



The Office of Treaty Settlements

Mōkai Pātea Waitangi Claims Trust response to submissions on draft mandate strategy

The Office of Treaty Settlements (OTS) called for submissions from the public on the Mōkai Pātea Waitangi Claims Trust (the Trust) draft mandate strategy. Submissions closed in January 2018 and OTS provided these to the Trust for consideration. The Trust's response on submissions on the draft mandate strategy follows. The Trust requests that OTS considers our comments and provides them to submitters.

Response to Submissions which support the mandate

The Trust acknowledges the many submitters who have expressed their support for the Trust's draft mandate strategy. The Trust has been working tirelessly to represent all the hapū and iwi of Mōkai Pātea and Whareroa so we have a long track record of good governance, accountability of funds, robust research on historical claims, and clear-sighted advocacy for getting the best results for this and the next generation.

Response to Submissions that the Trust did not consult or engage with other claimants

The Trust would like OTS to note this claim is factually incorrect. The Trust represents the interests of a large number of claimants and has formed a charter to keep claimants informed. Additionally the Trust is fully aware of the separate claims being made by the Ngāi Whānau me Ngāi Pahi Heritage Trust (the Heritage Trust) and in an attempt to bring our two groups together, we formally wrote to the Heritage Trust in January 2017 inviting them to engage with us about direct negotiations with the Crown. After several attempts, the Heritage Trust eventually agreed to meet and the two groups held two engagement hui in June 2017 and again in August 2017. The Trust put forward a proposal for the Heritage Trust to consider. There was no response. For OTS information, after waiting for over 3 months, the Trust decided that the wider interests of the hapū and iwi of Mōkai Pātea could not be held up any longer and the draft mandate strategy was advertised for submissions in December 2017. The Heritage Trust has made submissions on the Trust's draft strategy and continues to be consulted through that process. In addition, the Trust representatives have invited the Heritage Trust to hold further hui and we remain hopeful that the Heritage Trust will still meet with us. For your information, members of the Heritage Trust will be encouraged to participate in the upcoming consultation hui and mandate voting which is to take place in April/May 2018.

Response to Submissions that it is better to go through the Waitangi Tribunal Hearings, rather than direct negotiations now

For OTS information the Trust agrees that for Wai claimants, changing the focus to direct negotiations is a difficult decision to be made. The Tribunal provides an important opportunity for claimants to be heard and tell their stories of grievance in a public setting. The Trust have therefore traced our direct negotiations pathway to ensure that the Mōkai Pātea claimants have that opportunity. We can advise OTS that hearings of Kereva Taku Iho evidence have been held, as well as evidence presented by Mōkai Pātea Nāi Teora (Rōa, March 2017), evidence about the Rangitikei River/Whānau me Ngāi Pahi (Pūhānui, May 2017), Ngāi Whānau me Ngāi Pahi evidence (Teikape, Oct. 2017), Ngāi Te Whānau me Ngāi Whānau me Ngāi Pahi evidence (Whānau, Dec. 2017), Ngāi Hānau evidence (March 2018), and Ngāi Taranaki me Ngāi Pahi evidence (April 2018). In addition, extensive research has been commissioned and completed by expert witnesses, the majority of which will be fully heard and noted in the Tribunal.

Why not wait until the Tribunal has completed its inquiry and released its report? Because the hearing programme will continue into 2019 and then the Tribunal will likely take some years to reach its conclusions and write its report. It is possible that this could easily go beyond 2021.