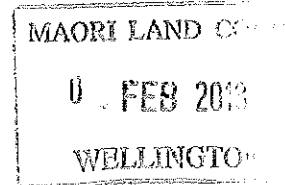


January 2013



Office of the Chief Registrar
Level 17
Fujitsu Tower
141 The Terrace
Wellington 6011

Attention: Samantha Nepe

Tēnā koe Chief Judge

Reference: A20100001098

Subject: Letter of objection regarding hui of beneficiaries held 10 Nov 2012, at Harataunga Marae

As the sole objector at the meeting, I Haarangi Harrison would like to add emphasis as to my reasoning as to why I object to the proposed resolution that was passed at that meeting. The following reasons as to why I object are as follows:

- A. I object strongly to the insertion of Heni Ngaropi White descendants as beneficiaries of our Marae. Firstly should the decision go in their favour, have we not set a precedent where in 4-5 generations the descendants of Paakaariki Harrison have a right to apply for special privileges via his status as a Tohunga Whakairo of the highest order. Some would argue without the land you got no marae, well without the Tohunga Whakairo you got no marae as well. And so it goes on and on.
- B. In honouring the intention of the Kuia that the original gift was meant to be for all of E toru ngā hapū, why insert special whānau rights? Is that not why we have eponymous ancestors to be more inclusive rather than exclusive?

This attitude is the same attitude adopted by their whanaunga Parekura White and I strongly believe that they are trying to reclaim something that never needed to be reclaimed in the first place. This only helps to serve Parekura White's motives a man who had a negative impact on the community. The descendants of Heni Ngaropi White have in no way being prejudiced in the past ever, well not by this community anyway but maybe in the eyes of the court. But I have no doubt in my mind that these same people i.e. my whanaunga, if the court was to exercise its jurisdiction and award in favour as having "descendants of Heni Ngaropi White s" included as part of the re-wording of the re-gazettal for the re-definition of the beneficiaries of Harataunga Marae would only serve as stepping-stone towards their ulterior motive and that is changing the name of our marae from Harataunga Marae to Heni Ngaropi Marae.

The following documentation I have enclosed, are various papers and documents belonging to my father, things I treat with the utmost respect and care for. I refer the court to correspondences that took place between the marae trustees and Parekura White.

- Correspondence from Parekura White (on behalf of the Te Rakahurumai Claims Committee) to Harataunga Marae trustees dated 21 March 2000. – Attached as Exhibit A
- Correspondence from Pakariki Harrison (on behalf of the Harataunga Marae trustees) to Parekura White in reply to his correspondence of 21 March 2000 dated 24 March 2000. – Attached as Exhibit B
- Correspondence from Parekura White to Stephen Clark of McCaw Lewis Chapman dated 14 January 2001. where he further emphasises that the name of our marae Harataunga Marae is Heni Ngaropi marae by referring there were two hui a iwi held at Heni Ngaropi Marae in Harataunga on 24-27 September 1999 and 7-9 April 2000 as referred in paragraph 4. As my father stated there is no marae of that name Heni Ngaropi well not in Harataunga – Attached as Exhibit C

C. I object strongly to the comment made by William Willis and I quote “Naming the wharekai after her was just an afterthought”. Judge, is that not the highest honour in te ao Māori that can be bestowed upon one to be remembered by having your name as part of the history the marae. My father along with the other kaumatua who established the kaupapa and carved the house would have thought differently about that comment, putting it mildly I’m sure.

Sir there is long history involving this family, who by the way don’t reside in Harataunga, that has set out to change the landscape of our community and our Marae, lead by Parekura White who has passed away. The whānau of Heni Ngaropi White were not involved in any way shape or form in the establishing of our marae. As far as I know they never attended the opening where they may have been able to voice their concerns. They have been involved in trying to rename our marae and I remain sceptical about their individual claim to beneficiary rights.

