

BEFORE THE WAITANGI TRIBUNAL

TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI

WAI 2666

IN THE MATTER of the Treaty of Waitangi Act 1975

AND IN THE MATTER of the Crown's Treaty settlement policy regarding overlapping claims and the proposed redress in relation to the Hauraki Collective, Marutūāhu Collective and individual Hauraki iwi settlements.

AND IN THE MATTER of a claim filed by **HAYDN THOMAS EDMONDS** on behalf of Ngātiwai Trust Board and the iwi of Ngāti Wai for an urgent inquiry into the Crown's settlement policy regarding overlapping claims and the proposed redress in the Hauraki Collective, Marutūāhu Collective and individual Hauraki iwi settlements.

REPLY AFFIDAVIT OF HAYDN THOMAS EDMONDS ON BEHALF OF
NGĀTIWAI TRUST BOARD

3 November 2017

KAHUI
LEGAL

PO Box 1654

Telephone: 04 495 9999

Facsimile: 04 495 9990

Counsel: K Tahana / M C Tukapua

WELLINGTON

I, HAYDN THOMAS EDMONDS, SWEAR:

Introduction

1. This is my second affidavit in relation to Wai 2666, further to my original affidavit dated 21 July 2017.
2. This affidavit responds to the Crown's submissions and the affidavit of Susan Kiri Leah Campbell dated 9 October 2017.
3. In this affidavit, I set out:
 - (a) an overview of the engagement between the Hauraki iwi and Ngātiwai; and
 - (b) an update on Ngātiwai request to the Crown for a tikanga based resolution process.

Engagement between the Hauraki iwi and Ngātiwai

4. I disagree with the Crown's response suggesting that the Trust Board is dissatisfied with the outcome of engagement¹ with the Hauraki iwi². I set out below the extent of the Trust Board's efforts to engage with the Hauraki collectives/iwi, including:
 - (a) engagement with the Marutūāhu and Hauraki Collectives; and
 - (b) engagement with individual iwi of Hauraki

Engagement with the Marutūāhu and Hauraki Collective

5. The Trust Board understands that the Marutūāhu Collective and the Hauraki Collective negotiator is Paul Majurey. Mr Majurey attended one initial meeting with Michael Dreaver, myself and Jim Smillie in Walkworth on 31 October 2013. As set out in my first affidavit³, that meeting was largely introductory and no discussions took place concerning the redress Marutūāhu were seeking within the Ngātiwai Area of Interest (Aoi) either on the mainland, on Aotea or in the ocean space in between. That one meeting is the extent of any face to face engagement the Trust Board has had with the Marutūāhu and the Hauraki Collective negotiator, Mr Majurey.

¹ Memorandum of counsel for the Crown dated 6 October 2017, at paragraph 10.

² Paragraph 6 (ibid)

³ Affidavit of Haydn Thomas Edmonds dated 21 June 2017, at paragraph 34.

6. As described in the affidavit of Tania McPherson⁴, the Trust Board has made several attempts to request further meetings with Mr Majurey and others following that initial meeting. As set out in Ms McPherson's affidavit and further set out below, the Trust Board has received no response at all from Mr Majurey and a number of the other Hauraki negotiators to these requests, however there has been limited engagement with some of the Hauraki negotiators.

Engagement with Individual Hauraki Iwi

Ngāti Maru

7. The Trust Board understands that Paul Majurey and Wati Ngamane are the Ngāti Maru negotiators. There have been no face to face meetings with the Ngāti Maru negotiators at all to discuss their iwi specific redress that overlaps with the Ngātiwai Area of Interest.
8. Ngāti Maru have not contacted Ngātiwai to engage with Ngātiwai to discuss their iwi specific overlapping claims. The only effort that has been made to organise meetings has been the effort made by the Trust Board as set out in the affidavit of Tania McPherson.

