

23 September 2016

Tuhoronuku Independent Mandated Authority
By hand

Attention: Chair and all Trustees

RE: Letter of Resignation

In accordance with clause 5.10 of the TIMA Trust Deed I hereby give written notice of my resignation as a Trustee on this board effective immediately.

The reasons for my resignation are many and varied and I outline but a few major ones as follows:

1. I agreed to be nominated for the role as a hapu kaikorero for Te Popoto hapu on the basis that the mandate was recognised on some important conditions which gave hapu a primacy in the negotiation process that has never been effected or supported in practice by TIMA. I believe that the hapu have been used to give the appearance of TIMA being representative and involving hapu, but in fact hapu have been sidelined. The mana and tino rangatiratanga of Te Popoto ought never be used as window dressing. I therefore cannot continue to support the TIMA approach.
2. I agreed to be a representative trustee of the Kaikohe Te Waimate Taiamai region on behalf of all the hapu within this region but have never felt we have had the ability to do all these hapu justice in our representation. In October 2015, during an election hui to replace trustee of our region Toko Tahere following his resignation (also because of dissatisfaction with the process), we the MHK of our region resolved:

That giving effect to Hapu Rangatiratanga:

- *The Kaikohe-Te Waimate-Taiamai region will be represented on the TIMA board by the Kaikohe-Te Waimate-Taiamai hapu collective;*
- *Accordingly, the Kaikohe-Te Waimate-Taiamai collective is deemed to hold the current three regional representative positions on the TIMA board*
- *For any given TIMA consideration, meeting or decision event, the Kaikohe-Te Waimate-Taiamai collective will determine from amongst itself, representation in respect of any such event*
- *Upon the foregoing resolutions being given effect through appropriate amendments to the Deed and Addendum to the Deed of Mandate, the current two regional representatives from the Kaikohe-Te Waimate-Taiamai region will tender their resignations*

This resolution was voted upon by all eligible hapu kaikorero present, the vote was unanimous in favour of the resolution. We requested at the very next board meeting that the identity of our regions three trustee positions be the 'Kaikohe-Te Waimate-Taiamai hapu collective' rather than three

individual persons and explained that under the current structure, we have little confidence that our hapu voices and ideas are being heard and acted upon. We were concerned that there was not any responsibility or obligation on the current trustees to report back to hapu kaikorero of their region, or to vote on issues according to the desires and decisions of the region. We determined that this new arrangement would benefit our hapu collective and expected it to encourage improved transparency and cohesion for our region within the TIMA framework. We requested that the TIMA board support our initiative by voting in favour of our resolution. The TIMA board voted to support us in principle and have done absolutely nothing since then to allow our hapu voices to be heard. We are entitled to three representatives at the board table and have been down to two representatives for the better part of 18 months.

3. As late as last night other board members are questioning whether the attendance of one of our MHK should be allowed at today's board meeting. There is also a campaign from some of our board members to shut me out of today's meeting, again attempting to gag our region and limit our representation.
4. Recently the Hapu Engagement Process addressed many of the concerns we raised previously with the board as outlined above. Again our region has been clear in the hapu support for the proposals. In particular those MHK that have remained engaged and attending our hui have expressed support for the adoption and transition into the Maranga Mai structures and processes (as recommended, not 'modified' or wholesale changed). Clearly many of our board do not support the Maranga Mai proposals and regard Hapu Rangatiratanga as romanticism, and have not will to allow key decisions to be made at a hapu level. This makes my continued support for TIMA as a trustee on behalf of our region even more untenable. The fundamental principles of participation we have actively advocated for (and expected when we joined) have been denied, proving our hapu voices are being sidelined for other agendas.
5. Recently, the fact that 2 out of 6 of our trustees involved in the Hapu Engagement process were out numbered and thus effectively out voted in the recommendations and agreements we reached in the final report, has also been used to accuse me of ignoring these members of the board in the tripartite process. Regarding the engagement process generally, which was supposedly entered into in good faith, I must question the good faith when the board regards its role as ultimate cherry picker of whatever it sees fit when the tripartite recommendations were the result of a robust process between 3 groups (but the content of the report being the desires of Ngapuhi) after months of work and thorough consultation. It is not our board's role to patronize our people and effectively say no to proposals they want implemented. Our chair has also stated publicly that we were forced into this process when in fact the process was our idea and agreed to the day the Tribunal report was released in response to the report. Again blatant misrepresentation.

