



January 22nd 2024

Hon Penny Simmonds

Minister for the Environment

By e-mail. [Penny.Simmonds@parliament.govt.nz](mailto:Penny.Simmonds@parliament.govt.nz)

Tēnā koe Minister,

Nga mihi mahana ki a koe.

We are in receipt of your letter of December 21st 2023, regarding the Kermadec Ocean Sanctuary Bill.

As background

1. Ngāti Kuri's Treaty Grievance Settlement (Ngāti Kuri Claims Settlement Act 2015) with the Crown is a legislative statement that obligates the Crown to have specific regard to nga Uri o Ngāti Kuri.
2. Chris Finlayson's apology on behalf of the Crown at Waiora Marae on February 7th, 2014, is as follows.
  - 1 *"To nga uri o Ngāti Kuri, to the ancestors, those here today, and those who are yet to come, the Crown makes the following apology:*
  - 2 *The Crown unreservedly apologises for its failure to appropriately recognise and respect the mana and rangatiratanga of Ngāti Kuri. This was unprincipled and has left Ngāti Kuri almost invisible as an iwi in the history of Te Hiku o Te Ika.*
  - 3 *The Crown profoundly regrets its breaches of te Tiriti o Waitangi/the Treaty of Waitangi and its principles, which have had an enduring impact on Ngāti Kuri. The Crown is deeply sorry it has not acted with the utmost good faith towards Ngāti Kuri in a manner consistent with the honour of the Crown.*
  - 4 *These omissions restricted Ngāti Kuri's ability to act as kaitiaki over their taonga, wahi tapu, and whenua, and the compounding effects of successive flawed land laws progressively undermined their traditional tikanga and rangatiratanga. The Crown regrets the prejudice Ngāti Kuri have suffered as a result, including being marginalised on their ancestral lands, and a loss of tribal authority, social cohesion, traditional knowledge, and ability to develop economically.*

- 5 *The Crown unreservedly apologises for the cumulative effects of its ongoing actions and omissions, which contributed to Ngāti Kuri suffering significant population losses and left the people in poverty, poor housing, and deep distress over successive generations.*
  
- 6 *With this settlement, the Crown seeks to atone for these acknowledged injustices and begin the process of reconciliation. The Crown intends, in the utmost good faith, from this point forward to begin a renewed and enduring relationship with Ngāti Kuri based on mutual trust, commitment, co-operation, and respect for te Tiriti o Waitangi/the Treaty of Waitangi and its principles. This is done in the spirit of establishing a new and invigorated relationship based on mutual dignity and respect.”*

It is a profound disappointment and offence to Ngāti Kuri that your letter continues to repeat those behaviours that the apology spoke of.

1. There was no discussion with Ngāti Kuri before the decision was made
2. The letter speaks of others (iwi and Government) while not acknowledging the mana of Ngāti Kuri.
3. The Kermadec Ocean Sanctuary Bill was a creation of a previous National government.
4. We do not see an invigorated relationship based on mutual dignity and respect in the letter's content.
5. We intend to remind the Crown of its commitments to Ngāti Kuri.

Nga mihi

Harry Burkhardt



Chairman Ngāti Kuri Trust Board | Te Manawa o Ngāti Kuri

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