

WHAKATOHEA RAUPATU NEGOTIATING COMMITTEE  
OMARAMUTU HUI - 15 OCTOBER 1994

2:20 pm: Ka Timata  
Karakia: Te Riaki Amoamo  
Nga Mihi: Te Riaki Amoamo, Claude Edwards, Tairongo Amoamo, Ranginui Walker  
Apologies: John Kameta, moved John Hata, 2nd Claude  
passed unanimously  
Secretary: Nominated John Delamere moved John Hata, 2nd Ranginui  
Tairongo spoke to the issue. Concern about possible conflict with  
nominee's employment as executive officer with TPK.  
John accepted. Will confirm with Wira Gardiner.  
passed unanimously.

Minutes: **Corrections required**  
John Hata asked that the nomination for permanent secretary was  
for interim secretary.  
Acceptance moved Tairongo, 2nd Ranginui  
passed unanimously

**Matters Arising**

Tairongo: Has the negotiators budget been prepared?.

Claude: Any monies or property returned are a debt against the claim.

Tahu: We have received funding for stage one, that is, \$25,000. Now  
waiting for stage 2 funding from TOWPU.

Tairongo: Wants to discuss the accounts paid by TOWPU.

Claude: Negotiators are here for negotiating not what the Whakatohea  
Māori Trust Board did in the past?

Tairongo: Am just following up on a resolution passed from the last meeting.  
The accounts were to be submitted to this committee for approval.  
(Asked for confirmation from other negotiators - so confirmed.)

General discussion on this matter, Tairongo, Claude, Isaac Mareroa.

John Delamere: Suggested the negotiators write to the Trust Board and ask that they table the accounts.

Tairongo: Wants the accounts tabled and approved so that they do not appear as a liability on the Whakatohea Māori Trust Board books. Have any of the Trust Boards accounts been paid?

Tahu: Everything up to 18 October 1993 incurred by the Whakatohea Māori Trust Board has been paid as have this committees accounts. Balance remaining is \$52.

Claude: "To Tairongo". You came to these meetings with your little black book of committee rules. The money paid to the Whakatohea Māori Trust Board and not the negotiators.

Tairongo: OK.

Claude: Any other matters arising.

Tairongo: The proposal for Alf Lyall to do the first stage report. I would like to nominate Dr Bryan Gilling instead of Alf Lyall. Would be easier with me in Wellington.

Claude: Do we even need this stage one. The Gilling report is satisfactory for us to negotiate. I have had confirmation from TOWPU.

Isaac: You are here as negotiators. That is your mandate. You are not here to rewrite the claim, rewrite the history. Get down and negotiate or there will be trouble. Go back to the Court if you want to change the rules.

Ranginui: There are deficiencies in the Gilling report. A six month gap after the killing of Volkner. We need to clarify the Whakatohea/Tuhoe position. Volkner was a government spy. Whakatohea sent a panui that he had been executed as a government spy. This needs further research and clarification.

Claude: What about stage one.

Tairongo: I will deal with why we need stage 3. The land court sat at Maketu and awarded White Island to the Tapsell family and deprived Whakatohea as well as Te Whanau Apanui the chance to state their case for ownership. We also need to look at land lost under the Public Works.

- Ranginui: We also need to research the 1946 Finance Act that put in place the original settlement. Who were our negotiators? Did they accept? Were they forced to sign the agreement?
- Tahu: These are undergrowth claims and need to come from the hapu.
- Claude: If you had read the original material you would have seen it. It's all there already. The Crown has asked us to come and negotiate - they are accepting their guilt. How guilty do we want to make them?
- Tairongo: I will never be satisfied until we have detailed all our grievances. E.g., what happened to the 57,000 acres in the back of our rohe behind Nukutere? Gilling will find all that out. Of course the Crown are happy for us to negotiate when our case is not fully documented. What was our lost economic opportunity?
- Tu Williams: First the Gilling report was commissioned by the Crown. Second, we need to be clear on the extent of our grievance. I would be unhappy to proceed without further evidence.
- Claude: The Crown says "I am guilty" come and negotiate. Lets deal with the raupatu first and the undergrowth claims, such as Nukutere, can be done separately.
- Tu W: The Crown will have determined what they believe the extent of our loss was. For Ngai Tama I am not prepared to go to the Crown without knowing exactly our loss.
- Claude: We can easily substantiate over \$2 billion worth.
- Tu W: The worth of the claim has not been substantiated.
- Tairongo: Please Mr Chairman, chair the meeting. Lets leave aside personalities. Last meeting we agreed to hire Gilling for part III. We agreed to hire Lyall for part I. All I am saying is lets use Gilling for both part I & II.
- Claude: You should have read the protocols. You haven't read them either Ranginui.
- Ranginui: Yes I have and did. Stop making personal attacks.

