



Ngāti Rehua Ngātiwai ki Aotearoa Trust
P O Box 13-397
Onehunga Mall
Auckland 1643

Ngāti Rehua-Ngātiwai ki Aotearoa Trust Board Information Hui

10am – 2pm, Saturday 3 August, 2019

KAWA MARAE, AOTEAROA

INTERIM INDEPENDENT CHAIR'S HUI MINUTES

*[*please note these are summary notes]*

10am **Whakatau**

Karakia: Maia

Mihimihi: Opo, Tavake

Whakanoa - Kapu Ti

Whakatuwhera/Introduction: Interim Independent Trust Board Chair, Tavake Barron Afeaki

Background, Vision for Future: Tavake's perspective as independent chair on the need for Ngāti Rehua-Ngātiwai uri having the opportunity to gain some understanding of the nature of the issues and work towards facing the challenges collectively and using their knowledge and vision to resolve the problems as a people, for the tamariki mokopuna to have a better chance. The uri of Aotearoa deserve much better and this series of hui and processes is the chance right now for Ngāti Rehua-Ngātiwai uri to resolve the issues themselves in a manner which navigates personal disputes, black-letter law and be guided by your own tikanga.

High Court Orders: In response to a question about how long it will take? – The matter has taken some years to get to this stage of intense conflict, and eventually went to the High Court two years ago. Tavake mindful that rather than impose a solution, Justice Palmer has made orders about what he directs to happen to regularise the beneficiary database (read these out to the hui and discussed) and given the interim trust board until June 2020 to complete a combined validation committee process and then have an AGM with election of new trustees, who can take over. Recognised that time is passing and there is always work to be done, but we have to do this properly. Importantly there needs to be good will and dedication to work for all of us to surmount the challenges together. Disputes about leadership of hapū, of whānau are not new nor unusual. Tavake's deep wish that Ngāti Rehua-Ngātiwai uri are able to unravel the animosity which has preceded and work to resolve this without having to go to a long, expensive and risky court campaign, where the rules are very tough and we cannot have these discussions on your marae

with your people and everyone have their say about what they feel and what they think is tika. Going to court will not empower your people to make the decisions you need to make. You are better placed to do it on your marae with your people present. Hence this series of information hui. So back to the question how long is it going to take? – It took years to get to this level of difficulty and conflict and we have less than a year left to properly address the problems we face. We must work together and inform the people, gain understandings of what is at stake and together make real efforts to properly work out and resolve the problems as a hapū. This is distinct from handing it over to the court to decide for you, uri o te hapū.

Trust Board Beneficiary Roll: There was a robust discussion about the beneficiary roll. Tavake explained some of the issues, the current unavailability of ElectionNZ (ENZ) due to their bookings for 2019, the current status of the roll. Because ENZ were booked out with local government, school and other elections, they were not available to assist until 2020 earliest. The Court has ordered that we need their (ENZ) professional services to conduct the combined validation committee hui and AGM, and rightly so, because this is serious mahi and requires expert service and skills. We are looking for engagement with the other professional election services provider to ascertain whether or not we can contract them. Clarified in response to a question from Kuia, Ms Wī, that it was not Tavake who came up with the term lack of ‘integrity’ of the database. - In fact it was the election service professionals and also the Māori Trustee who had said that they had concerns about the ‘integrity’ of the current database. That description was taken up by the judge because he was relying on their being independent of the different parties. This was the reason for needing to put in place a proper process for validating the information in the beneficiary database.

Meantime, the trust board had asked ENZ for the beneficiary database which they sent us – as two lists, one is a spreadsheet with 1622 names and addresses on it, many of whom are contested by either side of the court dispute. ENZ also sent another of 46 names of member enrolments agreed to in the earlier separate validation committee hui of 2017. Interim Trustees Bruce Davies and Valmaine Toki explained how we had asked ENZ to send us the originating documents they held so we could look at what we had to work with. They sent these to us last month, July 2019. We received and opened the two boxes of your hapū documents received from ENZ at our trust board hui on 19 July and inspected them. There were many piles of documents, signed membership registration forms, including some piles of proxy voting forms. Bruce commented on one pile of proxies which were all received at the last failed AGM from his brother, who had signed about 200 of them. This gave rise to discussion in the hui about needing clear processes for proxies because the validity of voting processes is so important.

One kaumatua asked why were proxy forms used and what were the rules about proxies? Tavake advised the hui that if proxies are to be accepted for voting, there needed to be one properly designed proxy form used, with a proper, clear manner explained to everyone in which proxies are reliable and lodged two weeks well in advance of the AGM, so they could be properly verified prior to the AGM and measured against the properly organised and validated hapū membership database. This led to further korero about the underlying issue of the form, content and processes of the beneficiary registration forms.

