



Ngāti Rehua Ngātiwai ki Aotēā Trust
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Ngāti Rehua-Ngātiwai ki Aotēā Trust Board Information Hui

Saturday 7th September 2019 : 1 – 4pm

St James Church Hall, 29 Church Road, Mangere Bridge, Auckland

Attendees

Allen Moore	Jackie Davies	Ngahūia Harrison
Morris Waetford	Bruce Davies	Les Moore
Elizabeth Ngatai	Huia Anderson	John Tony Palmer
Maurice Ngatai	David Palmer	Kris MacDonald
Shona Davies	Jason Wii	Ruahuihui Rata
Michele Going	Hiria Rata	Emily Kelly
Dana Palmer-Talamaivao	Cilla Moore	Taumata Toki
Toni Talamaivao	Diane Kepa	Valmaine Toki
Howard Waetford	Evelyn Eddishaw	Kelly Klink
John Tiatoa Moore	Sonya Palmer	Lynette Hoey
		Peter Hoey

Attendees who did not sign register

Elizabeth Baynes	Brenda Baynes	Stuart Ngawaka
Eleanour Baynes	(Brother) Baynes	Michael Beazley
Parehuia Moore		

Minute-taker: Kelly Klink

Apologies: Aperahama Edwards (Trustee), Susan Waetford

Opening Karakia: HW

Mihi Whakatau: TA

Background, Vision for Future

Introduction to Information hui (TA)

- Trustees in attendance BD, VT, JW. AE sends apologies
- Tauranga hui next Saturday (14.09) and following week Matapouri (21.09)
- Explains the background and reason for this hui, these hui are information sharing and gathering with and for the people who whakapapa to Aotēā. To front as a Board, hui a kanohi, provide information and importantly to hear your views on how we proceed from here
- Regularising the hapū beneficiary database prior to the AGM & elections and all to be done before 20th June 2020
- Focus on the court direction and orders to us as interim trustees

- Hapū database, to succeed this needs to be worked on collectively

Explanation of TA position as Interim Independent Trust Board Chair (TA)

- Justice Muir and then Justice Palmer laid down a set of orders to regularise the database. The orders were made by consent of the plaintiffs and defendants and are enforceable by the Court. Court asked the Māori Law Society to nominate chairperson, TA was one of two nominees. TA is appointed independent interim chair of the Trust Board, with two interim trustees appointed, one from each party to the case. TA is appointed counsel assisting the Court, reports to Justice Palmer who is supervising the trust under his powers. He presides over the case. Acknowledges presence of interim trustees Bruce Davies, Valmaine Toki and welcomes newly appointed trustee Jason Wii on board to help to carry the mahi and serve.
- TA gives summary personal, professional background & 25 years experience in law, 18 years as a barrister in dealing mostly with Māori whanau, hapū, iwi, trusts, boards, land, Waitangi Tribunal, companies, a church, communities. Explains that trustee position is a role of service to the people, not the other way around. The trustees are here to serve the hapū.

Interjection from Ellie Baynes. This interjection commences with references to NRNWTB Trust Deed and moves to various issues. EB covers; 1988 Aotea Ngatiwai Trust Board, set up for our land, foreshore and seabed. Owner-shareholders are 17 blocks. EB places on TA's front table a sheaf of printed papers; Māori Land Court schedules of registered shareholders in the blocks. Continues talk about a MLC section 30 TTWM representation case hearing in April before Chief Judge Isaac and further korero covering WAI 2556 Treaty Court (sic. Waitangi Tribunal) claim and against previous Trust Board. EB view that the Trust Deed itself is the only guiding document we have to follow and that the MLC shareholder register is the only list of names we need to use because if anyone is not on that list then they do not have rights. EB became agitated. Three other family members in attendance.

TA

- Thanks EB, attempts to explain that he is beholden to Justice Palmer's orders and the judge is using his High Court jurisdiction to supervise the proper running of the Trust. He has asked for a lot of assistance from us trustees to do this. TA clarifies that the people are the mana whakahaere, everyone who belongs by whakapapa to Aotea whenua has a right to make the decisions. The core issues include who belongs to the island and how that works in a modern society and emphasised the need to have a sound decision making process. When the conflicts are too ingrained, we need good processes to sort it out. To get a good outcome we need to design the process with understanding and input from the people.

