

WHAKATOHEA RAUPATU NEGOTIATING COMMITTEE MINUTES

8 JULY 1995

10:45 am: Ka Timata
Karakia: Mac Kurei
Nga Mihi: Tuhakia Keepa, (me Hone Kameta), Wiremu Rewiri, Tuwhakairiora Williams, Hone Hata, Teriaki Amoamo, Claude Edwards
Chairman: Claude Edwards (assisted by John Delamere due to Claude's ill-health)
Secretary: John Delamere
Attendance: about 75 in attendance. Negotiators present: Claude Edwards, John Hata, Ranginui Walker, Tairongo Amoamo, Teriaki Amoamo, Tu Williams, Tahu Taia, Frank Vercoe, John Kameta, John Tai, Charlie Aramoana, Bill Rewiri
Apologies: Tarati Carrington, Matenga Biddle, Bishop Vercoe, Bully Taitapanui
moved Tu/Charlie, passed unanimously.

Minutes: The minutes of the previous meeting on 6 May 1995 were sent out several weeks ago and were taken as being read.

John Delamere On behalf of the Chair. Given the uncertainties on a number of issues, including only 4 of 14 negotiators in attendance, the Chairman ruled the 6 May meeting to be an informal meeting of the committee. Consequently all decisions from that meeting would be set aside. Therefore necessary to ratify minutes of 15 October 1994.
moved Hata/Aramoana passed unanimously.

Kahukore Baker "clarified" her comments from the 6 May. She was saying that we should be wary about handing one's personal power to others.

Matters Arising There were no matters arising outside of those items already set down on the agenda.

Correspondence: Read out list of inwards and outwards correspondence. Read verbatim the letters from the Office of Treaty Settlements 7 July to John Delamere and 6 July to Mokomoko whanau.
moved John Hata/Sonny Keepa, passed unanimously.

Matters Arising from Correspondence:

Tu Williams:

Read out his letter of 1 June to Claude about his concerns that Claude was breaching procedures and acting unilaterally.

Ranginui Walker:

Read out his letter of 30 May to Claude about his concerns that Claude was breaching procedures and acting unilaterally.

- simple matter to contact all negotiators by phone or fax.
- more Whakatohea living outside Whakatohea than inside Whakatohea.

Read his letter to the Minister of 1 June asking that Minister cancel the meeting of 14 June.

- noted the meeting went ahead
- who went?, who authorised it?

Tu Williams:

Read his letter of 1 June to Douglas Graham asking for the meeting of 14 June to be cancelled.

Read his letter of 8 June to Claude/Opotiki based negotiators which asked that Whakatohea not proceed with the 14 June meeting.

- Noted that this letter was not read out at meeting of 8 June at the Trust Board (fax received after meeting started)

Ranginui Walker:

How did Claude become Claim Manager? Who appointed him? Claude acts like an emperor.

John Delamere:

Read out Māori Land Court order appointing Claude.

Tairongo Amoamo:

Raised questions of actions by Claude in

- 1) appointing Deputy Claim Manager.
- 2) authorising expenditure of trip.

John Delamere:

Point of order. I am not Deputy Claim Manager just Secretary. Tairongo knows this and it has been made clear several times. Suggested it was time Tairongo stopped being selective in his comments and memory.

Matiu Taia:

Read out letter from Chief Judge's chambers concerning Claude's role as Claim Manager. It was clarified in the letter that Claim Manager did not have absolute powers to negotiate claim by himself. Expressed his concerns at the divisions appearing and that some people go from tikanga Pakeha, to tikanga Māori and back again as it suited. Favours tikanga Pakeha as whether we like it or not that is the way the Crown operates.

Sonny Keepa:

Too many people involved as negotiators but always too busy. If you want to negotiate then do it. Opposes going tikanga Pakeha but understands the frustrations driving Matiu to suggest this. However, we must stick with tikanga Pakeha.

Paku Edwards:

Glad John tautoko Claude in his time of sickness not because he's his brother. He would feel this way for anyone if they were sick. A lot of things need to be done, need to be improved, need to be fixed up. Our Trust Board is something that needs to be sorted out.

Tu Williams:

Talked about how the mana rested with the hapu. Explained why he is here, why he agreed to be a negotiator and what he is trying to achieve. Unfortunately the korero has to be in English as not everyone understands te reo Maori.

Tairongo Amoaia:

Query about the costs incurred by te whanau Mokomoko.

John Paki:

To Tairongo. Are you challenging the right of Mokomoko to recover their costs? Explained their request for funding. Agreed with "no need to do further research" as Minister said. Without the Mokomoko pardon Crown would not negotiate with Whakatohea.

Powers of Claim Manager

John Delamere:

On behalf of Claim Manager. Some people continue to openly express their beliefs that:

- Claude had no right or mandate to be Claim Manager, and
- he was continually acting without authority

Position of Claim Manager confirmed at a sitting of the Māori Land Court at Omarumutu in February 1994 before Judge Hingston and nearly 200 people as described in the court's minute book 69 Opotiki MB 11-26. No-one at that hui challenged his appointment to the position of Claim Manager. Claude acknowledges this does not give him the right to make agreements with the Crown on such things terms of settlement and he denies ever having done so or ever contemplated doing so. He believed it did, however, give him the right to do such things as arrange meetings with the Crown to seek clarification on issues which was what the 14 June meeting was about. Some people claim that things are done in secret. Nothing could be further from the truth. To date, all of our meetings have been open to any member of Whakatohea. Copies of documents are widely distributed.

John Kameta:

Ngati Ira concerned that 14 June meeting went ahead without Ngati Ira input. Opinion from John Grant was that Māori Land Court order was wrong in law and did not have the authority to appoint Claude as Claim Manager.

