

HE PANUI - RUAWAIPU CLUSTER

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****CURRENT ISSUES EDITION****

Ruawaipu Report –Claimant evidence

Dr Grant Young, a historian, was commissioned by the Crown Forestry Rental Trust in August 2007 to complete a Ruawaipu oral & traditional history scoping report. In December 2007 the CFRT approved funding for the main research project. The main project by Dr Young began in February 2008. Claimants are meeting this month to finalize the project, and the main report is scheduled to be completed by 31 August 2009. This report will be critical to the Ruawaipu claims evidence base, and has to date produced some very strong evidence that Ruawaipu are the rightful tangata whenua.

Ngati Porou foreshore and seabed settlement.

On 29 September 2008, a Bill to give legal effect to the Ngati Porou foreshore and seabed settlement (initiated by Api Mahuika Chairman for Te Runanga o Ngati Porou (TRONP)) was introduced to the House of Representatives (by the previous Attorney General Dr Michael Cullen). If the Bill becomes law, the Tribunal will be blocked from inquiring into all East Coast claims against the Foreshore and Seabed Act 2004 (FSA). Despite Judge Milroy declining Ruawaipu urgent hearings against the Ngati Porou FSSB settlement, the Tribunal no longer has the power to inquire into this Bill. The Ngati Porou settlement cannot challenge the FSA.

However, recently the FSA went under review. The review panel has recommended to the government that the FSA be repealed. Government is yet to make its decision, meanwhile, Ngati Porou still want to proceed with their settlement (partly under the FSA), despite Ruawaipu objections.

Ngati Porou Treaty claims settlement.

In 2008, the Wai 272 Claimant (a treaty claim by Api Mahuika for and on behalf of TRONP)

also engaged with Dr Cullen (previous Minister for Treaty of Waitangi Negotiations) to settle “all historical treaty claims” including Ruawaipu claims without the informed consent of Ruawaipu claimants.

The Crown with the settlement intends to close down the inquiry by legislation and block the Tribunal from inquiring into the Ruawaipu historical claims. Ruawaipu wish for full hearings, not direct negotiations. Urgent hearing applications were filed by Ruawaipu, but again declined by Judge Milroy.

In December 2008 Judge Milroy stood down as Presiding Officer due to Ruawaipu claimant allegations of bias. On 6 January 2009 Judge Stephen Clark was appointed as the new Presiding Officer for the East Coast Inquiry. At a judicial conference held on 30 April 2009, Judge Clark granted leave to bring fresh urgent applications in regards to the TRONP/Crown treaty settlement negotiations. These applications were filed by Ruawaipu and other claimants in May 2009.

On 29 July 2009 at another judicial conference in Wellington, Judge Clark considered the urgent hearing applications. In his directions dated 5 August 2009 Clark has asked the Crown, TRONP and applicants to engage during September to try and resolve the issues. Judge Clark is to make his decision regarding the Crown-TRONP historical treaty claims settlement after September 2009.

If granted the hearing will be held at Gisborne in the October – December 2009 period. The Crown and TRONP intend to introduce legislation to seal the deal in early 2010.

How to register, and contact us.

You can register on line via the website www.ruawaipu.com or we can send you a registration form.

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