

Te Kāhui Rongoā Trust

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www.rongoamaori.co.nz

Kohitatea 2015

Contemporary Treaty Claim

Did I hear your bottom lip hit the floor? Well pick it up, dust it off and be prepared to stand up for our tāonga. Last year we said we were going to do it and now we need to follow through. Enough is Enough is the catch cry and we all know how hard it has been to keep the momentum going for Rongoā throughout the motu. We have the opportunity to do something about it!!

BACKGROUND

In November 2011 Te Kāhui Tāwharautanga mo Ngā Rongoā was set up to replace Ngā Ringa Whakahaere o Te Iwi Māori and Te Paepae Matua mo Rongoā. At the same time Te Kāhui Rongoā Trust was established as the 'legal' arm of the new entity and 20 trustees were elected to represent 10 regions; Nga Puhī Nui Tonu, Tainui, Waiariki, Te Tairāwhiti, Ngāti Kahungunu, Whanganui, Taranaki, Te Upoko o Te Ika, Te Tau Ihu o Te Waka and Te Waipounamu. While there are several reasons for the claim the main one is the lack of support from the Ministry of Health once the regions and the trust were put in place. The Ministry of Health directed and financed the establishment of Te Kāhui Tāwharautanga Mo Ngā Rongoā and Te Kāhui Rongoā Trust and then withdrew any direct financial support. As a consequence the Trust has been severely limited in their ability to fulfil the aims and objectives of the Trust Deed. While trying to avoid any emotive arguments the parallel to this situation is; if any parent deliberately abandoned their new born child they would be committing an offence both legally and morally. As parents and creators of new life we have a duty of care.

This is not the only reason for our claim. There are many instances of Rongoā being prejudicially affected by the practices and actions of the Crown. The purpose of this pānui is to gather any further evidence from Te Kāhui Tāwharautanga Mo Ngā Rongoā. The Trust will submit a letter of intent to The Waitangi Tribunal once your information is received and collated and the tribunal will advise if our claim is feasible. If it is we will need to engage expertise to assist us to the next stage. If you have any ideas regarding available expertise please let us know as soon as possible thanks.

This is a HUGE *take* and one that will require a lot of energy and commitment but as long as we stay positive Rongoā will prevail. Check out the attached statements and add to them or show your support by giving us feedback on your whakaaro. If you need to know more please feel free to contact Marilyn (one of the Whanganui trustees); marilyn.vreede@clear.net.nz or Marie (one of the Waiariki trustees) wotowai_wave@ihug.co OR your own regional representative trustee. Better still if you want someone to come and talk to your whanau let us know and if it is at all possible we will make it happen.



He wehi tō te Rangī

He wehi tō te Whenua

He wehi tō te Takiwā

*Otirā te wehi a te Kaupapa
Tangata*

Ko te wehi o te Atua.

Ti Hei Mauri Ora.

‘We have come too far, not to go further

We have done too much, not to do more.’

Ta Hemi Henare, 1988.



You will see at the back of this newsletter an example of a letter that can be lodged with the Tribunal. They ask that we identify how Rongoā has been prejudicially affected by the Crown or her agents. The following is the list so far. Please add to the list and send your comments back to us as soon as possible. It is going to take a while to get this together and even longer if we don't get your support so please have your two cents worth ... **believe me** it will be **invaluable**. The following list came from korero at our trustees hui at Kai a Te Mata Marae, Morrinsville 15 Kohitatea 2015.

The letter will look a bit like this:-

We(possibly your names)..... and are Maori. For ourselves and the several tribes shown opposite our names claim we have been prejudicially affected by the following practices and actions of the Crown and her agents.

