Kia ora. He mihi māhana ki a koutou na tēnei uri o Ngapuhi. E ngā iwi o te motu, e ngā iwi o tea o...tena koutou tena koutou tēnā rā tātou katoa.

I am honored, if not a little daunted, at the invitation to speak to you today.

However, I do relish the opportunity to tell you the hugely exciting story that has arisen from “the sharing of the fish” in the Māori Fisheries Settlement in Aotearoa New Zealand and specifically the impact that this has had on the success of my Tribe, Ngapuhi.

While I am currently a Deputy Secretary, responsible for national operations and programme delivery with the Ministry of Māori Development or Te Puni Kōkiri as it is usually known, for almost four years I was the Chief Executive (CE) of Te Rūnanga a Iwi o Ngapuhi (the Rūnanga) – the Ngapuhi Tribal Council, based in Kaikohe in the far north of the North Island.

The Rūnanga is the Tribal Authority responsible for the economic, social, cultural and spiritual development of the Ngapuhi Tribe and all of its descendants.

In my time there, the Tribal body was very involved and influential in seeing the delivery of the Māori Fisheries Settlement and also rapidly building capacity in managing fishing assets.

But today I stand before you, representing Ngapuhi as Ngapuhi, not as the CE of the Rūnanga. I no longer hold any executive or directional role with my Tribe.

I have developed a conference paper which covers the history of the fisheries settlement with New Zealand’s indigenous people. The paper presents a
comprehensive overview of the intentions of the settlement, how it was put together and implemented.

I hope that this will be a good reference for you and provide some of the detail that you policy leaders and thinkers so require.

In my time today I want to focus on the personal view of the effect of the fisheries settlement on Ngapuhi and the people in the fisheries industry, both Māori and non-Māori New Zealanders.

And while there is still significant work to be done in gaining the same success in the customary share, as has been achieved in the commercial arena, this is a great story about successfully sharing some of the fish.

**Ngapuhi potted history**

Ngapuhi are renowned for innovation, adaptability and audacity.

Ngapuhi has a colourful history. European settlement occurred first in our tribal territory and very quickly we became active traders with whalers, sealers and eventually the burgeoning English colony on the east coast of Australia at Botany Bay.

As New Zealand towns grew Ngapuhi led the charge in developing those new markets for our goods and services.

Our people were leading protagonists in the musket wars in the early nineteenth century and in 1840, our Chiefs were instrumental and present at the signing of the Treaty of Waitangi, which is regarded as the founding document of our nation.
Today, Ngapuhi is the most populous of Māori Tribes in Aotearoa New Zealand. Almost 20% of all Māori are Ngapuhi with approximately 107,000 members.

While about 20% of Ngapuhi live within the tribal boundaries (the ‘winterless’ far north of the North Island), it’s estimated that 60% live in Auckland with the remainder spread throughout the rest of New Zealand, Australia and the world!

Stacey Jones, the ‘Little General’ currently leads a Super Rugby League Club in France. Buck Shelford, both famous sportspeople; they’re both Ngapuhi. And so too is the recently appointed CE of the Commonwealth Bank of Australia, Ralph Norris.

...Some further background

With the impact of urbanization and following World War II, many Ngapuhi, particularly in Auckland, were struggling (and continue to struggle) to meaningfully hold onto their Ngapuhi identity.

For some, that struggle for identity has contributed to a sense of loss, exacerbating under-achievement, to the point that our negative social statistics (as for most Māori and other indigenous people the world over) is very telling. It has put a hand brake on achievement for Ngapuhi.

When I became CE of Ngapuhi, and faced with this reality, my strategic focus was on strengthening identity and providing Ngapuhi with the tools they required to strengthen their ties and reconnect with their Tribe.
So what is Ngapuhi identity?

Over seven hundred years ago, our ancestors left Hawaiki, our place of origin, and settled in what was and what is now, our tribal area. Since then, the Ngapuhi Tribe has steadfastly remained in the 'winterless' far north of the North Island. We have a long connection with our tribal lands and seas.

