal "hapu aggregations" in South Taranaki and that Tangahoe and Pakakohi, though existing today as "viable and distinct entities", have not had an exclusive occupation of the territory they claim. It was also noted that most members of the Working Party area able to identify as Tangahoe or Pakakohi.

The Crown is therefore of the view that it is appropriate for the Working Party to represent those individuals who identify exclusively as Tangahoe and Pakakohi, but that steps should be taken by the Working Party to ensure those interests are adequately represented. The submissions received indicate that the Tangahoe submitters are centred particularly on

Ngatiki Marae, which currently has representation on the Working Party. The Crown therefore suggests that the Working Party make provision for an additional Ngatiki Marae representative to represent Tangahoe interests. The Crown has also been advised that Te Takere Marae has chosen to progress its claim as Pakakohi. The Working Party has already made provision for Te Takere Marae representation should it decide to join. The Crown requires that this provision remain available.

In addition, the Crown has recently received a Deed of Mandate from Te Iwi O Tangahoe Inc. to represent Tangahoe and has been advised that Te Runanganui O Te Pakakohi Trust Inc. wishes to submit a Deed of Mandate to represent Pakakohi. Although the Crown does not intend to engage in separate negotiations with these organisations, I encourage the Working Party to discuss with these groups the representation of Tangahoe and Pakakohi interests on the Working Party.

I have written to the principal Tangahoe and Pakakohi spokespeople advising them of Cabinet's decision and encouraging them and those they represent to join with the Working Party. If the Tangahoe or Pakakohi affiliates choose not to take up the places offered to them that is their right although, having carefully assessed this matter, the Crown intends at this point to continue to negotiate with the Working Party provided these places remain available.

Other matters

Two further conditions on the Crown's recognition of the Working Party's mandate are that it continues to retain the support of the marae and hapu that currently support it and that it establishes an interim legal entity to negotiate with the Crown and to receive claimant funding.

I invite the Working Party to now submit a claimant funding budget to the Crown for the purpose of negotiations, which may include the reimbursement of reasonable costs incurred as part of the mandating process. Claimant funding cannot be released until the Working Party's interim legal entity is in place, although I understand that this work is well advanced. Included for your information are several copies of the Office of Treaty Settlements' guide to the negotiation process, including the Crown's claimant funding policy.

I have been advised that Working Party representatives wish to meet with me to discuss the pending negotiations. I agree that such a meeting would be both timely and useful. I therefore invite Working Party representatives to meet with me at my office in Wellington at 3 pm on 5 May 1998. Could you please confirm whether this time is suitable with Brigid Hardy of my office, ph (04) 471 9688.

Finally, I wish to congratulate the Working Party on all the work that has gone into the achievement of this very important milestone. I look forward to working with the Working Party in the coming months towards the settlement of the historical grievances of Ngati Ruanui.

Yours sincerely

Douglas Graham
Minister in Charge of Treaty of Waitangi Negotiations