Ko Harataunga te Marae
Ko Rakairoa te Whare
Ko Ngaropi te Wharekai
Ko Ngati-Porou te Iwi

I refer to the following documents where Mr Parekura White demonstrates conflict with the leadership and Kaumatua here in Harataunga and as a result gathered momentum within the Harataunga community causing it to be divided. Enclosed are as follows:

- Correspondence from Parekura White to Stephen Clark of McCaw Lewis Chapman dated 14 January 2001. – Refer to attached Exhibit C
- Correspondence from Office of Treaty Settlements to John Kahukiwa of Corban Revell dated 18 January 2001 – Attached as Exhibit D
- Correspondence from S.R. Clark of McCaw Lewis Chapman to John Kahukiwa of Corban Revell dated 19 January 2001 – Attached as Exhibit E
- Correspondence from John Kahukiwa of Corban Revell to Office of Treaty Settlements dated 2 February 2001 – Attached as Exhibit F

Even if the court is not willing to consider my concerns in terms of the final outcome to be made by the Chief Judge of the Maori Land Court, at least this will be on record for future generations to see, hopefully, they will seek the real truth in this entire debacle. In protecting the integrity and mana of all the mahi set down by the old people, there is no need for special treatment to a particular whanau.

We have lost most of our Rangatira and their wishes need to be honoured. Learned men who were raised in the traditional ways of our ancestors, who have left us with nga Taonga tuku iho. They have not left anyone out who knows their whakapapa so why the need for Heni Ngaropi White descendants to be inserted as a beneficiary? E hika mā, he whanau kotahi tatou!

Nāku noa nā



Haarangī Harrison

"Exhibit A"

TE RAKAHURUMAI CLAIMS COMMITTEE



PAREKURA WHITE ◆ 197B MANLY STREET ◆ PARAPARAUMU

Phone/Fax: 04 2988543 ◆ Mobile: 025 6267563

Email: parekura@xtra.co.nz

21 March 2000

Marae Trustees: Paki Harrison
George McLeod
George Potae
Mack Te Moananui
George Thwaites

Kia ora Paki

Wai 792 Harataunga Treaty Claim / Whakapapa Wananga

This is to advise that a hui has been arranged at the Heni Ngaropi Marae, Harataunga on 7-9 April 2000. The purpose of the hui is to discuss the progress of the Wai 792 Harataunga Treaty Claim. A bus has been organized to bring nga uri o nga hapu of Te Aitanga A Mate, Te Aowera and Te Whanau A Rakairoa from the Gisborne / Tairawhiti area to the hui.

The agenda for the hui is as follows:

Friday, 7 April 2000: Powhiri at approximately 4pm (when bus arrives);
Whanaungatanga o nga uri o nga hapu e toru.
Saturday, 8 April 2000 Hui starts at 9.00am;
Discuss historical / traditional evidence of the claim;
Compile whakapapa database of nga uri of Te Aitanga A
Mate, Te Aowera and Te Whanau A Rakairoa to the
Harataunga land blocks;
General Discussions
Sunday 9 April 2000: Horua- Te Ra Trust AGM at 9.00am
Poroporoaki

If you have any queries regarding the hui, please do not hesitate to contact me.

No reira, noho ora mai ra



Parekura White
Project Manager
Te Rakahurumai Claim Committee

Ref: Marae Trustees 21 March 2000

"Exhibit B"

HARATAUNGA
24TH MARCH 2000

Tena koe Parekura,

Wai 792 Treaty Claim / Whakapapa Wananga

Tena koe me te whanau e noho mai na i te Upoko o te Ika. Ka nui te aroha atu ki a koutou katoa. I tae mai to reta ki au me era atu o nga kaitiaki o tenei marae, na te mea kaore te nuinga o konei e mohio ana kei whea ra a Heni Ngaropi Marae. I te mea kaore he marae o tenei ingoa ki konei, ka whakaarohia kia tu tenei hui i waenganui i a matou o Te Whanau a Rakairoa a Paora Te Putu. No reira haere mai ki Harataunga Marae, ki te Manaakitanga a Ngaropi, ki te tipuna Whare a Rakairoa.