Ngāti Tamatera

9. The Trust Board understands that Liane Ngamane and John McEnteer are the Ngāti Tamatera negotiators. There have been no face to face meetings with the Ngāti Tamatera negotiators at all to discuss their iwi specific redress that overlaps with the Ngātiwai Area of Interest.
10. Ngāti Tamatera have not contacted Ngātiwai to discuss their iwi specific overlapping claims. The only effort that has been made to organise meetings has been the effort made by the Trust Board as set out in the affidavit of Tania McPherson.

Ngāti Paoa

11. The Trust Board understands that Hauauru Rawiri and Morehu Rawiri are the Ngāti Paoa negotiators. There have been no face to face meetings with the Ngāti Paoa negotiators at all to discuss their iwi specific redress that overlaps with the Ngātiwai Area of Interest.

⁴ Affidavit of Tania McPherson dated 23 August 2017, at paragraphs 59, 65, 80-82, 102-103, 105-106, and 110.

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12. While there was some initial responsiveness to Ngātiwai requests for engagement from Mr Rawiri he later determined that the meeting should not proceed until the challenge to the Ngātiwai Mandate (Wai 2561) was resolved.
13. Ngāti Paoa made no effort to contact the Trust Board to discuss their iwi specific overlapping claims. The Trust Board initiated all contact and supplied relevant information but was ultimately deferred by the Ngāti Paoa negotiator concerned.

Ngāti Hako

14. The Trust Board understands that John Linstead and Josie Anderson are the Ngāti Hako negotiators. There have been no face to face meetings with the Ngāti Hako negotiators at all to discuss their iwi specific redress that overlaps with the Ngātiwai Area of Interest.
15. While there was an initial willingness to meeting with Ngātiwai from Mr Linstead he did not respond to meeting organisation requests.
16. Ngāti Hako made an initial effort to contact the Trust Board to discuss their iwi specific overlapping claims. However, after the Trust Board provided its initial feedback to OTS on the proposed redress the Trust Board was subsequently unable to obtain a response to requests for meeting availability and ultimately ignored by the Ngāti Hako negotiator concerned.

Ngāti Whanaunga

17. The Trust Board understands that Tipa Compain and Nathan Kennedy are the Ngāti Whanaunga negotiators. There have been no face to face meetings with the Ngāti Whanaunga negotiators at all to discuss their iwi specific redress that overlaps with the Ngātiwai Area of Interest.
18. While there was a meeting organised and confirmed to take place on 19 July 2017. Mr Compain contacted the Trust Board the day before the meeting to cancel it due to ill health.
19. Ngāti Whanaunga made no effort to contact the Trust Board in the first instance to discuss their iwi specific overlapping claims. The Trust Board initiated all contact and supplied relevant information but ultimately the meeting was cancelled.

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Te Patukirikiri

20. The Trust Board understands that William Peters and David Williams are the Te Pautikirikiri negotiators. There have been no face to face meetings with the Te Patukirikiri negotiators at all to discuss their iwi specific redress that overlaps with the Ngātiwai Area of Interest.
21. Te Patukirikiri have not responded to any of the Boards correspondence requesting direct face to face engagement to discuss overlapping claims matters.

Ngāti Hei, Ngāti Rahirahi Tumutumu, Ngāti Porau ki Hauraki, Ngāti Tara Tokanui

22. The only overlapping claims redress related to these groups is the Fisheries Quota RFR redress contained in the Hauraki Collect Settlement.
23. As the Trust Board was unable to discuss the Hauraki Collective Fisheries Quota RFR redress with Mr Majurey the Trust Board made efforts to contact the negotiators from the individual iwi within the Hauraki Collective. Unfortunately this proved fruitless as those who responded had no apparent knowledge of the redress in question.

Ngai Tai ki Tamaki

24. The only face to face Iwi engagement hui that took place during this long process occurred with Ngai Tai ki Tamaki on 13 July 2017. Unfortunately that settlement has now been introduced into the house and is now out of scope for the Trust Boards urgency application.