In essence Ngapuhitanga is a set of powerful concepts all inter-connected with each other. Ngapuhitanga includes history, ancestors, song, dance, art craft, land, forests, waterways, seas and oceans.

Māori are tangata whenua, "people of the land". Tangata whenua also loosely translates to "indigenous" and each Tribe is tangata whenua to its own tribal boundaries.

We have a special connection with the physical resources of our tribal boundaries. It is a unique sense of place.

Tribal boundaries, much like beautiful Ngapuhi women, have been fought over, defended, worshipped, celebrated and loved. Within these tribal boundaries, are where we have harvested, traded, developed, bred, lived and died since those first ancestors settled.

I know that many other cultures also have a strong sense of place that helps to make up their identity.

However, our unique Ngapuhi culture, our identity, is defined by its place.
So how do you reconcile this with the fact that our people are a diaspora spanning the globe?

The answer is by providing them with tangible and meaningful connections with their identity, wherever they may be.

It is about equipping our people with a sense of identity so they can exude their Ngapuhi culture with confidence, wherever they are.

For Māori, confidence is one’s culture; in one’s identity, it is very often a prerequisite to being successful in whatever chosen walk of life.

When identity is strengthened young people are assisted to start the journey of finding their own success and those already successful can be driven onto bigger and greater things.

The Ngapuhi Tribal Authority has a very clear vision, which is that the sacred house of Ngapuhi, stands firm. The Authority’s mission was and still is, to lead the spiritual, cultural, social and economic growth of Ngapuhi.

The Authority faces a major challenge in that vision and mission.

Ngapuhi has a young population base.

There is a burgeoning population of young Ngapuhi, who are more likely to be formally qualified than their parents.

Being young and more formally qualified in an educational sense, they are more mobile and are seeking careers that never existed in their parents’ day!
So the challenge of strengthening Ngapuhi identity among this changing group of young people is very real. To start with, young Ngapuhi need access to their whakapapa, their genealogy; they need to understand their families place in the Ngapuhi journey.

In this context of building identity and a new confidence, for Ngapuhi the fisheries settlement was a catalyst, the first dawn of a new era in the history of Ngapuhi.

Now, about this fisheries settlement

To understand the ‘first dawn’, I need to share a very short account of the fisheries settlement. Actually, it was such a saga, that any account can only be short!

The establishment of the Ngapuhi Tribal Authority is completely intertwined in the history of the fisheries settlement.

In 1988, Te Rūnanga a Iwi o Ngapuhi was incorporated as a Charitable Trust, it was also the year when the first interim fisheries settlement was made. I remind you that the fisheries settlement would not have happened unless the Treaty of Waitangi was signed back in 1840.

The Treaty ceded New Zealand to British Authority but, guaranteed the Chiefs and Māori Tribes of New Zealand, the full exclusive and undisturbed possession of their lands, estates, forests, fisheries and other properties, for as long as Māori wished to retain them.

Under the Treaty, Māori were granted “all rights and privileges of British subjects”, which was a major concession for indigenous people at that time.
For Māori, from 1840 onwards and until relatively recently, our history has been a procession of dispossession, both through voluntary exchange and injustice.

But, in the 1980s, after nearly two decades of Māori activism and protest, the tide began to turn.

In 1986, Tom Te Weehi was charged with collecting undersized abalone.

In Court, Te Weehi argued he was fishing in a customary Māori way and he was doing so with the permission to fish from an elder of the local South Island Ngai Tahu Tribe.

He also said he was protected under the Fisheries Act which said nothing in the Act shall affect “Māori fishing Rights”.

Up until then, that Clause had been Law since the nineteenth century, but to little effect.

The Judge ruled in favour of Tom Te Weehi saying that the Treaty of Waitangi (1840) had preserved Māori fishing rights. It was a watershed decision of jurisprudence.

Initially, the decision was regarded as a non-commercial right for customary take.

However, soon after that Court decision and, in a totally unrelated occurrence, the Government of the day came to the conclusion that all other methods of allocating fisheries rights had failed. The fisheries industry was not economically or environmentally sustainable. The Government then decided to introduce the Quota Management System.
To introduce the system, Government officials calculated how much was needed for recreational and customary Māori fishing and then allocated the rest to existing fishers in proportion to their catch history.

