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### Claimant Definition

Tena koe Stephen,

At our last meeting on Tuesday 30 January, we undertook to provide you some feedback on the appropriate wording of the definition of Ngāti Mutunga o Wharekauri in our Deed of Settlement. Thank you for the work you have undertaken so far on this subject. We agree with the general approach you are taking which is that there is a double test: whakapapa plus the exercise of customary interest by a tipuna.

Ngāti Mutunga o Wharekauri is a modern term that is being used as a catch-all description for persons associated with the claims being addressed in this settlement. This includes all of the descendants of those Māori who established and maintained customary rights over Wharekauri as a result of the invasion of 1835. In 1835, the evidence suggests that those Maori regularly identified themselves by subgroups (predominantly hapu). We agree with the list of groups that you have listed in section 8.5.2: Ngāti Mutunga, Kekerewai, Ngāti Haumia, Ngāti Tama, Ngāti Tupawhenua, Ngāti Aarutu<sup>1</sup> and Ngāti Kura. The last four are hapu of Ngāti Mutunga and I suggest that the names be presented thus:

- a) Ngāti Mutunga
  - o Ngāti Aurutu
  - o Ngāti Kura
  - o Ngāti Aurutu
  - o Ngāti Tupawhenua
- b) Kekerewai
- c) Ngāti Tama
- d) Ngāti Haumia

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<sup>1</sup>There is an interesting reference to Ngāti Aurutu in the evidence of Pamariki Raumoa to the Inquiry into the claim of James Coffee in front of the Resident Magistrate (Thomas) in 1868.

There are times when Ngāti Mutunga o Wharekauri is used simply as a term to distinguish Ngāti Mutunga persons with Chatham Island connections from other Ngāti Mutunga. When used in this simple way, all Ngāti Mutunga o Wharekauri people trace descent from Mutunga or other Ngāti Mutunga tūpuna<sup>2</sup>. However, that is not the meaning of the term Ngāti Mutunga o Wharekauri in this settlement context and the people embraced by this umbrella term descend from groups that share many whakapapa connections but do not share a single eponymous ancestor.

We agree that descent from any one of the tupuna listed in 8.6.2 is sufficient to satisfy the whakapapa aspect of the Ngāti Mutunga o Wharekauri definition. These are Mutunga, Hinetuhi, Hineweo, Haumia<sup>3</sup>, Whata, Rakaeiora and Tamaariki. However, it is essential to link 8.6.2 (a) with 8.6.2 (b) with the word 'and'. As many of these tupuna retained customary rights in Taranaki, the word 'predominantly' should be deleted from 8.6.2 (b). Tupuna can hold customary rights in both places without it being necessary for those on Wharekauri to be assessed as 'predominant' in some way. It is not possible to obtain customary rights in Wharekauri without having a tipuna who went there but that voyage did not extinguish all other customary rights held by that tipuna.

Naku noa na,

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<sup>2</sup> Even Ngāti Mutunga is a term of identity that only over-shadowed underlying hapu identities in the 20<sup>th</sup> century. This is why the Ngāti Mutunga Deed of Settlement 2005 includes 3 tupuna: Mutunga, Hinetuhi and Hineweo. For example, one Ngāti Mutunga hapu (Kaitangata) traces descent from Hineweo.

<sup>3</sup> Only certain elements of Ngāti Haumia (elements who generally had whakapapa connections to Mutunga) made the voyage to Wharekauri in 1835.