Ngātiwai requests for a tikanga based resolution process

25. One of the key concerns of Ngātiwai is the absence of any face to face meetings to properly identify, and understand the basis of, the interests of Ngātiwai and iwi of Hauraki within those areas where the Crown has chosen to provide property as cultural and commercial redress (the **Exclusive Redress**) to iwi of Hauraki. For this reason, Ngātiwai requested the Crown to facilitate a tikanga based resolution process by letter dated 22 August 2017, a copy of which is **attached** and marked "HE-1"⁵.

⁵ A copy of this letter was also attached as Appendix B to the Memorandum of Counsel for Ngātiwai Trust Board dated 22 September 2017.

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26. On 19 September 2017, Ms McPherson received an email from Tessa Buchanan of the Office of Treaty Settlements dated 19 September 2017, advising that the Minister has decided that the Pare Hauraki Collective Redress Deed will not be signed before the general election because of the "lack of agreement on a resolution process in relation to Iwi of Hauraki collective redress in Tauranga Moana". Ms McPherson responded by email dated 20 September 2017 that it was disappointing that the Minister had not acknowledged the lack of agreement with respect to redress in Ngātiwai's rohe. A copy of these emails is **attached** and marked "HE-2".
27. My concern is that the Minister is willing to facilitate a tikanga based resolution process in relation to Tauranga Moana and Hauraki but not in relation to Ngātiwai and Hauraki. Ngātiwai appear to be being treated differently.
28. On 21 September 2017, Ngātiwai had still not received a substantive response to its letter of 22 August 2017 from the Minister, so Ms McPherson sent a further email to the Office of Treaty Settlements (a copy of which is **attached** and marked "HE-3").
29. The Crown has only recently, by letter dated 17 October 2017, responded to Ngātiwai's letter of 22 August 2017. A copy of the Minister's response dated 17 October 2017 is **attached** and marked "HE-4".
30. The Minister's letter fails to explain why the Crown considers a tikanga based process is not required in relation to Hauraki redress within the Ngātiwai rohe. The Crown has indicated, in relation to Tauranga Moana, in the absence of agreement between iwi groups in relation to Hauraki Collective redress in Tauranga Moana, it is not possible to sign the Pare Hauraki Collective Redress Deed. The Crown has not taken a similar approach with respect to Ngātiwai.

SWORN at Whangarei this)

3 day of November 2017)

before me:)

Susanne Joy Farrant

A Solicitor of the High Court of New Zealand

Susanne Joy Farrant, JP
#95433

WHANGAREI

Justice of the Peace for New Zealand



Raydn Thomas Edmonds

AFFIDAVIT OF HAYDN THOMAS EDMONDS

Index to Exhibits

No.	Description	Date
HE-1	Letter from Haydn Edmonds to Hon Christopher Finlayson	22 August 2017
HE-2	Email correspondence between Tania McPherson of Ngātiwai Trust Board and Tessa Buchanan, Office of Treaty Settlements	19-20 September 2017
HE-3	Email correspondence Tania McPherson to Hon Christopher Finlayson	21 September 2017
HE-4	Letter Hon Christopher Finlayson to Haydn Edmonds	17 October 2017



EXHIBIT NOTE

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This is the exhibit marked "HE-1" referred to in the affidavit of HAYDN THOMAS EDMONDS and sworn at Whangarei this 22nd of November 2017 before me:

S. Farrant



Susanne Joy Farrant, JP
#95433
WHANGAREI
Justice of the Peace for New Zealand

A Solicitor of the High Court of New Zealand

Ngātiwai Trust Board

129 Port Road, Whangarei 0110

P O Box 1332, Whangarei 0140, New Zealand

Telephone: +64 9 430 0939 Fax: +64 9 438 0182

Email: ngatiwai@ngatiwai.iwi.nz Website: www.ngatiwai.iwi.nz



22 August 2017

Hon Christopher Finlayson
Minister for Treaty of Waitangi Negotiations
Private Bay 18041
Parliament Buildings
Wellington 6160

SENT BY E-MAIL: c.finlayson@parliament.govt.nz

Tēnā koe e Te Minita

Ngātiwai Trust Board – Settlements with iwi of Hauraki

We refer to your letter of 10 August 2017.