We would like to welcome you and all the whanau to Harataunga Marae, to enjoy the hospitality extended to you by my tipuna Heni Ngaropi, and the comfort offered to you by Rakairoa house. We were confused by your request at first, and did not realise that we were honorary trustees for your new Marae Heni Ngaropi. Upon investigation we found that there were no such plans by you and your group to build such a house and concluded that you wished to hold your hui at Harataunga Marae. We note also that you have changed the name of your trust from Heni Ngaropi to Horua te Ra Trust. Whakamufua ta koutou tawekaweka i te ingoa o taku tipuna.

Na reira haere mai ki te whakawhiriwhiri i tenei take nunui.

Naaku noa, na to Papa na,



Pakariki

Chairman of Trustees.

"Exhibit C"

RECEIVED
15 JAN 2001
MCCAW LEWIS CHAPMAN

Parekura White
197B Manly Street
Paraparaumu
Phone / Fax: (04) 298 8543
Email: Parekura@xtra.co.nz

14 January 2001

Stephen Clark
McCaw Lewis Chapman
PO Box 19-221
Hamilton

Tena koe Stephen

Wai 792 Treaty claim

1 Please find enclosed the following as requested:

- a) A cheque of \$50 for the legal aid application.
- b) A rates assessment notice indicating the valuation of the property of Hine Mataera Katipa at 59 Munro Street Gisborne.

2 In the statement of claim of Pakariki Harrison to the Waitangi Tribunal, he states that he has the *mana* from the members of the hapu of Te Aitanga a Mate Te Aowera and Te Whanau a Rakairoa to make the claim on their behalf. If this were the case, would John Kahukiwa please provide the following information:

- i) When did the members of the hapu of Te Aitanga a Mate, Te Aowera and Te Whanau a Rakairoa give the mandate to Pakariki Harrison to submit a Treaty claim on their behalf.
- ii) Has Pakariki Harrison a list of the members of the hapu of Te Aitanga a Mate, Te Aowera and Te Whanau a Rakairoa who gave the mandate to him to speak on their behalf.
- iii) Who are the representatives of the three hapu on the Wai 866 Claim Committee.
- iv) If Pakariki Harrison does not have the mandate of the members of the hapu of Te Aitanga a Mate, Te Aowera and Te Whanau a Rakairoa, who does he represent.

3 To my knowledge, no mandate has been given by members of the hapu of Te Aitanga a Mate, Te Aowera and Te Whanau a Rakairoa for Pakariki Harrison to carry out a Treaty claim on their behalf. The reason that the mandate will not be given to Pakariki Harrison is because he was directly involved in the sale of ancestral land in Harataunga. The sale of land by Pakariki Harrison resulted in whanau being wiped from their lands in Harataunga.

4 Two hui a iwi meetings were held at Heni Ngaropi Marae in Harataunga on 24-27 September 1999 and 7-9 April 2000 to discuss the research on the loss of lands in Harataunga. In addition, six hui a iwi have been held in Hiruharama since 29 May 1999. Pakariki Harrison has not attended any of these hui in Harataunga or Hiruharama to discuss the Treaty issues relating to Harataunga with the members of the hapu of Te Aitanga a Mate, Te Aowera and Te Whanau a Rakairoa. Therefore, how can he say that he has the mandate of the members of the three hapu when he has not attended any of the hui a iwi.

5 As you are aware, a Treaty claim hui has been arranged at the Heni Ngaropi Marae Harataunga on 3-4 March 2001. As a matter of courtesy, an invitation is extended to Pakariki Harrison to discuss the Wai 866 Treaty claim with the members of the hapu of Te Aitanga a Mate, Te Aowera and Te Whanau a Rakairoa. Two buses have been arranged to bring nga kuia me nga koroua from Gisborne and the East Coast.

6 Following a hui at Te Aowera Marae in Hiruharama on 24 June 1999, members of the hapu of Te Aitanga a Mate, Te Aowera and Te Whanau a Rakairoa gave the mandate to the Te Rakahurumai Claim Committee to submit a Treaty claim on their behalf.