- Hinehou Campbell: (Addresses the hui). Reminds the negotiators who they are and what they are there for. Stop this arguing. It is all "hoha". It does us no good and insults the kaupapa and all of Whakatohea.
- Charlie Aramoana: Tells the hui why we are here and how the negotiators became negotiators - what their responsibility is. The money was for expenses from before the time of the court hearing last year.
- Andrea Tunks: Supports the position of Tairongo and Ranginui. Says the Gilling report is not sufficient to negotiate with the Crown. We do not have a firm foundation and we will be playing into the Crown's hands. We will likely end up getting nothing. I do not agree with you Mr Chairman. The Crown forced us to accept the 1946 settlement just as Tauranga Moana were forced to. We must tie the undergrowth claims into the overall picture so we know what our full economic loss is. We must establish our own basis and our own process no matter how long it takes.
- Kahu Baker: The court order was for the raupatu - no mandate for the others. Filling in the gaps does not address the pragmatic situation we face today. The Crown has offered to negotiate. We should see what they are on about.
- Tairongo: I will not take what the Crown is offering until I get justice even if it takes 2 or 3 generations.
- John Delamere: Our children are committing suicide. I have just this week buried a nephew at Tokata. Our children can't wait for 2 to 3 generations. No problem for those of us with jobs we can survive easily. For those earning up to \$60,000 to \$70,000 a year, it is easy to wait - we can afford it. The Crown has offered to talk. Some say they will cheat us. Hell - how can anyone say that when we haven't even talked to them. Lets find out what they are offering. We can always withdraw and go to the Tribunal but lets talk to the Crown first. Lets find out what they are offering. Six of our children have committed suicide in the past ten days. It is too late for them. We can not afford to wait for years and years. We can not afford to wait and lose more of our children, our mokopuna.
- Isaac: John is wrong - unfortunately, fifteen have died. Lets go down to Wellington and face the Crown. I can't wait - our children can't wait for 2 or 3 more generations.
- Lady Mere: Talked about her feelings. The money is part and parcel of the process. Tairongo's request was reasonable. Lets try and ensure we fill the gaps of our history but lets hurry up and get on with it.

Mereaira Hata: Raised a matter in the last minutes about the statement of Claude's that "Mereaira took all the information off the computer". (speaking directly to Claude) Your statement about me is defamation. You accused me of stealing. That is a lie. Everything I did was left at the Whakatohea Māori Trust Board. The Board appointed me. I was pleased and proud to come home, to help, to work for Whakatohea. I was funded by the Government. I trained 22 of our people. Everything that Gilling talks about as missing is rubbish. It is all done - I did it, the others did it - we did it. Its all there. Fully referenced, fully indexed. Gilling did it the hard way. However, what he did was good, was excellent. But we had also already done it. There are gaps though which we can and should fill. I suggest we use that Pakeha historian as there are problems at times if we use our own. It causes conflict as we can see.

4:00 pm:

John Paki: We might win the fight but lose the battle. Gilling's report of 200 pages essentially expanded on our 30 page report on Mokomoko. Talks about his work (& the Mokomoko whanau) in completing their research. I told you your negotiating team was too big and you would probably end up fighting - all you want to do is rewrite history. Talk to your old people. They have the history - their diaries hold immense information. But be careful, you might find out things that reflect badly on your tipuna. Move forward - don't fight. Save your fighting for the Crown.