The Ngātiwai Trust Board (**Trust Board**) remains very concerned with the approach the Crown is taking in dealing with overlapping claims in relation to the various settlements with iwi of Hauraki. Your response ignores the concerns of Ngātiwai and indicates a desire to proceed with settlements without regard to tikanga, preservation of relationships between iwi and ensuring overlapping settlements do not erode the mana whenua of Ngātiwai.

It is not enough for the Crown to "encourage" Ngātiwai to engage with Hauraki iwi in circumstances where the Crown is fully aware that such engagement is not taking place, despite repeated requests by Ngātiwai to engage. The Crown cannot sit back and leave overlapping issues to iwi or expect Ngātiwai to accept the Crown's redress when there has been no tikanga based process to enable Ngātiwai to understand the nature of Hauraki's interests within the Ngātiwai rohe. For the Crown to offer redress in a manner that takes no account of tikanga or mana whenua, is to take sides and to act contrary to its obligations as a Treaty partner. This approach is creating divisions between iwi.

Ngātiwai is not asking the Crown to determine mana whenua or tikanga. We are asking the Crown to offer appropriate redress that is sensitive to mana whenua and tikanga so that further grievances and divisions are not created.

"Te Karere o Tūkaiaia"

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Your 10 August 2017 response is contrary to statements you have made in Parliament that:

[you are] conscious of the desire not to have any overlapping interests lead to further contention. ...

The last thing I want to do through a Treaty settlement, or rushing through a Treaty settlement, is to create further grievance. These matters need to be handled sensitively.

We request that you handle Ngātiwai's interests sensitively. Ngātiwai is committed to working through these issues and is open to redress being offered to iwi of Hauraki, but only to the extent that such redress is consistent with Hauraki interests and does not undermine the mana whenua of Ngātiwai.

We understand that many iwi (Waikato-Tainui, Ngāti Manuhiri, Raukawa, Ngāti Haua, Ngāti Whatua Ōrākei and Tauranga Moana) have raised similar concerns to Ngātiwai regarding the Crown's approach to overlapping claims. Ours is not the only request for a tikanga approach to resolve these issues. We request that you show Ngātiwai the same level of understanding and support as has been made available to those iwi.

To enable these issues to be resolved in an appropriate way, we urgently request that you (with the assistance of the Minister for Māori Development) pro-actively facilitate engagement between representatives of Ngātiwai, representatives of Hauraki iwi and representatives of the Crown. We consider it important that the Crown be involved in such a process so that it can better understand and provide redress in overlapping areas in a manner that is sensitive to tikanga and mana whenua.

We remain committed to working through these issues in a manner that reflects our partnership with the Crown and we request that the Crown do the same.

We look forward to your response.

Naku noa, na



Haydn Edmonds
Chairman, Ngatiwai Trust Board

Cc: Hon. Te Ururoa Flavell, Minister for Māori Development
teururoa.flavell@parliament.govt.nz

"Te Karere o Tūkaiaia"



This is the exhibit marked "HE-2" referred to in the affidavit of **HAYDN THOMAS EDMONDS** and sworn at Whangarei this 19th of November 2017 before me:

Susanne Joy Buchanan
 Susanne Joy Buchanan P
 #95433

A Solicitor of the High Court of New Zealand WHANGAREI
 Justice of the Peace for New Zealand

From: Tania McPherson
Sent: Wednesday, 20 September 2017 1:59 p.m.
To: 'Buchanan, Tessa'; Haydn Edmonds
Cc: 'Campbell, Leah'; 'Hickey, Maureen'; Haydn Edmonds (haydn@ngatiwai.iwi.nz); Kris MacDonald
Subject: RE: Pare Hauraki Collective Redress Deed

Kia ora Tessa

Thank you for the update even though it is disappointing that the Minister has failed to recognise the lack of agreement on a resolution process in relation to Hauraki collective, Marutūahu collective and individual Hauraki iwi settlement redress within the Ngatiwai rohe.

