



PART OF THE MINISTRY OF JUSTICE

14 November 2018

9 (2) (a)



Ngāti Ruapani mai Waikaremoana Negotiation Group mandate strategy

Tēnā koe

I write in response to your submission dated 24 December 2017 to advise you of the Crown's decision to agree an amended Ngāti Ruapani mai Waikaremoana (Ngāti Ruapani) Negotiation Group (Negotiation Group) mandate strategy, which is attached. The mandate strategy sets out how the Negotiation Group will seek a mandate to represent the people of Ngāti Ruapani to enter direct negotiations with the Crown for a comprehensive settlement of all Ngāti Ruapani historical Treaty of Waitangi claims.

We have carefully considered all aspects of the mandate strategy in light of the history of groups who have previously sought the mandate to represent Ngāti Ruapani and I outline below the key factors we took into account in reaching this decision.

History of mandate attempts

Following an unsuccessful mandate vote in 2013, the Crown encouraged Te Toi Kura o Waikaremoana (Te Toi) to work with all parties across the Ngāti Ruapani claimant community to demonstrate a unified Ngāti Ruapani. On 11 March 2016, the Crown reiterated this message when it encouraged Te Tātau Pounamu o Waikaremoana (Te Tatau) to work with Te Toi to achieve broad support. While numerous meetings occurred between Te Toi and Te Tatau, a united way forward could not be found.

Later in 2016, the Waikaremoana Tribal Authority (WTA) and Te Toi demonstrated a desire to work together by forming a joint working group to seek a mandate. This collaborative approach resulted in the formation of the Working Group (later transitioning into the Negotiation Group) who submitted a draft mandate strategy for Crown consideration.

Crown Mandating policy

Primarily the Crown is committed to seeing a robust, open, and transparent mandating process that affords all of Ngāti Ruapani the opportunity to debate the merits of the proposed mandate and to have their say. Given our assessment of the amended October 2018 mandate strategy, I am confident that all members of the claimant community will have the opportunity to both participate and vote at mandate hui, and receive and submit on the draft deed of mandate.

Nevertheless, in order to address this concern, the Negotiation Group have agreed to amend their claimant definition to require descent from both Ruapani and one of the three ancestors already listed.

Next steps

The Crown remains open to hearing your views as the mandate process evolves, and I reiterate that all members of the Ngāti Ruapani community will have an opportunity to participate in mandate hui.

I am pleased to see that the Negotiation Group is committed to actively engaging with all groups and whānau members. I encourage you to utilise this opportunity to work with the Negotiation Group for the betterment of Ngāti Ruapani.

Nāku noa, nā



Warren Fraser
Regional Director, Te Rāwhiti

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I emphasise that it is not for the Crown to give a mandate to represent Ngāti Ruapani; it is for the people of Ngāti Ruapani. Ministers will only consider whether to recognise a mandate following members of the claimant community having the opportunity to vote on the suitability of the mandate strategy.

Amendment to draft mandate strategy following submissions

Following release of the draft mandate strategy in December 2017, a number of submissions were received citing the following key concerns:

- a. the perceived involvement of Tuhoe members in the Negotiation Group seeking a mandate;
- b. insufficient communication between the Working Group (later transitioning into the Negotiation Group) and the Ngāti Ruapani claimant community; and
- c. the omission of the ancestor Ruapani in the draft claimant definition.

Tuhoe involvement

A number of submissions questioned the involvement of Tuhoe representatives on the Negotiation Group and the WTA's involvement in forming the entity.

Officials understand the Negotiation Group has sought the involvement of Kirsti Luke as an advisor based on her previous Treaty settlement experience. There is no policy specifying who can and cannot work for an entity seeking a mandate and we consider that it would be inappropriate for the Crown to direct a group to change who their advisors are.

WTA operates at Lake Waikaremoana, the centre of the Ngāti Ruapani rohe and represents a number of Ngāti Ruapani members. As discussed above, WTA's collaborative approach to working with Te Toi resulted in a new entity (the Working Group – transitioning into the Negotiation Group) which now seeks a mandate. The Negotiation Group is not an entity created by Te Uru Taumatua, rather they are elected from Ngāti Ruapani marae (Te Kuha Tarewa and Te Waimako) and appointees of the Working Group.

The Negotiation Group have repeatedly advised the Crown that their involvement in seeking the mandate is based on their whakapapa to Ngāti Ruapani.

Communication with the Ngāti Ruapani Community

In response to submissions that the Negotiation Group had insufficient communication with the claimant community, the Negotiation Group held 8 information hui across the country in May/June 2018 and established their website and Facebook page which are being regularly maintained. These were designed to increase their communication and the information available to the Ngāti Ruapani community. The Negotiation Group remain committed to engaging with all members going forward.

Claimant Definition

A number of submissions expressed concern that the draft claimant definition did not name the ancestor Ruapani, instead relying solely on three more recent ancestors (Hinekura, Pukehore and Tuwai). The Negotiation Group have noted the decision was deliberate to ensure the scope of the definition was confined to decedents of Ruapani in the Waikaremoana region, acknowledging that many East Coast people can whakapapa to Ruapani.



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The Crown is committed to seeing a robust, open, and transparent mandating process that affords all of Ngāti Ruapani the opportunity to debate the merits of the proposed mandate and to have their say. The Negotiation Group has made a number of revisions to its mandate strategy in response to submissions. I am also confident that all members of the claimant community will have the opportunity to participate and vote at mandate hui.

Nāku noa, nā

Warren Fraser
Regional Director, Te Rāwhiti

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