



Barristers and Solicitors

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9 July 2014

Minister of Treaty Settlements
Hon. Christopher Findlayson
Beehive
Wellington
By Email

Director of Office of Treaty Settlements
Office of Treaty Settlements
Level 3
Justice Centre
19 Aitken St
Wellington 6011
For the Attention of Kevin Kelly

Dear Sir

Refined Settlement Offer

I refer to your recent letter to the Ngati Kahu ki Whangaroa Trust to offer settlement.

I act for the Williams whanau in this matter. I am concerned you are repeating the nineteenth century error of settling with the wrong party. We do not find it acceptable that any money is paid to this entity if it is considered to be part of the redress of Ngati Aukiwa.

What is clear from recent well attended hui is that the Trust has no mandate to negotiate. Many in trust have no relationship to Paeara, and consequently no link to the land.

The nature of the rights and settlement of Ngati Aukiwa are broader than the Stoney Creek Farm. The rights of the descendant of Paeara are principally upon Stony Creek Farm. The descendants of Aukiwa is larger than those of Paeara, including those who in the last four hundred years lost their connections not only to this land but their hapu allegiances are elsewhere.

The people who are central to this process have not been engaged with. This is the descendant of Paeara and the operators of the farm. Many in the trust have at best remote connection.

It may be that other than a modest payment to the farm operators for capital improvements the funds may be bestowed upon a Ngati Aukiwa entity, but not the Trust.

The key point is that Stony Creek Farm has been retrieved from unlawful acquisition. The unlawfulness of its procurement by the Crown was recorded in the Muriwhenua Tribunal Report almost twenty years ago. The land is being administered according to tikanga.

It is important that efforts are made to reinstate/recognise the customary title of the land.

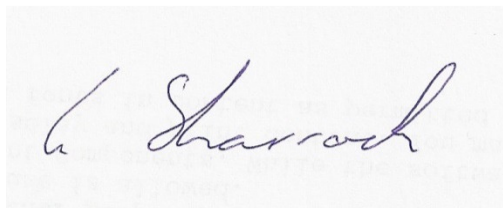
The management of the farm is not a matter in which the Crown should have an interest.

The timetable for response is unrealistic.

Progress is being made but not through the Trust. The working group is making some positive steps although it still needs more work. To settle with the Trust would be a gross breach of faith.

After 150 years of injustice we wish this matter to be resolved, but not so rapidly as to prejudice the justice of the settlement. The land is but a first step in reinvigorating the treaty partnership, a partnership inherent in structure of He Wakaputanga.

Yours faithfully

A handwritten signature in cursive script, reading "G. Sharrock". The signature is written in dark ink on a light-colored background.

RightLaw

Gerald Sharrock BSc LLB,