Nga mihi

Tania McPherson
 Treaty Claims Manager
 Ngatiwai Trust Board
 129 Port Road
 P O Box 1332
 Whangarei 0140
 New Zealand

Phone: 09 430 0939
 Mobile: 021 667798
 e-mail: tania.mcperson@ngatiwai.iwi.nz

From: Buchanan, Tessa [<mailto:Tessa.Buchanan@justice.govt.nz>]
Sent: Tuesday, 19 September 2017 4:37 p.m.
To: Haydn Edmonds <haydn@ngatiwai.iwi.nz>; Tania McPherson <tania.mcperson@ngatiwai.iwi.nz>
Cc: Campbell, Leah <Leah.Campbell@justice.govt.nz>; Hickey, Maureen <Maureen.Hickey@justice.govt.nz>
Subject: Pare Hauraki Collective Redress Deed

Tēnā kōrua

This email is to advise you that the Minister for Treaty of Waitangi Negotiations has decided that the Pare Hauraki Collective Redress Deed will not be signed before the general election this week. The Minister has made this decision in light of the lack of agreement on a resolution process in relation to Iwi of Hauraki collective redress in Tauranga Moana.

Nāku noa, nā

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Tessa Buchanan
Negotiation and Settlement Manager
DDI: 04-494-9924 | MOB: 027-560-5492 | EXT: 50924
www.ots.govt.nz

Confidentiality notice:

This email may contain information that is confidential or legally privileged. If you have received it by mistake, please:


- (1) reply promptly to that effect, and remove this email and the reply from your system;
- (2) do not act on this email in any other way.

Thank you.

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This is the exhibit marked "HE-3" referred to in the affidavit of HAYDN THOMAS EDMONDS and sworn at Whangarei this 3 day of November 2017 before me:

Susanne Joy Farrant
 A Solicitor of the High Court of New Zealand
 #55433
 WHANGAREI
 Justice of the Peace for New Zealand



From: Tania McPherson
Sent: Thursday, 21 September 2017 11:16 a.m.
To: 'C Finlayson (MIN)'
Cc: 'teururoa.flavell@parliament.govt.nz'; 'Hickey, Maureen'; 'Buchanan, Tessa'; 'Campbell, Leah'
Subject: FW: Ngatiwai Trust Board - Settlements with iwi of Hauraki
Attachments: 2017 08 22 Letter to joint Ministers re Engagement with Hauraki Iwi.pdf; 2017 08 24 Crown Acknowledgement of NTB letter dated 22 Augsut 2017 16194 Haydn Edmonds.pdf

Tena koe Imogen

Attached for your information is a copy of a letter the Ngatiwai Trust Board send to Minister Finlayson on 22 August 2017. We do not appear to have received a response to this letter despite receiving an acknowledgement on 24 August 2017.

Nga mihi

Tania McPherson
 Treaty Claims Manager
 Ngatiwai Trust Board
 129 Port Road
 P O Box 1332
 Whangarei 0140
 New Zealand

Phone: 09 430 0939
 Mobile: 021 667798
 e-mail: tania.mcpherson@ngatiwai.iwi.nz

From: Tania McPherson [<mailto:tania.mcpherson@ngatiwai.iwi.nz>]
Sent: Tuesday, 22 August 2017 11:59 a.m.
To: 'C Finlayson (MIN)' <c.finlayson@parliament.govt.nz>
Cc: 'teururoa.flavell@parliament.govt.nz' <teururoa.flavell@parliament.govt.nz>
Subject: Ngatiwai Trust Board - Settlements with iwi of Hauraki

Tena koe

Please find attached a letter for the Minister from our Chairman Haydn Edmonds. Haydn can be contacted on (021) 2646 785.