This quota could be traded like any other property.

Fishers who caught below a certain tonnage or did not have catch histories in the right years were deemed part-timers, had their fishing licenses removed and they were allocated no quota.

To make matters worse many Ngapuhi people were victim to this new round of dispossession.

The Ministry of Fisheries noted that most of the 300 part time fishers who lost their licenses were Māori, supplementing their incomes from other part time activities such as shearing and freezing work.

In late 1986, the Muriwhenua claim was presented to the Waitangi Tribunal. The Tribunal is a permanent commission of inquiry which investigates breaches of the 1840 Treaty. It also makes recommendations on redress for those breaches.

The unique thing about the Muriwhenua claim, was it was the first time Māori had laid claim to commercial fishing.
Their claim was always been "a commercial dimension to Māori fishing" and that Māori had never sold their rights to fishing.

With the new quota system about to be introduced in October 1987, the Tribunal agreed to deliver a preliminary opinion.

They found that the Muriwhenua Tribes made extensive fishing use of the sea to 12 miles and occasionally fished further out. They also found that the seas were property in the same way as land and the Tribes had the mana of that area. By mana they meant that Māori were able to exercise dominion over the zone or that they owned it.

Right in the middle of the single biggest reform of commercial fishing in New Zealand's history, the tribunal opinion landed like a hand grenade.

The claimants marched straight to court. The High Court accepted that they did have proprietary rights which the Government had failed to take account of. Justice Greig granted an injunction that prevented the Minister of Fisheries gazetting the next batch of quota.

It was time for the negotiations to begin.

In essence, after a year of negotiations an interim settlement was agreed in 1989 allowing the quota management system to proceed with 10 per cent of the quota going to Māori via a new body, the Māori Fisheries Commission.

Māori clearly weren't satisfied with just 10 per cent and the Government had a problem because to provide more would require them to buy quota on the open market which would be very expensive.
In 1992 an opportunity presented itself when a New Zealand corporation decided to sell its fishing subsidiary, Sealord which held about 22 per cent of total quota.

A group of negotiators that was roughly representative of Māori Tribes cut a deal that had two major components.

The first is that the Government would provide the cash to the Māori Fisheries Commission, now called Te Ohu Kai Moana, to purchase 50 per cent of Sealord.

The second was Māori were to get 20 per cent of the quota of any new species brought into the Quota Management System.

The allocation
The 1989 interim settlement and the 1992 Sealord settlement brought to a close the negotiations on the amount of redress available to Māori.

Te Ohu Kai Moana, the commission now had to develop a means for allocating the settlement assets among Māori Tribes. That was 1992.

In 2005 Ngapuhi were the first iwi to uplift our share of the assets.

It took 12 years to work out how the allocation would work. And no wonder...

Do you divide the assets by population, or do you divide the assets by coastline controlled in tribal boundaries?

On the basis that the settlement should benefit all Māori, suggesting equitable sharing or distribution of the assets, Ngapuhi advocated for a distribution model based on the tribal population.
Ngai Tahu was a very influential Tribe in the settlement process as their coastline consists of virtually the entire South Island, including Fiordland and Marlborough Sounds, so, not surprisingly they wanted a coastline length-oriented allocation method.

Also, some Māori leaders saw the settlement as an opportunity to build pan-regional Māori structures emancipated from tribal politics.

Others saw the settlement as an opportunity to rebuild the tribal authorities and tribal mana.

In the end the final allocation settlement was a compromise between the all of these methodologies.

The quota assets were handed back to Tribes.

The fishing company shares in Sealord and a number of other fishing companies, subsequently acquired by Te Ohu Kai Moana, were retained in a single corporation called Aotearoa Fisheries Limited which pays its dividends to the Tribes.

It is amazing and a credit to Māori that we were able to settle on an allocation method at all. It is a triumph of compromise.

I believe Ngapuhi pushed hardest for compromise. We always believed that the negotiations had the potential to damage all Māori.