1. We believe that the Ministry of Health has a duty of care towards the Trust. The Ministry of Health established Te Kahui Rongoa Trust in 2011 and then withdrew financial support resulting in the Trust being unable to function effectively.
2. RFP Rongoa Maori contracts open to all providers. Non Maori providers picking up Maori pūtea.
3. Tikanga Standards published despite not being approved by 80% of Standards NZ Committee.
4. Implementation of Tikanga Standards—no skills base to audit i.e. imposition of different values—auditing based on different culture values.
5. Body of knowledge given to Crown agencies in good faith—what happened to the knowledge?
6. Definition of rongoā by those who lack understanding of Te Reo and the context.
7. Whanau Ora NOT whanau ora.
8. There are no health benefits to Maori in the present system.
9. Wai 262 recommendations not implemented.
10. Te Taha Wairua component of Te Whare Tapa Wha not implemented.

Please don't take much notice of how the statements read at this stage we will need to get someone in to rewrite the list in the language that the tribunal and the crown understand. The other things we need to be mindful of is to remove the emotions from the claim. Being angry will not be productive at this stage. We need to be factual and concise. If the Waitangi Tribunal feel that this is a legitimate claim then we will source funding and any other assistance to take this claim to the next stage. Please read the attached sample claim form very interesting and explains the steps very well.

One of the next steps is to identify any relief strategies that we might consider should the claim be successful. The following is the list we came up with at Te Kai a Te Mata Marae last week.

1. Acknowledgement of the Kaitiakitanga mo Rongoā with relevant resources to set up the infrastructure needed to sustain rongoā into the future.
2. Foster growth of Rongoā Maori—develop rongoā forests.
3. Fully funded research into how rongoā maori reduces fiscal responsibilities.
4. Privity— creating employment in communities.
5. Strategic Alliances
6. Implementation of rangatira ki te rangatira negotiations
7. Acknowledge the validity of Wairua in the total wellbeing of whanau, hapū and iwi.



So you can see we have a lot of work to do. Please add to the list, send us positive feedback or better still offer your services to take this further. You may feel that we would be better to minimise the list and concentrate on the major issues. Kei a koutou! Heed the catchcry ‘Enough is Enough!’ we are tired of being set up to fail and getting far too old to have to go through this again :)

HUGE task ahead but well worth the effort. WATCH THIS SPACE.

While standing up for Rongoā is going to be the most positive thing we can do it is not going to be easy. So to keep us on track and focussed on our **real purpose** we need another positive centre of attention to keep us going.

So we are going to celebrate the diversity of

Rongoā during our Hui Taumata in Whanganui in October 2015. We are planning a Rongoā Expo with all the trimmings. Each rohe will be asked to contribute by choosing any one of the following modalities or suggesting others and showcasing their expertise during the Expo. Give us a second choice because I know everybody will want to do everything and we need to showcase diversity. We will organise rooming for your displays and/or mahi and will send out a list of suitable accommodation for everybody closer to the time. This will be a fantastic opportunity for us all and we need to work together to make this a reality. You might say ‘a logistical nightmare to fulfil a long awaited dream BUT oh so worthwhile!’ Rongoā deserves to voice His worth.

- ◆ Mirimiri a tinana
- ◆ Mirimiri a waiata
- ◆ Rongoā rākau
- ◆ Romiromi
- ◆ Rongoā is Kai and Kai is Rongoā —oooooh I wonder who will pick this one :)
- ◆ Mirimiri a korero—includes wānanga reo—wānanga karakia—wānanga whakapapa
- ◆ Mirimiri a Toi —art therapy
- ◆ Te Ao Turoa—the natural world
- ◆ Anything else that you have found beneficial to the health and well being of our whanau.

We will be in touch again soon to finalise the dates and the number of modalities offered. We plan to open the expo to the public and it will be advertised extensively to draw in the crowds. There will be heaps of healthy kai stalls and each rohe will be invited to set up sales tables to help offset costs of getting to Whanganui. We can't promise any travel assistance at this stage but a major fundraising attempt is currently in the making hence the need to work fast to finalise the programme offered. We already have one major sponsor in Whakauae Research who have been very generous and will run a workshop during the Expo. Thank you Amohia & Heather

So two major *take* both very **different** BUT both very **positive**

LET'S MAKE IT HAPPEN

Contact for further information: Email marilyn.vreede@clear.co.nz OR christine_marie_bullock@hotmail.com



Although there is no standard form for lodging a claim with the Waitangi Tribunal we give below, as a guide, a sample claim form. This includes all the information a claimant is required to provide.