Nga mihi

Tania McPherson
 Treaty Claims Manager
 Ngatiwai Trust Board

129 Port Road
P O Box 1332
Whangarei 0140
New Zealand

Phone: 09 430 0939
Mobile: 021 667798
e-mail: tania.mcpherson@ngatiwai.iwi.nz

Ngātiwai Trust Board

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 Email: ngatiwai@ngatiwai.iwi.nz Website: www.ngatiwai.iwi.nz



22 August 2017

Hon Christopher Finlayson
 Minister for Treaty of Waitangi Negotiations
 Private Bay 18041
 Parliament Buildings
 Wellington 6160

SENT BY E-MAIL: c.finlayson@parliament.govt.nz

Tēnā koe e Te Minita

Ngātiwai Trust Board – Settlements with iwi of Hauraki

We refer to your letter of 10 August 2017.

The Ngātiwai Trust Board (**Trust Board**) remains very concerned with the approach the Crown is taking in dealing with overlapping claims in relation to the various settlements with iwi of Hauraki. Your response ignores the concerns of Ngātiwai and indicates a desire to proceed with settlements without regard to tikanga, preservation of relationships between iwi and ensuring overlapping settlements do not erode the mana whenua of Ngātiwai.

It is not enough for the Crown to "encourage" Ngātiwai to engage with Hauraki iwi in circumstances where the Crown is fully aware that such engagement is not taking place, despite repeated requests by Ngātiwai to engage. The Crown cannot sit back and leave overlapping issues to iwi or expect Ngātiwai to accept the Crown's redress when there has been no tikanga based process to enable Ngātiwai to understand the nature of Hauraki's interests within the Ngātiwai rohe. For the Crown to offer redress in a manner that takes no account of tikanga or mana whenua, is to take sides and to act contrary to its obligations as a Treaty partner. This approach is creating divisions between iwi.

Ngātiwai is not asking the Crown to determine mana whenua or tikanga. We are asking the Crown to offer appropriate redress that is sensitive to mana whenua and tikanga so that further grievances and divisions are not created.

"Te Karere o Tūkalāla"

Your 10 August 2017 response is contrary to statements you have made in Parliament that:

[you are] conscious of the desire not to have any overlapping interests lead to further contention. ...

The last thing I want to do through a Treaty settlement, or rushing through a Treaty settlement, is to create further grievance. These matters need to be handled sensitively.

We request that you handle Ngātiwai's interests sensitively. Ngātiwai is committed to working through these issues and is open to redress being offered to iwi of Hauraki, but only to the extent that such redress is consistent with Hauraki interests and does not undermine the mana whenua of Ngātiwai.

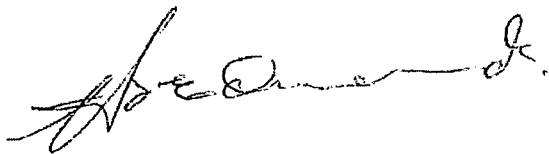
We understand that many iwi (Waikato-Tainui, Ngāti Manuhiri, Raukawa, Ngāti Haua, Ngāti Whatua Ōrākei and Tauranga Moana) have raised similar concerns to Ngātiwai regarding the Crown's approach to overlapping claims. Ours is not the only request for a tikanga approach to resolve these issues. We request that you show Ngātiwai the same level of understanding and support as has been made available to those iwi.

To enable these issues to be resolved in an appropriate way, we urgently request that you (with the assistance of the Minister for Māori Development) pro-actively facilitate engagement between representatives of Ngātiwai, representatives of Hauraki iwi and representatives of the Crown. We consider it important that the Crown be involved in such a process so that it can better understand and provide redress in overlapping areas in a manner that is sensitive to tikanga and mana whenua.

We remain committed to working through these issues in a manner that reflects our partnership with the Crown and we request that the Crown do the same.

We look forward to your response.