There was always the threat that the allocations negotiations would become a process for lawyers and not for Māori.
Litigation without end was our collective enemy.

That interim quota Ngapuhi received, at reduced lease costs from the Commission until final allocation, and the preparation for, and the receiving of the settlement assets brings me back to the central theme of my talk today; the fisheries settlement was a catalyst, the dawn of a new era in Ngapuhi’s development.

In saying that, I need to give you an idea of how successful Māori have been in the two decades of their involvement in the fishing industry.

Today, Māori directly control one third of the industry through ownership of quota, and influence up to another 20 per cent through leverage of their quota.

The Māori fishing workforce has doubled as a percentage of the total fishing workforce from around 15 to 30 per cent, from 1800 to approximately 9000 workers.

Māori are the dominant commercial force in New Zealand’s fifth largest export sector, generating $1.3 billion in export revenue, double the amount in 1986.

This is an inspirational achievement. It is a totem of success.

Speaking for Ngapuhi, I will illustrate the effects of the settlement in a number of ways:

1. The settlement assisted the Tribe to come together and address significant issues collectively.

   It gave Ngapuhi a reason to come together and stay together and learn to work together to address significant issues.
From 1945 to the 1980s, there was virtually no public role for tribal organisations or tribal committees.

But, in the late Eighties, Ngapuhi has to set up a company (Ngapuhi Fisheries Limited) to manage its fishing activities. The company needed to develop its own policies and strategies to address the settlement and allocation negotiation.

Ngapuhi leadership was being tested in ways never contemplated before, which brings me to the second point; the impact of the settlement on developing Ngapuhi’s governance capabilities.

2. **A new focus on developing Ngapuhi’s governance capabilities**

Ngapuhi did not become instant experts in governance theory, however, Ngapuhi identified that governance capabilities in a number of areas, including establishing new democratic processes to elect representative was needed, if they were to hold assets on behalf of the Tribe!

Ngapuhi needed to learn the skills of separating leadership and governance decisions from management decisions.

Ngapuhi leaders also needed to learn the difference between the interests of beneficiaries of the Charitable Trust and the linked, but separate commercial interests of the Tribe’s business activities.

Ngapuhi made some early ‘mistakes’ which looking back, were an inevitable part of developing governance capability.
In 2001, after an extensive internal review, I was appointed CE of the Rūnanga. Fisheries income was the mainstay of the Rūnanga, but there were debts and a number of under-performing activities that were holding development back.

I took a ‘crash course’ in the business of fishing!

3. Professionalising Ngapuhi’s tribal management

Te Ohu Kai Moana provided Tribes with an income source by leasing quota at a discounted rate. In 2001, Ngapuhi decided to take its entitlement to this leased quota and sub-lease it to the market, using an open competitive tender process.

Additionally, with the application of more transparent management practices in the fishing company, a focus on quota exploitation through Joint Ventures, that year we made a remarkable turn around and showed a net profit of $1.5 m, all of which, went to the owner – the Tribal body! This was from a company which, in comparison, for the previous 10 years, had returned on average $50,000 to the Tribe.

With that, the debts were cleared, a sustainable income was secured and a fresh start was made.

During my time as CE, I was privileged to work with Sonny Tau; a Chairman with considerable patience and wisdom. Together, we formed a strong partnership that continued the professionalisation of Ngapuhi’s tribal management.

Sonny continues as Chairman of the Rūnanga today and the management of the Tribal Authority remains thoroughly professional. And they need to be...last year, following the allocation, Ngapuhi’s fishing assets were valued at $66m!
4. Then there was the impact on regional economic development

It is interesting to note that in the early days there was an expectation that returning the assets to Māori would lead to an increase in the number of Māori fishing companies, and that would allow more to enter the industry.

It didn’t work that way.

Quota enabled fishers to cash up and get out of the industry, and if you had an uneconomic parcel of quota, you had the mechanism to do so. The quota system led to a consolidation of ownership.

The Māori owned fishing companies, such as Moana Pacific and Sealord participated in this quota consolidation. They then set about consolidating the number of fishing ports.