LH Lynette Hoey then made the following points:

- Agreement with TA
- Thinks this is an exciting time, to design our own waka moving forward
- Explains land trusts and runanga, worked in for the last 25 years. But what is our way forward, what do we look like on the ground now?
- Need for solid representation. What are our land trust, runanga, hapū and iwi representation structures, what are the responsibilities of the people within those roles of service? How are we nurturing, educating our young ones to take part and grow into leadership, kaitiaki roles?
- What is the health of our asset, our resource? What are the damages?

TA – acknowledged the comments and suggestions made. Important to involve all the hapū in the processes, which will grow understanding and capacity of the younger ones to carry on

High Court Orders

TA explains High Court orders from Justice Palmer and agreed action:

- send hard copies and emails of Judge Palmer's orders (information & documents they seek) to attendees, Maurice & others

TA then outlined:

- 18.12.2018 Judgment – Consent orders (agreed to by consent of both parties)
- There have been 15 trust board hui since TA's appointment commenced 1 Feb 2019
- Trust role to facilitate the process of regularising the database, oversee review of existing database and new registrations for database, convene Combined Kaumatua Validation Committee (from both parties), engage professional experts to carry this out, seek funding to pay for all this, head to AGM with elections of trustees to serve and lead the hapū trust's work
- speaking to & reading through Judgment Paragraph 41 (a,b,c,d,e) – read out each paragraph and also clearly that paragraph 41c orders that the combined "*Kaumatua Committee will have to review not only each new application for registration but also the validity of each other registration on the existing database.*" So while it is important to have a karanga for new registrations, the Committee are also directed to review the database – all registrations.
- Explains Elections New Zealand (ENZ, company used previously) are unavailable, the trust have met with Independent Elections NZ (IENZ), an Auckland based company, to seek to engage them to run the professional elections process (hui on 27.08.2019). IENZ are not available until November, after they finish running the Auckland City and other elections. The process will take some time. But until we have the IENZ on board, we need to proceed with preparing, getting information to the uri of Aotea, understanding and getting their input on making this process work for the people, the whānau, the hapū.

EB interjects again before TA finished. EB wants to know background of the kaumātua validating registrations. Are they from Aotea?

TA began to explain that he has had three hui on marae at Aotea since his appointment and if the kaumātua need more information in the validation process they can request this. It is important to whakamana ahi kā on Aotea.

Eleanor Baynes and Elizabeth Baynes interject, and these became frequent and sustained as other attendees try to return to the agenda. Participants asked them to sit down or leave. The Chair (TA) endeavoured to bring order to the meeting. Eleanor Baynes and Elizabeth Baynes refused to relinquish the floor and when their asserted right to speak many times became abusive to participants, this led to dissonance and agitation.

Comments from the floor regarding the interruptions

- MG: EB has taken up so much of the time she wants to hear what Tavake has to say. She points out the Baynes are getting into detail, that TA might answer their queries if he is given a chance to speak
- MW: Asks the Baynes to wait for the floor to be opened, he wants to hear what TA has to say. We will be here all day if this continues
- SP: acknowledges her father (Tony) is unwell, it has been a long day, and would like to hear what TA has to say rather than having our time wasted by interjections
- Kaumātua, SN, SR, MB all ask at various points for order and for the Baynes to be quiet to allow for the meeting to proceed and the agenda items addressed

TA attempted to return to the agenda, to maintain focus on why everyone had come. There was refusal by Ellie and Elizabeth Baynes to participate constructively in the meeting and requests to do so were ignored. This continued with some abuse towards some kaumatua by Ellie and Elizabeth Baynes.

The following is a record of contribution outside of the exchanges involving the Baynes whanau interjections:

- BB: queries why are we avoiding the share register (Aotea Māori Land Blocks shareholders)?
- TA: agrees this seems a good source of information for us to be able to use in the process, there is also general agreement in the room to this effect. However, TA points out there are irregularities with the current database that the judge wants to see corrected. Reiterates that we need a robust process.
- There is general agreement in the room that a robust process needs to be adhered to in order to have a database that the people can trust, not just for ourselves but for future generations
- SD: if the database is corrupt no amount of work will fix the database. The database must be corrected
- TA comments that the kaumatua committee validating the registrations is a process that will bring integrity back into the committee as who are on that Kaumatua Committee should be decided by the people
- EB queries how the kaumatua are supposed to know all those who submit a registration.
- Discussion about the way people have moved from Aotea to various whenua over many years and that together we have to work out a way to know who they are and having broad membership of the kaumatua committee is important and has to be decided on by the people.
- There is general agreement from those on the floor that the combined kaumatua committee, working together as one group with a focus upon whakapapa, should in fact have the ability to fulfil this task.
- TA comments further that should the combined kaumatua committee require any more information about particular individuals' registration forms then they can request this. Those people then have the opportunity to respond to the committee. The Court has ordered this.
- In spite of this, the Baynes interjections and abuse toward kaumatua escalates.
- KM: asks what information TA needs to take back to the judge. He says "Do we trust the database? No." There appeared some agreement in the meeting with this statement
- TA describes the process to date with information received regarding the database. The Trust received two large archive boxes of registration forms and proxy vote forms from ENZ. He had searched and asked but because there was no information from the Board's files and storage from earlier than winter 2017, one of the suggestions the Trust made to the judge was to start registrations afresh: - not throwing out the old database, but working through both a validation of the new registrations which will come and also reviewing the existing ones.
- There appeared to be some support for this statement from the floor or at least understanding of it and no apparent, or no strong objections were made.
- TA The Trust approached Independent Elections New Zealand (IENZ). Dale (employee of IENZ) said we would have a starting place with the names on the current database, that the list containing those 1622 + names can be 'frozen,' creating an archive database, which can be used as a reference document. It will not be destroyed because that information, those names and details belong to those people and so it will be protected, but it is a starting point of reference.
- TA goes on to describe using that earlier information to start the construction of a new, clean slate, database. This database would be validated by the kaumatua committee, with the

assistance of Dale Ofsoske and his IENZ team of experts. This is to create a database that is not corrupted and will lay a good foundation for the people. TA illustrated by holding up one sheet of paper with print on it and a blank sheet. The existing sheet had basic data on it and upon validation by the committee, those registrations could be copied and transferred to the new database.

- SD: expresses concerns about transferring any names from the old database onto the new database, if this occurs then the new database will be corrupted
- PH: Agrees, he knows the current database is corrupted. Stating that if you aren't a shareholder (on the land blocks) then you shouldn't be able register
- MB: Points out that we shouldn't leave people out who should be in there by their whakapapa but aren't on the share register. He uses a specific example of a wahi tapu, a block in Okiwi, of which we all are shareholders
- BD: also comments that his two daughters aren't on the share register, because as their father he is still alive and he is the registered shareholder, but it is still their land so they should be eligible to be registered uri for the hapū trust and as adults, they should be entitled to vote
- SN: (Q directed at BD) Why we have had to go to all this trouble to establish our whakapapa? Is it because the Trust Board went to Rotorua to set up fictitious names and put them on our database? SN further explains that he had never seen Mook Hohneck as Ngati Rehua
- BD: answers that he does not think this is the right place to answer that question. BD says that he does know some things but without the people here in the room to speak to these issues themselves, BD shouldn't talk about it. BD says that he wants to uphold the korero from the Judge until it is time to bring a new committee in

RESOLUTION: Put forward by LH that: "We will support the trust to take steps forward in applying for funding and undertaking the mahi needed to correct the database." Those in favour by a show of hands. None voted against by showing their hands. The majority of the hui agreed. Some did not raise their hands in support nor when asked to raise their hands if they opposed. Kua mana. Te Nuinga. Majority in favour.

TA thanked LH and all the hui for the support and for coming from far and wide on a Saturday to give their time, patience and commitment for the mahi to be done for their hapū.

- AM: Thanks TA for all the mahi he has done
- CM: Thanks TA and the whanau present. Acknowledges that EB's point regarding the share register was something to think about. But reminds whanau to conduct themselves with respect and have respect for one another. She expresses concerns with BD and has read the Board Hui Minutes, agreeing to one thing and then saying another later: she is yet to see a change in BD. Although she hears the words he has spoken today. She acknowledges JW for being present and taking on the role as interim trustee
- TP: Acknowledges JW for being there
- SR: Reminds everyone in the room that we are connected through our whakapapa. That if people are unsure, then part of the responsibility falls upon individuals to go and find out what their whakapapa is.
- HR: Suggests we have a meeting to rekindle our relationships, because she loves her fond memories of how they used to have such fun when they gathered. Whanaungatanga, manakitanga, aroha, cooking, eating, dancing together. She is saddened by the raru and seeks a way to work together for the generations, whānau, hapū, mokopuna.

Meeting is closed with Karakia: Howard Waetford. Hīmene whakakapi: *Tama Ngakau Marie*