

Hon Andrew Little

Minister of Justice

Minister for Courts

Minister for Treaty of Waitangi Negotiations

Minister Responsible for the NZSIS

Minister Responsible for the GCSB

Minister Responsible for Pike River Re-entry



16 MAR 2020

Tom McClurg
Lead Negotiator
Ngāti Mutunga o Wharekauri Iwi Trust
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By email: tom@torostrategy.co.nz

Tēnā koe Tom

Treaty settlement negotiations

Thank you for your letter of 9 March regarding the allocation of the Waitangi (Hospital Block) properties.

Litigation regarding the Hospital Block redress

I acknowledge your disappointment at my decision to offer half of site 6 of the Hospital Block to Ngāti Mutunga o Wharekauri and half to Moriori. As you are aware, the Crown is often unable to provide fully for all iwi aspirations through Treaty settlements, nor is it always able to give full effect to all Waitangi Tribunal recommendations. The Crown can also offer redress not recommended by the Waitangi Tribunal.

While it is your right, I am disappointed Ngāti Mutunga o Wharekauri have decided to lodge an application with the Waitangi Tribunal seeking an urgent inquiry into my decision and the process that led to it. In line with our signed Terms of Negotiation, I advise that if you file proceedings in the Waitangi Tribunal, negotiations will be paused.

Engagement with Glenn Webber

I agree with your assessment that excellent progress has been made on drafting historical account text and agreeing provisional Crown acknowledgements through your engagement with Mr Webber. I consider this process has reached a natural conclusion, based on Mr Webber's final report to me in December 2019. I would be open to re-engaging Mr Webber to continue working with you on these and other negotiation matters once any litigation has been decided or concluded.

Continuing negotiations

Should negotiations continue, I envisage officials and Ngāti Mutunga o Wharekauri would undertake further work building on progress made with Mr Webber on provisional Crown acknowledgements for inclusion in an agreement in principle. However, as I advised in my letter of 28 January, I am only prepared to continue negotiations within the parameters outlined in our meeting of the previous day. These parameters remain:

- I will not increase the quantum offer to Ngāti Mutunga o Wharekauri;

- I remain open to supporting initiatives of value to Ngāti Mutunga o Wharekauri alongside settlement; however,
- these initiatives are unlikely to result in benefit to Ngāti Mutunga o Wharekauri of the scale you seek in your parity equation (i.e. \$24 million).

I look forward to your response.

Nāku noa, nā

A handwritten signature in blue ink, appearing to be 'Andrew Little', written in a cursive style.

Hon Andrew Little
Minister for Treaty of Waitangi Negotiations