7 Under the present situation, we are unable to use one of the options that are available to us in the Treaty claim process. Therefore, the process of using direct negotiations with the Office of Treaty Settlements is closed off and the process through the Waitangi Tribunal is the only avenue available to us at present.

8 If Pakariki Harrison is not prepared to go along with wishes of the people, then the Te Rakahurumai Claim Committee has no option but to carry on with the kaupapa of the Wai 792 Treaty claim.

Naku na



Parekura White
Claims Manager / Researcher
Te Rakahurumai Claim Committee



Exhibit D
OFFICE OF TREATY SETTLEMENTS

Charles Fergusson Building • Bowen Street • PO Box 919 Wellington
Phone (04) 494 9800 • Fax (04) 494 9801

Pouaka Motuhake 919 • Te Whanganui a Tara
Waea (04) 494 9800 • Waea Whakaahua (04) 494 9801

Te Tari Whakatau Take e pa ana ki te Tiriti o Waitangi

18 January 2001

John Kahukiwa
Corban Revell
P O Box 21180
WAITAKERE

Dear Mr Kahukiwa

Thank you for your letter last year about Wai 289 and Wai 866 requesting that the Crown begins direct negotiations with those Maori associated with the Deeds of Succession and the associated land.

It is this Government's strong preference to negotiate comprehensive settlements with large natural groupings rather than with individual whanau, hapu or groups of land owners. Negotiating claims with smaller groups would cause the Treaty settlements process to be unduly protracted and very expensive for both the Crown and claimants. In addition to managing costs for both the Crown and claimants, key advantages of pursuing negotiations with larger groupings are that it enables a wider range of redress options to be explored and helps to deal with overlapping claim issues.

While the Crown prefers to negotiate with large groups it also recognises that in some cases a comprehensive set of negotiations will need to take into account claims, such as those you refer to, that affect particular groups of people, such as whanau, from within a larger grouping. These are often referred to as ancillary claims. Particular redress for individual groups of owners may be negotiated in the context of the wider negotiations when the claim involves particular land blocks, hapu or whanau.

The Waitangi Tribunal is still hearing claimant evidence for Hauraki claims and hearings are scheduled to run into 2001. As you will be aware, there are a large number of claims in the Hauraki region on behalf of many different interests. Given this, the Government considers it prudent to wait until the Waitangi Tribunal is further advanced and the relationship between the various claims has been better clarified before contemplating negotiations with any particular group.

Yours sincerely

Deidre Tolerton
for Director

"Exhibit E"

McCaw Lewis Chapman

L A W Y E R S

Our Ref SR Clark
E-mail stephenc@mlc.co.nz
Fax (07) 839-4652
Your ref J Kahukiwa

McCaw Lewis Centre
312 Victoria Street
P O Box 19-221
DX GP 20020
Hamilton
New Zealand

Partners
Donald M Shirley LLB (Hons), AAMINZ
Philip G Harris LLB, M Com Law (Hons)
Brendan T Cullen LLB, BA, AAMINZ
Melanie Harland LLB, BA
Stephen R Clark LLB, AAMINZ
Julie M Hardaker LLB (Hons)

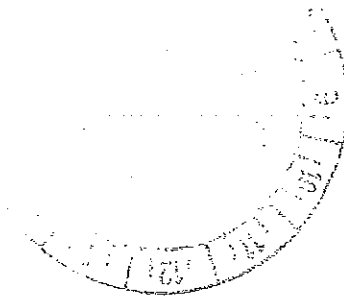
Consultants
Stephen JG Brocker LLB
Ross T Brazier LLB

Associates
Megan E Wackrow LLB
Mark S Shepherd LLB

19 January 2001

Corban Revell
Barristers & Solicitors
DX DP 92558
AUCKLAND

Telephone: 07-838 2079



Hauraki Inquiry - Harataunga claims - Wai 792 and Wai 866

1. We refer to our email of 21 November 2000 and the enclosed copy of a letter from Mr Parekura White. In our view paragraph 2 of Mr White's letter dated 14 January 2001 clearly spells out the concerns the group he represents has with Mr Harrison's Waitangi Tribunal claim.
2. We have been instructed to reiterate that Mr Harrison is invited to attend the hui-a-iwi scheduled at the Heni Ngaropi Marae, Kennedy Bay, scheduled for 3 - 4 March. The hui-a-iwi commences at 9.00 a.m on Saturday 3 March.
3. Please confirm whether your client is prepared to attend the hui-a-iwi to discuss these concerns on 3 - 4 March. We can indicate that the writer is meeting with Mr Parekura White on 5 February in Hamilton and we would appreciate a response prior to that date.