6. A further significant misrepresentation is the latest letter from our Chairman to the Minister, which advocates that our mandate is premised on “the primacy of a single Ngapuhi settlement”. In fact Sonny arranged for a draft MOU with Whangaroa to have their own PSGE. I was relieved that was in place and supported that with the knowledge and comfort that other regions, or hapu groups could also develop appropriate PSGE arrangements to recognize their mana and rangatiratanga when we got to that point in the process. He and our chair Hone now seem to be reneging on that. Also the mandate did not assume there could not be more than one Ngapuhi settlement entity, or as put in the letter “the fracturing of Ngapuhi settlement assets”. Again it is now revealed clearly that many of our board have had an agenda they did not make clear to hapu or regions from the start and have misled us.
7. The board environment is acrimonious and divided and has become even more unproductive than before. On a personal level I have been subjected to abuse and belittling for daring to speak out and take a position that was different to those board members who are accustomed to bullying to get their own way, including the present and past chairmen. On a representative level I have often been accused as acting with self interest and somehow without my hapu’s or the regions or Ngapuhi’s best interests at heart. Whilst I mostly ignore these types of absurd accusations, I find they increase the stronger my advocacy is. Again I am attacked and undermined in representing my hapu and my regions views as though what we think is immaterial.
8. On a regular and consistent basis TIMA has not acted in a manner that represents good governance practice since its establishment including such things as:
 - Making decisions at one meeting and then overturning them at the very next meeting;
 - Operating with a deficit budget, in such a manner that meant our funding was not used to good effect or efficiently to execute our purpose and role; We have wasted a lot of money getting nowhere.
 - Allowing the previous project manager to operate above her financial delegation;
 - Allowing consistent breaches of other policies such as the no surprises policy, and the media policy in that our chair regularly represents his personal view as a board position without agreement from our board;
 - The breach of terms of reference for sub committees of the board and the numerous occasions when sub committees have attempted to act outside of their delegated authority;
 - The ill treatment of our staff and contractors, including not communicating appropriately or effectively with them, accusing them of misconduct for actions that formed a normal part of their role, and generally treating them poorly, often with disrespect and disdain;

- Having a poor knowledge and understanding of our governance rules contained in the Trust Deed;
 - Coming to board meetings without having read or understood the board papers and using valuable meeting time 'catching up' through questions and explanations about basics;
 - Continually deferring board agenda items to the next meeting because we have either run out of time or have not prepared well to address the issues on the agenda;
 - Allowing peripheral issues to take primacy whilst fundamental issues are held in abeyance.
9. Overall as a governance group, representing the largest and most powerful Iwi, we are a disgrace. I have come to see that the real talent of Ngapuhi in effective and intelligent collective decision making sits amongst our people on the ground and within our hapu and urban whanau. Those that might not put their hand up for these roles because of the rubbish internal conflicts and politics that goes on. My hope for our future is that Ngapuhi say loud and clear enough is enough and move to establish ourselves on a culturally appropriate, Ngapuhi purpose built foundation which shifts us out of this confused, misguided, acrimonious and divided process and into a positive future for our people and our generations to come.

These are but some of the main reasons for my resignation. If TIMA retains its mandate, then I say good luck to you all in achieving your purpose. If TIMA loses this mandate I say kaitoa!

Naku noa atu,

MOANA TUWHARE
Te Popoto Hapu Kaikorero

Whakamana Te Tiriti E!