Advised the hui that different beneficiary registration forms had been used by different people applying which meant that there was different information being given by people wanting to register. The problem was that it created inconsistent information being provided by beneficiaries.

One kuia, Ms Stephens, said that despite being from Aotea, having been a registered beneficiary for many years and who had earlier served the trust board administration as secretary, she had been removed from the beneficiary database as a member. Another kuia, Ms Hope raised that she did not want to be re-registered as she is a kaumatua and is already registered. Hui discussion that perhaps kaumatua should not be required to re-register and that the combined validation committee could review the database and confirm who should remain on it or not. Tavake recalled in February 2019 meeting one Aotea kuia who was 88 years of age and resides at Okiwi and how someone had mentioned it would be offensive for this kuia to have to re-register. However, the combined validation committee would have enough people who hold the knowledge and ability to know who is in fact a kaumatua. Another view expressed and discussed was that we should not whaka-iti or 'put down' anyone uri by only requiring some to apply to re-register and not others, because the same fair procedure and criteria should be done by everyone applying. Was agreed by everyone at the hui that we should invite people to register. Tavake added that the judge had directed us to do this. We will provide one registration form to be used.

Looking forwards, the trust gave some more background to the work we believed necessary and then the hui had some more ideas, discussions about what needed to happen next to validate and regularise the beneficiary database

Request for Feedback, Registrations:

Combined Validation Committee: Tavake advised the Hui that the judge had ordered that a combined validation committee come together and process the database information, call for further registration applications of uri and regularise the database. This is because at the earlier validation committee hui, two committees met separately and considered the forms separately. They came to quite different conclusions.

Tavake advised the hui that present at our trustees hui of 19 July 2019 in Auckland, two members of the two earlier validation committees attended; Bruce Davies and Aperahama Edwards. They had already seen those sets of documents first-hand and had been through the experience. They knew how that earlier separate validation committee hui went and the disputes which happened in them. After long discussion the trustees had decided to start registrations afresh and seek views from the hapū beneficiaries and of course direction from the Court as to whether this is acceptable.

Trust considered that we need a better process for us to succeed and this was the reason why we are holding the information hui and the series of them in the different places where uri reside, so we could together inform the whānau and hapū, seek feedback and help the whanau to ready the to participate for best results.

Resolution Moved by kuia Marylin Stephens (wrote up on whiteboard), and was debated by Hui: - resolved:

- That the current beneficiary register be reviewed in part by the combined validation committee.
- That the NRNWTBoard call for registrations and re-registrations
- That the NRNWTBoard secure professional election services

Those in favour. Kua mana.

The hui then discussed and supported the Board's following series of proposed information hui, combined validation committee hui and AGM with tentative dates

and confirmation as soon as able, if not - to be advised and alternative arrangements to be made: -

10 August –	Tauranga
17 or 24 August -	Matapouri
7 or 14 September -	Auckland
19 October -	Combined Validation Hui #1 – Auckland
	Second Combined Validation Hui – Kawa/Motaihere?
23 November -	AGM – Auckland?

*[*these hui are subject to availability, confirmation of marae, organisation, professional services for the CVC hui & AGM and funding]*

AGM – reports, accounts & elections of Trustees

Timetable next steps

Other Matters: Kuia, Ms Hope raised the matter of the resignation of the interim trustee, Hillary McGregor and a replacement trustee for this role for the defendants. Tavake advised the hui that he had already reported on that matter to the Court which has used its powers to appoint the 5 interim trustees. Advised that the Justice Palmer has seen Tavake's 31 July 2019 report to the court, is taking legal submissions from both parties and had directed that once he has heard from both sides, he will make a decision on the appointment issue. We told him that we are not going to discuss it at this hui today as it is out of our hands.

Communication – of hui, information, proper forms to register with and updates on the process and hui timetable through website, facebook page – Must happen ASAP. Volunteers to help sought.

Taumata – Kaumatua, Opo told the hui that the Aotea Taumata Kaumātua had resumed having monthly hui and that they wanted the board to keep them informed. Noted that they are the ahi kaa roa and that they do not want to be marginalised by others who do not come to the island - making decisions about the motu without them ahi kaa - being given prominence as kaitiaki. For example we should have hui here on the motu like this to stay involved.

[Tavake noted 7 kaumātua, all of whom contributed to the hui kaupapa and a total of 23 adult uri in attendance at hui, as well as some tamariki mokopuna]*

Karakia Whakakapi