[Your address]

[Date]

To: The Registrar
Waitangi Tribunal
PO Box 5022 (DX SP22525)
Wellington

1. I/We [Insert name(s), address(es), occupation(s), iwi/hapū, am/are Māori]
2. For ourselves and [Names of any group(s) on whose behalf the claim is made, eg:
'For myself and the descendants of Tamatū of which I am one'; or
'For ourselves and Ngāti Iti, of which we are members, and with the support of the Ngāti Whānui Māori Trust Board on which Ngāti Iti is represented'; or
'For ourselves and the several tribes shown opposite our names']
3. Claim we are/are likely to be prejudicially affected by [Here describe your claim].

[Note: Remember that, under section 6 of the Treaty of Waitangi Act 1975, the claim may be made only in terms of policies or practices or actions or omissions of the Crown, or in relation to Acts of Parliament or other statutory instruments. The Tribunal cannot inquire into a Bill that has been introduced into Parliament.]

And we claim that these matters are contrary to the principles of the Treaty of Waitangi.

4. We seek the following relief:

[Note: Although there is no requirement that you state in advance of a hearing the compensation that you are seeking, you may set this out. Sometimes, claimants initially seek a finding that a claim is well founded and ask for permission to nominate the particular compensation at a later date. However, claimants seeking the return of memorialised land or Crown forest land under the Tribunal's binding powers should advise the Tribunal of that here. If you set out the compensation you are seeking, you should add at the end 'and such other relief as the Tribunal considers appropriate'.]

5. We wish the Tribunal to commission a researcher to report on the claim.
[Note: If you ask for research assistance, you will be required to provide a research proposal setting out: the research topic; the type of sources that need to be researched and their location; an outline of the report's structure; the names and qualifications of the researcher(s) to be used; a timetable; and a budget.]
6. We ask for permission to amend this claim, if necessary.
7. The Tribunal is advised that our legal representative is [Name of your lawyer (if you have one) and their full postal address and fax and telephone numbers].
[Note: Civil legal aid is available for Waitangi Tribunal matters. Applications should be sent to:

Legal Services Agency
PO Box 5333
Wellington

Application forms may be obtained from Legal Services Agency or the Tribunal.]

8. We wish the claim to be heard at [Name venue].
[Note: If you wish the claim to be heard at a particular place, such as a specific marae, please state this here.]
9. We believe the following persons and organisations should be notified of this claim: [List names and addresses]
Note: Those affected could be other Māori, Government departments, corporations, local authorities, or private individuals. Please list all those you think could be affected by the claim and provide addresses where possible. Remember that it is important for the Tribunal to notify everyone who might be affected. Failure to give adequate notice may invalidate the Tribunal's proceedings.]
10. This claim amends/replaces our earlier claim of [Date of earlier claim].
[Note: If this claim is in addition to an earlier claim, please fill in the date the earlier claim was made. Usually, the same people who submitted the original claim must submit any addition to it or an amended statement of claim. Omit this section if this is your first statement of claim.]



11. We can be contacted care of the following address: [Address for service]

[Note: It is important that you include a residential address (in addition to any box number) and a telephone number at which Waitangi Tribunal staff or parties to the claim can easily contact you. This may be the address of a person making the claim, but if you have a lawyer, their address will normally be the address for service.]

Date: [Date]

Name(s): [Print name(s)]

Signature(s): [Your signature(s)]

Note: The Tribunal will not register unsigned statements of claim or statements of claim received via email. All statements of claim must be signed and a hard copy must be served to the Registrar.

www.justice.govt.nz/tribunals/waitangi-tribunal/...claims-process

P.S.

A

SK your rohe trustees about the upcoming trustee elections. All the information will be mailed out to the trustees soon. If you need to know more and/or wish to volunteer OR can get away with nominating someone who doesn't yet realise that this is what he/she **really** wants to do then please let us know.

..... and by the way

HAPPY NEW YEAR

2015 is going to be a GREAT year.