Tu Williams:

Outlines a legal opinion he obtained challenging Claude's appointment as Claim Manager.

Sonny Keepa:

Are we here as hapu or iwi. If we are only here as hapu then we are wasting our time.

Pita Biddle:

Problem is that no-one has defined the responsibilities of Claim Manager. We need to do that.

Hinehou Campbell:

Get back to basics. This is an iwi hui whether you like it or not. Every hapu is inter-married with everyone else.

Wiremu Rewiri:

Why do you want to keep on doing more history for? We have done much research since 1989. Our tipuna have given us that information. Confirmed his support for Claude as Claim Manager.

Ranginui Walker:

Raised several issues.

- why did we go to Wellington? who authorised this costs?
- what about the legal opinions against Claude?
- we need to have funding for the claim

John Delamere:

Clarified a number of points.

We went to Wellington primarily to seek funding. Explained that this committee has no funding, never has. Ranginui and Tairongo want the committee to be funded yet when Claude wants to go to Wellington to try and get funding they start to attack him. These personal attacks need to stop. They are a continuation of incidents from 30-40 years ago. Who cares what happened then. Those incidents irrelevant yet they are having a huge detrimental impact on Whakatohea today.

The legal opinions concerning the appointment of Claude are not relevant within this committee. There is a standing order of the Maori Land Court. If someone doesn't like it they need to take the matter up with a higher court.

Tairongo Amoamo:

Claude's appointment was undemocratic. The Māori Land Court is nothing but a Crown Agent. It is not acting in the interests of the people.

Kahukore Baker

To Tairongo. Stop trying to destroy everything. You are just the same as your father. Always trying to get your own way even if it means destroying Whakatohea. We will not let you get away with what your father did to my grandfather.

John Delamere:

At request of Claude read Strategic Planning outline from 26 June 1994. Pita Biddle is correct. What is needed is for the role of Claim Manager to be defined. Challenged those opposed to Claude to stop "firing shots" from Wellington and Auckland and put the motion to the people to get rid of him. If that is not going to happen then lets have a sub-committee to define his role.

Lady Mary Delamere:

Gave background on appointments of negotiators. Confirmed her opinion that the people appointed Claude at Omarumutu. Expressed some of her concerns.

Tahu Taia:

Whakatohea Māori Trust Board is only here to help the negotiators. Disappointed at the attacks on Whakatohea Māori Trust Board - unwarranted. Expressed his support for Claude - his vision, the work, the achievements he has done for Whakatohea.

John Kameta

Trust Board was just trying to assist the Negotiating Committee with its funding. There was and is no attempt to control the Negotiating Committee.

Ranginui Walker:

Moved that "Claude sets aside the title of Claims Manager and be only the Chairman of the Negotiating Committee".

moved Ranginui/Tu

Tu Williams:

If passed we need to change the Maori Land Court order.

John Delamere:

Claude would be agreeable if a sub-committee is formed to address and develop the strategic planning issues from 26 June 1994.

Tom Woods:

Explained the principles behind the Maori Land Court order. Order is open and was done sine die in case other matters needed to be addressed. This was the first s30 order ever done. It was done before even the court rules had been determined.

Lady Mary Delamere:

Claude was appointed as Claims Manager by the people. She does not want that changed as each hapu already has two representatives. Where would that leave Claude?

George Kahika:

One minute these people are saying the Maori Land Court is an unimportant pakeha institution, next minute it is all important and it is vital we change the court order. This is just hypocrisy. They are just trying to do things to suit themselves.

Dan Lux:

The three (Tairongo, Ranginui, Tu) trying to get rid of Claude should resign. They have done this at every meeting. They have their own personal agenda.

Adjourn for lunch at 1:35pm.

Resume at 2:20pm

John Delamere:

Claude has left and gone home. He was not feeling well. He has asked that I close hui.

First, however there is a standing motion. This motion is ruled to be out of order as it is a direct request for Claude to do a certain action and therefore not something that this hui can vote on.

Tairongo Amoamo:

Takes over the chair in his capacity as Deputy Chairman.

Raises the question of John Delamere's position of secretary. Considers he was appointed the interim secretary only. Refers to minutes of the meeting of 3 September 1994.

John Delamere:

States that this matter was first raised by Tairongo yesterday in Auckland. The minutes of 15 October 1994 quite clearly state that John Delamere was confirmed as secretary.

Tu Williams:

Disappointed if we leave with no outcomes. Some hapu are meeting tomorrow. What do we tell them? Some of us have come a long way for this hui.

Sharon Campbell:

You are one of the ones who have hindered the process. It is always you, Tairongo and Ranginui.

John Hata:

Uncomfortable that we have never had a meeting of negotiators only. The issues won't progress until we do. Motion "that the negotiators meet on their own and a hui-a-iwi be reconvened as soon as possible afterwards".

John Hata/Teriaki passed unanimously

Matiu Taia:

tautoko.

Sonny Keepa:

Tautoko John Hata. Let the negotiators have their hui.

Pita Biddle:

Only negotiators to meet.

Tairongo Amoamo:

Asked John Delamere to give an explanation on finances. Agreed that he continue his discussions with OTS and get the money for negotiating.

Date for next meeting: Saturday 5 August 10:00 am.

John Paki:

Raised an issue of building on wahi tapu (old pa site) by a Pakeha policemen at Waiotahi beach.

Motion "that all building not be allowed on wahi tapu within Whakatohea." tautoko John Paki.

John Hata/John Kameta passed unanimously

Karakia:

Tuhakia Keepa.

Meeting closed at 3:00pm