Mereaira: That's the point. Negotiating and researching are two totally different things. Stop messing around. Be specific. If you had got Gilling (or me) to do this 18 months ago we would not be arguing today - it would have been finished ages ago and we would now be negotiating.

Tairongo: Outlined the procedure Gilling would work under. Talked about the historians and their historical processes.

moved Tairongo, 2nd John Hata - that Gilling do part I & III.

Sonny Keepa: Let Mereaira assist to do the required historical research. She is our own. She has already done it. Let her work with the Pakeha.

Tairongo: Put the motion again. That Brian Gilling be employed to do part I and part III of the historical research. Explained what part I and part III entails. Part I is pre-1840 which is necessary to establish our historical rights as tangata whenua. Part III is post-1870 which is required to establish those other grievances that happened after the confiscation of our land. Explained why, for example, we need to know what our boundaries are. Described aspects of the Sea Lords deal and the boundary lines the Waitangi Fisheries Commission, "Te Ohu Kai Moana" have drawn for deep sea quota,

for example, the boundaries they have drawn between Whakatohea and Ngai Tai.

Further general discussion on this matter.

Tairongo Motion amended: that Brian Gilling, assisted by the Liaison Committees of Auckland, Waikato and Wellington, be commissioned to produce part I & part III of the historical research. John Hata 2nd amendment.

Sonny Keepa: Why are we trying to push out Ngai Tai for. We don't want to create friction with them - Be careful!.

?: Would like to support Mereaira. I worked with her, She is so very competent.

Claude: Put motion. Motion was passed unanimously.

Claude: Apologised for getting angry. However he felt the Auckland and Wellington connections were always moving ground. Originally they were stressing how important it was to get the negotiations completed before we had an MMP election, now all they want to do is research. As far as money for funding our research goes, all we need to do is go to the Crown and tell them what we need as far as dollars are concerned. We need to sit down and plan our strategies. I am not talking about full settlement. I am talking about getting some initial settlements. Good we have settled our process for historical research - that's excellent - let's push on.

Tairongo: We need a letter to Gilling from the Secretary putting an offer to Gilling.

John Hata: Moves that the negotiation committee send a letter of appointment to Mr Gilling. 2nd by John Tai. passed unanimously.

Claude: There are all sorts of settlement formulae we can talk about. There is the plunder of Whakatohea assets; the land, the farms, the stock, the produce, the money, the chattels, the crops. They all had value.

Tairongo: That's what tomorrow's hui might help us with. How do we set values for our losses. We, the raupatu iwi will have strength in our commonalty.

Janet Maloney: We from Waikato came home this weekend because we are concerned at what has been happening at home. All we see is the

arguing. I am concerned we are having a Pakcha research us. We can't wait. I work in the health field. John is right. Our people are dying. I see them in Tokanui. What has happened in the last year?

Tairongo: Explained about the committee being in existence only 1 year and what has been done in these 12 months.

Claude: Tautoko to Janet. Talked about her whaea tipuna.

4:55 pm:

Ranginui: Introduced why we are having tomorrow's hui. The pre-emptive actions of the Crown are always undermining the iwi in their divide and rule tactics. First Sealords, and now the rumoured fiscal envelope. We have talked about strategy. We are looking to the Tainui principles of "As land was taken so shall land be returned" and if there is not enough land then the Crown shall pay cash compensation.

Continued with a full explanation on the Tainui principles. See attached papers submitted by Ranginui. Talked about the Governments proposed fiscal restraints for treaty claims. Gave a background briefing on the Sealords signing process. Within the Sealords agreement, the Crown "sneaked" in an agreement for the fiscal envelope. Therefore those tribes, those people who signed the Sealords agreement have already agreed to a fiscal envelope. The Crown will try and use this.

General discussion on the Sealords deal.

John Delamere

Gave their background knowledge of events surrounding Sealords.

Andrea Tunks

John from his time as Manager - Negotiations for the Treaty of Waitangi Policy Unit and Andrea as a solicitor with Kensington Swan.

A general discussion on the Crown's proposed policy for the settlement process. No motions, no resolutions. Discussion was to enable Whakatohea to be better informed for the hui with all raupatu iwi tomorrow.

5:30 pm:

Te Riaki closed the hui with a karakia.