McCAW LEWIS CHAPMAN


S.R. CLARK
PARTNER

sc873.doc

Copy to:

Mr Parekura White
By Email

Your ref: Deirdre Tolerton
Our ref: 43563 / John Kahukiwa

2 February 2001

The Director
Office of Treaty Settlements
PO Box 919
WELLINGTON

Facsimile : 04 494 9801

Tena Koe

HAURAKI ENQUIRY - WAI 289 - WAI 866 - NGATI POROU KI HARATAUNGA

We refer to your letter 18 January 2001.

We respond as follows:

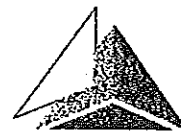
1.0 While your office has reiterated the Crown's general position that it would prefer to negotiate with wider groupings in regard to settlement of Treaty grievances, you will be aware that we pre-emptively addressed that matter in our letter of 5 December 2000 to you. That is, we acknowledge that the identification of the Maori parties will need to be undertaken, but that the commencement of discussions should not be prevented. Accordingly we have suggested that direct negotiations should commence in reliance on:

1.1 the Crown's apparent concession in relation to the McCormick Commission findings; and

1.2 the Crown's apparent desire to dispose of all Treaty grievances as expeditiously as possible.

2.0 In that context it is our view that the Crown could easily, and should seek to, isolate the matter of the McCormick Commission findings from the current Hauraki enquiry and begin direct negotiations by indicating to those groups who have interests stemming from the subject land the Crown's statement of the quantum of settlement that may be available and the essential terms of such a settlement.

3.0 We consider that the matter of the McCormick Commission finding is easily severable and should be treated apart from the current Hauraki district enquiry for the reason that the findings were limited to a certain



**Corban
Revell**

LAWYERS

Address:
1st Floor
The Big Top
19 Alderman Drive
Waitakere City

Postal Address:
P.O. Box 21-180
Waitakere City
New Zealand
DX DP92558

Communications:
Telephone 0-9-837 0550
Facsimile 0-9-838 7187

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Partners
Philip G Revell
A Peter Duncan
Lawrence Ponniah
Alan P Goodwin
Warren D Woodd
John P Kahukiwa

Associates
Rachel G Oldham
Shona de Luen

Consultant
Brian FN Corban QSO.

number of blocks and therefore definite groups of Maori. We are also of the view that the identification of the "interested parties" would not in our view be too difficult to ascertain based on the McCormick Commissions original identification and will no doubt bring in the larger groups that you refer to. For the sake of clarity please note that WAI 866 whom we represent is not a whanau claim.

- 4.0 Given the clear finding of the McCormick Commission we think that the good faith of the Crown could be jeopardised if the Crown intends that the remedy afforded to address that Commission's finding is used as part of a comprehensive settlement for those Maori who are interested in the subject lands. Such action could in our view underplay the significance and simplicity of the Commission's findings if they are to be bound up with addressing other Treaty grievances that Maori are currently placing before the Tribunal.
- 5.0 On the other hand for the Crown to commence direct negotiations in the manner we have suggested we believe would constitute a show of good faith on the part of the Crown.

We must therefore ask that your office reconsiders its position. We await your response.

Yours faithfully
CORBAN REVELL



John Kahukiwa
Partner
jkahukiwa@corbanrevell.co.nz

cc The Claimants
Wai 866

cc Anderson Lloyd
Solicitors for Wai 289
Attention: Mr Guthrie / Ms Weston

cc McCaw Lewis Chapman
Solicitors for Wai 792
Attention: Mr Clark