

Media Statement

Issued on behalf of the Auckland War Memorial Museum, and Peter and Sarah Hillary

The Board of the Auckland War Memorial Museum, and Peter and Sarah Hillary, are pleased to advise that they have reached agreement on matters arising from Clause 9 of Sir Edmund Hillary's will.

Clause 9 described Sir Edmund's wish that his personal papers, diaries, maps, colour slides, photographs, and other written and illustrative material be gifted to the Museum, subject to certain provisions relating to access to and use of the material by Peter and Sarah Hillary.

The Agreement places on record regret that events unfolded in the manner they did, and the sincere wish of both parties to restore the good faith, mutual goodwill and respect that existed between the Museum and Sir Edmund Hillary and his family during their long-standing relationship.

The parties acknowledge the special place that Sir Edmund holds in New Zealand history, and the special link to his memory that the Hillarys represent. The parties also recognise the importance of a good ongoing relationship.

Both parties are pleased that Sir Edmund's final wishes have been satisfied by the placement of the Archive in the Museum. The Hillarys recognise the expertise and reputation of the Museum as a world class repository and that it is important that an Archive of such public importance has been entrusted to the Museum.

Following an offer from the Prime Minister, the Hon. John Key, a mediation process was entered into through the good offices of the Department of the Prime Minister and Cabinet. The Museum and the Hillarys were each invited to nominate a representative to act on their behalf in the search for a resolution to the matters that had arisen between them, in relation to Clause 9 of Sir Edmund's will, and its interpretation.

Through a series of meetings and discussions between the nominated representatives, an Agreement has now been reached that is acceptable to both parties. It was signed in Auckland on Sunday 19 July 2009.

The Museum and the Peter and Sarah Hillary warmly welcome this outcome. They are pleased that matters have been resolved in a constructive and positive manner, and wish to thank the Prime Minister for his personal engagement in the disagreement, and for his efforts to seek a resolution. They also extend their thanks to their personal representatives for their considerable efforts on their behalf.

Peter and Sarah Hillary said that they greatly appreciated the assistance of the Prime Minister's Department in achieving an agreement with the Auckland Museum.

“This outcome is good for the reputation of institutional collections and we hope the public will see that their generosity in contributing such collections will be respected and, indeed, cherished in the New Zealand - way which places high value on cooperation and consultation. We look forward to working with the Auckland Museum as partners in the Hillary collection and to enhancing its value to the people of New Zealand.”

The Chair of the Board of Trustees of the Museum, Dr William Randall, commented: “We are very pleased with the outcome of the mediation. While it honours the wishes of Sir Edmund and clarifies the ambiguity surrounding the interpretation of Clause 9 of the will, it will allow the Museum to provide access to New Zealanders and to researchers worldwide. The agreement also presents us with an opportunity to develop and grow a meaningful collaboration with Peter and Sarah Hillary. We look forward to that process.”

The Agreement sets out principles and procedures by which the Museum will manage the bequest, in accord with the terms of the will, and also the provisions of s.12 of the Auckland War Memorial Museum Act.

It acknowledges that the Museum owns the Sir Edmund Hillary Archive, and has all rights consistent with that status, but that the Hillarys also have rights.

Mechanisms have been agreed to assess the content of the Archive, and develop an inventory, and determine how the material should be handled, including in relation to access, publication and display, and digitisation. Procedures for settling any differences of view have also been established.

The Museum and the Hillarys have also agreed to an annual review of the management of the Archive.

In carrying out the terms of the Agreement, the parties have agreed to act with goodwill, mutual respect and consultation, and will welcome the opportunity to work together on future projects relating to the Archive and its contents.

Monday 20 July 2009