Naku noa, na



Haydn Edmonds
Chairman, Ngatiwai Trust Board

Cc: Hon. Te Ururoa Flavell, Minister for Māori Development
teururoa.flavell@parliament.govt.nz

"Te Karere o Tūkaiaia"





Office of Hon Christopher Finlayson

AUG 2017

Haydn Edmonds
Chairman
Ngatiwai Trust Board

Via email: tania.mcpherson@ngatiwai.iwi.nz

Tēnā koe

On behalf of Hon Christopher Finlayson, Minister for Treaty of Waitangi Negotiations, thank you for your email of 22 August 2017 regarding settlements with iwi of Hauraki. Your correspondence is with Minister Finlayson for his consideration.

Nāku noa, na

I Holmes | Ministerial Secretary
Office of Hon Christopher Finlayson

Reference: 16194



Office of Hon Christopher Finlayson

EXHIBIT NOTE

This is the exhibit marked "HE-4" referred to in the affidavit of HAYDN THOMAS EDMONDS and sworn at Whangarei this 3rd of November 2017 before me:

Susanne Joy Farrant

A Solicitor of the High Court of New Zealand

Susanne Joy Farrant, JP
 #95433

WHANGAREI
 Justice of the Peace for New Zealand

17 OCT 2017

Haydn Edmonds
 Chair
 Ngātiwai Trust Board

By email: haydn@ngatiwai.iwi.nz; ngatiwai@ngatiwai.iwi.nz

Tēnā koe

Re: Ngātiwai Trust Board – settlements with iwi of Hauraki

Thank you for your letter of 22 August and your letter of 10 October which the Prime Minister's office has referred to me for response. Given the matters raised in your letters are currently before the Waitangi Tribunal I expect they will be fully addressed in that forum.

Treaty settlements are not intended to establish or recognise claimant group boundaries. Matters of boundaries and predominance can only be decided between claimant groups. The Crown is available to attend such discussions and is mindful to be properly informed of overlapping interests, however the Crown can only settle the claims of the group with which it is negotiating.

In instances where agreement on redress cannot be reached between overlapping groups the Crown may have to make a decision on what redress is offered. In making such decisions the Crown is guided by its wish to reach a fair and appropriate settlement with the claimant group in negotiations and its capability to provide appropriate redress to other claimant groups and achieve a fair settlement of their historical claims.

The Pare Hauraki, Ngāti Paoa, Ngaati Whanaunga, Ngāti Maru, Ngāti Tamaterā and Te Patukirikiri deeds of settlement have been initialled. The decision on whether to sign the Pare Hauraki Collective Redress Deed will be the responsibility of the new government once it is formed, as will the decision on whether to accept the ratification results of the individual deeds. The Marutūāhu Collective Redress Deed remains in negotiation. The Crown has provided procedural updates to Ngātiwai at various stages. It has also consulted thoroughly with Ngātiwai directly as well as with Ngātiwai hapū, in particular Ngāti Manuhiri and Ngāti Rehua, in relation to proposed

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redress that is either within the area of interest attached to the Ngātiwai Deed of Mandate or which Crown officials have anticipated may be of concern to Ngātiwai.

As stated in the Crown's submissions to the Waitangi Tribunal, the Crown considers the engagement with Ngātiwai in relation to overlapping claims issues has been robust and thorough. The settlement redress proposed for Hauraki iwi does not hinder the Crown's ability to provide appropriate redress to Ngātiwai in settlement of their claims in the future.

The Office of Treaty Settlements is available to attend a meeting between Ngātiwai and Hauraki iwi if both parties agree. In this event please contact Tessa Buchanan at tessa.buchanan@justice.govt.nz or on 04 494 9924.

Nāku noa, nā



Hon Christopher Finlayson
Minister for Treaty of Waitangi Negotiations

CC: Tania McPherson, Treaty Claims Manager, Ngātiwai Trust Board,
tania.mcperson@ngatiwai.iwi.nz