There were people who felt aggrieved about this, but as Managers, there was a duty to get the best return on our assets on behalf of all Ngapuhi. However, we actively helped where we could. For example, we held back a proportion of the inshore quota and made that available at less than market price so the Ngapuhi fishers could continue to participate in the industry.

Further, there is nothing like success to breed success!

The sustainable income from fishing meant Ngapuhi was able to increase their investment in collecting, recording and distributing Ngapuhi stories and history, which are fundamental to Ngapuhi identity. Owing to that, Ngapuhi has increased access to that, for its entire Tribe.
There is a new confidence among our people – a confidence borne out of success and achievements.

6. **It has assisted Ngapuhi to build connections with non-Māori institutions and businesses.**

And with that new confidence has come the ability to build new business partnerships with non-Māori companies, with other Tribes, community groups, local government, Crown agencies and the Government.

Ngapuhi engages as an equal, a peer, rather than a supplicant or a beneficiary.

Ngapuhi has the confidence and the resources to build new connections and new relationships which can extend the development, interests and influence of Ngapuhi.

7. **The settlement restored Māori confidence in New Zealand’s institutions, particularly the law and reducing the powerful sense of alienation and injustice Māori have felt for years.**

Critically, the process of alienation and injustice felt by Ngapuhi has been reversed.

For man the sense of dislocation, alienation and injustice hasn’t gone away, but it has reduced.

Redress was sought at the Waitangi Tribunal with the High Court confirming that Ngapuhi had proprietary rights to the fisheries.

Rather than the Law being a mechanism for the dispossession of Ngapuhi, it became an institution the Tribe could respect.
In the last twenty years, some of the best and brightest Ngapuhi have entered the legal profession.

I have no doubt that their whānau, their families want to see Māori lawyers build on the institution that is the legal profession, thereby ensuring that all Māori have access to justice.

This is an extremely healthy and inclusive force for the future of our Country.

8. And finally it has built a global confidence that has enabled Ngapuhi to succeed.

I believe the settlement process was a catalyst for the re-emergence of a global Ngapuhi confidence.

It is a belief that Ngapuhi can perform on the global stage in every sphere of business, sporting or cultural activity and that where ever its people are, they remain a member of the Ngapuhi Nation.

Customary fishing

Before I conclude, I should touch on customary fishing.

As I mentioned before, it can argued that the Māori fisheries settlement stemmed from the defiance of a single customary fisher in the South Island, Tom Te Weehi.

But conflicts remain on the shoreline of customary fishing.
As has been fully discussed at this conference, there is a continual tension between commercial, recreational and customary fishers. This is no less the case in New Zealand.

What makes things particularly interesting is now that Māori interests are a dominant force in the commercial fishing industry, the growth of Māori customary and recreational fishing has the potential to reduce the value of the commercial assets. This tension is being arguably debated within Ngapuhi and Māoridom as we speak. The debates require significant leadership from both Government and Māori.

**Conclusion**

Ngapuhi quickly took to the business of fishing. It was like it ran in our blood.

In the relatively short time of one generation, commercial fishing has enabled us to invest in our leadership, management and services to our people.

These services are targeted directly at supporting Ngapuhi identity development.

But indirectly it has given us a new confidence and strengthened our sense of purpose which in its own way is invaluable for the identity of our people.

When we look to the seas and oceans we no longer see injustice and dispossession.

Rather, we look out over the great expanses of the Tasman Sea and the Pacific Ocean and we see that we have a share in the future, that we have a means to participate in the sustainable development of an industry and our people.
The sense of pride among our people is palpable.

The benefits for Ngapuhi are obvious to see, but also the benefits to our nation are also significant.

Non-Māori business interests look at us as business partners they can trust because we have a track record of success and reliability.

The people of New Zealand and the Government have benefited too, because what is more corrosive to a nation's future than people who feel alienated and dispossessed.

The world has too many people who feel dispossessed and alienated and hatred and wars are the symptoms of this disease.

Today I believe for Ngapuhi this process has reversed. There is still a lot to be done. But we know we can meet the challenges of serving the Ngapuhi house to stand firm, even though our members stand all over the globe.