

## **Mōkai Pātea Waitangi Claims Trust**

### **Chairperson's Report**

**AGM 25 March 2022**

Tēnā koutou katoa. Tēnei te mihi ki ngā uri, ki ngā hapū, ki ngā iwi o Mōkai Pātea Nui Tonu. E mihi ana hoki ki a tātou tini aitua kei waenganui o tātou, nō reira, haere ki tua o te arai. Ā kāti, tēnā tātou katoa.

I am pleased to provide the Chairpersons Report covering off the financial year 1 October 2020 to 30 September 2021 and the calendar year of 2021. It has been an eventual time for the Mōkai Pātea Waitangi Claims Trust (Trust) and Mōkai Pātea-nui-tonu.

As I do so, I observe that it has been two years since we were all sent into 'lock down' due to the COVID-19 pandemic. This worldwide event has affected us all causing various disruptions to the way we conduct ourselves.

It has been a frustrating time trying to manage our work programmes in this environment but one standout trait I see is the resilience of our people. It reminds me of the whakatauāki of Hauiti... e kore e mau i a koe te hape a paratuae, you shall not catch the club footed son of Hauiti, meaning that his descendants are strong and resilient enough to withstand what ever might come.

#### **Governance Changes**

Last year we were extremely shocked and saddened at the passing Hemi Biddle. Hemi was initially appointed as the Ngāti Tamakōpiri delegate on the Trust and then to the Trustee position of Tumu Mōkai. He was highly respected throughout the rohe and brought a wealth of experience and knowledge to the Trust table....e te pou herenga waka, haere ki tua o te arai, okioki.

Over the year there have been some changes in trusteeship as we welcome back onto the Trust Hari Benevides for Ngāti Tamakōpiri and Robert Martin for Ngāi Te Ohuake replacing Gloria Toheriri. Ngā mihi kia koutou katoa.

#### **Mandate Achieved**

The mandating processing has been a 'mission' spanning some 18 months and covering off a series of draft mandate documents, advertising, consultations, submissions and meetings. It was a lengthy and time-consuming process however after meeting with Minister Little towards the end of the process, we were confident that we had done all we could to achieve success.

Minister Little and Minister Jackson finally confirm our mandate in March 2021 to negotiate the settlement of claims for Mōkai Pātea-nui-tonu. It was to be the first of several milestones reached during the year.

#### **Terms of Negotiation Signed**

During a small ceremony at Parliament in September, the Mōkai Pātea Waitangi Claims Trust and iwi Rūnanga leadership signed the Crown Expectations and Matters for Agreement. Otherwise known as the 'Terms of Negotiation', this is a non-binding agreement setting out the ground rules for negotiation between the Crown and the four iwi of Ngāi Te Ohuake, Ngāti Hauiti, Ngāti Whitikaupeka and Ngāti Tamakōpiri.

The Trust spent a number of months working on drafting the terms, engaging with our iwi Rūnanga and gaining their support for the agreement.

The signing ceremony was attended by a small delegation representing all four iwi of Mōkai Pātea Nui Tonu with the number of attendees being restricted due to Covid-19. This was very disappointing as our intention was to have significant support from our whānau in attendance however health and well-being of whānau was our main priority.

### **Waitangi Tribunal Hearings Concluded**

The Waitangi Tribunal hearings have finally drawn to a close with the last being heard in September in Wellington. It signalled the end of a huge and historic process of 18 hearings held over a six-year period. While it's a relief that they are finished, they end with a tinge of frustration that we weren't able to fully take part in the final hearing due to COVID-19 restrictions limiting numbers who could attend.

The Tribunal will now deliberate and provide its reports and recommendations. Reports from the Tribunal take ages to be completed however the Tribunal intends to fast track the land locked lands report.

One of the main reasons why we went through the Tribunal process was to tell our story and place on record our grievances and injustices suffered at the hands of the Crown. Another objective has been to seek concessions from the Crown prior to the Tribunal's report. These will be helpful in the negotiations process.

The support we have received from our whānau, hapū, iwi, marae and advisors has been remarkable especially given the ongoing process of iwi development.

### **Negotiations Team Appointed**

In November, the Trust announced the appointment of the Negotiating Team, namely; Che Wilson, Tracey Hiroa, Richard Steedman and Tama Potaka. Their appointment follows a rigorous and robust process involving all four iwi Rūnanga.

The negotiators have various Mōkai Pātea iwi affiliations and collectively they bring a formidable range of experience and skills to the negotiations table. This includes previous Treaty Settlement Negotiations, Iwi Chair and Pou Ārahi roles, directorships, political and management roles with local, regional and central government bodies.

Importantly their expertise includes Mōkai Pātea mātauranga historical and contemporary knowledge, commercial negotiations, investment fund management, legal and governance frameworks and commentators on Māori development and Māori legal issues.

The negotiators have commenced their mahi with the aim to achieve an agreement in principle (AIP) for the Mōkai Pātea Claimant community with the Crown over the next 18 months. The negotiators

are responsible for negotiating the best redress and comprehensive settlement for Mōkai Pātea historical Treaty of Waitangi claims.

### **Tumu Mōkai Activities**

As required in the Trust Deed, the Trust confirms that the Tumu Mōkai position was held by Hemi Biddle and reports on the activities at the AGM. The Tumu Mōkai position is a full trustee of Mōkai Pātea Waitangi Claims Trust. The Trust is appreciative of the time the Hemi gave to this role which included:

- Waitangi Tribunal hearings attendance
- Represents the Trust on the paepae of pōwhiri related to the Waitangi hearings and Claims related hui
- Attended and actively contributed to Trust Governance Committee meetings and sub-committees

Finally, I would like to acknowledge all our whānau, Rūnanga, Marae and Trustees who have supported the claims process over this busy year. The mahi we have done has laid strong foundations upon which our Negotiators can do their job and take us through the next phase of the settlement....mahia te mahi, nōreira, ngā mihi ki a tātou katoa.

A handwritten signature in blue ink, appearing to read 'Utiku Potaka', with a stylized flourish at the end.

Utiku Potaka  
Chairperson