

In the Waitangi Tribunal
Te Paparahi o Te Raki

Wai 1040
Wai 58

In the Matter of the Treaty of Waitangi Act 1975

and

In the Matter of Te Paparahi o Te Raki Inquiry District
(Wai 1040)

and

In the Matter of a claim by Patricia Tauroa (Wai 58) on behalf of
the Whangaroa Papa Hapū and Whangaroa
hapū-whānau who do not hold a registered Wai
claim and seek to file their evidence under Wai
58.

Composite Brief of Evidence of Whangaroa Papa Hapū
(Robyn Tauroa and Thomas Hawtin)

Dated 4 November 2016

Patricia Tauroa
Wai 58 Co claimant
Kaeo, Northland.
Telephone: (09) 4051-853
Email: hiwi.pat@xtra.co.nz
P O Box 180, Kaeo: 0448

May it please the Tribunal

1. Our names are Robyn Tauroa and Thomas Hawtin. We have submitted evidence to the Wai1040 inquiry under Wai375 and Wai1400 respectively.
2. We are authorized by the Whangaroa Papa Hapū to present this collective brief of evidence from korero given by Whangaroa whanaunga who have expressed their wish to submit evidence as part of a composite brief of evidence. Their kōrero was given at wānanga (**See Appendix A**), and from interviews that individual whānau members have given and have subsequently authorized to be used in this brief (**See Appendix B**).
3. This Brief of Evidence has been developed in a collaborative effort to strengthen previous evidence submitted by Whangaroa claimants, and to highlight some of the issues which determine the nature of the grievances that nga whānau-hapū o Whangaroa have with the Crown.
4. Our kōrero informs us that, before contact with the British Crown and its agents, ngā whānau-hapū o Whangaroa were experts in the knowledge and practices of all aspects of life. Our tupuna value system guided self-determination, prosperity and well-being.
5. However, the incorrect ways that our history, and the abilities of our tūpuna have been, and are being, portrayed and recorded, promote a false understanding of them, and therefore, of us. This, alongside the policies and practices of capitalism introduced and imposed on ngā whānau-hapū o Whangaroa by the Crown and its various agents, has

degraded our integrity, our prosperity, and our ability to perform our kaitiaki practices and manaaki our whanaunga and manuhiri.

6. The evidence presented here will show the impacts and effects of such inaccurate portrayals, and the Crown sponsored policies and practices which together have resulted in the state of Whangaroa today – a state of broken and divided whānau-hapū, a lack of meaningful employment, and a noxious weed and pest infested environment, where rainwater runs straight off land stripped of trees and packed hard from artificial fertilizers and the hooves of large animals, into our silted waterways, harbour, and coastline.
7. There are many themes which describe the ways in which Crown policies and practices have imposed on ngā whānau-hapū o Whangaroa culture and worldview. Without the benefit of certain information our tūpuna were unable to fully understand what Crown agents like Captain William Hobson were trying to do.
8. Without a sufficient knowledge of our tūpuna, they were treated and often referred to as 'ignorant savages.'

Methodology

9. This evidence has been collated and developed as part of a gap-filling oral history project commissioned by the Crown Forestry Rental Trust which sought to strengthen Whangaroa evidence in the final stages of the tangata whenua submission phase of the Wai1040 inquiry.
10. With the guidance of the Whangaroa Papa Hapū, and the invaluable support and assistance of claimants and whanau of the wider Whangaroa

community, the project has resulted not only in this collective brief, but also a number of additional briefs that have been submitted by individual claimants.

Ko Wai Mātou

11. We state clearly that we are tangata whenua o te rohe o Whangaroa.

12. We are a diverse collective of whānau-hapū While some of us are recent arrivals, others arrived on waka, and others of us were here to greet and manaaki those that arrived. In other words, we have always been here:

When I was young, and we had to do a pepeha, and the kids laughed because I didn't have a waka. We didn't get here on a waka - we were already here. And they laughed. There was that pressure from everybody else, to be like everyone else. I used to have difficulty filling in forms, as you had to fill in an iwi. My dad used to say we were Whangaroa.¹

13. We also state that whilst our histories are intertwined with those beyond our rohe boundary, we sit outside that of Te Whare Tapu o Ngāpuhi. Thus, we maintain our independent mana as the tangata whenua and whānau-hapū o Whangaroa:

The biggest thing is that they [the Crown] don't identify hapū. The only Ngāpuhi I knew of, was for warring purposes, when Ngāpuhi

¹ Awhirangi Lawrence, Kaitiaki Wananga, 19-20 August 2016, Wainui Marae

went out of the hapū area, so now, we're still being categorised incorrectly.²

14. We are aware of the settlement of Ngāti Kahu ki Whangaroa and state that that is the choice of those who wished to settle at that time. It does not alter, in any way, our whakapapa or whanaungatanga to Ngāti Kahu ki Whangaroa. Nor does it restrict our process to seek redress for the Crown's breaches suffered by us. We hold fast to kōrero from our tūpuna kaumātua:

Kei konā koe, māu a kona e tiaki mō tātou. Kei kōnei mātou, waihō ma mātou kōnei e tiaki mō tātou³ (Poihakena Syd Kira)
[Translation by P. Tauroa – You are there, we leave you to take care of that area for us all; we are here, leave us to take care of this place for us all]

15. By these statements, we, as Whangaroa, claim and maintain our mana, as well as our shared interests. This has become blurred and misunderstood by divisions of the land and its people. Through imposed Crown policies and practices and has left a once strong, able, and self-determined people bereft of economic means and marginalized without consultation.

² Mere Apiata, 16 August 2016, Interview with Robyn Tauroa, Parakohe

³ Poihakena Syd Kira, Personal Communications, 1994

He kōrero tuku iho

16. Our kōrero tuku iho reflect the creation stories of our land and its people.

Some of these stories have been told in our Oral and Traditional History Report and claimant evidence; others have yet to be shared by their respective kaitiaki hapū.

17. The following korero identifies the significance of our harbour and our connections to te ao wairua:

Ka whakanui atu tātou i roto i aua kōrero. Kei reira katoa kei roto i te ohanga o tō tātou wahapū o Whangaro. Pēnei anō i te wāhine me ōna wā ka rere atu te wai, ko te moana i ōna wahanga, i ōna haora. E rongō ana ngā haora ka pari ake te tai. Ka rere atu ngā wai ki waho ina kua paoka te tai. Kua kite au i tātou i te arawhata o te aratapu o Tāwhaki. Ki te reo Pākehā, he portal. Ā, wērā wāhi e hono ana ki te ao wairua. E mōhio ō tātou mātua, ō tātou tupuna i tērā wā, i tērā wāhi anōki. I reira e mōhio ai rātou ngā mea nei. Kāhore ahau e mea ana kei au te kōrero e pāna ki tō tātou wahapū. Engari kia tirohia ai tātou. He aha te take e (whaka)ingoaia ai ērā ingoa. (Ki) Te taha mauī. Te taha matau o te urunga ki roto ki te wahapū o Whangaroa. He tinana wahine tēnā. Nā, te wāhi nei tiaki i roto te wahapū ia. He aha tāna e tiaki i reira o koutou ohohoho kua tutaki au kia Hine-nui-te-pō. Kua tūtaki au, me Papatūānuku. Kua tūtaki au kia Whiro. Kua whakapuakina ērā o tērā ao. Kia kite atu ai ki roto. Kāhore ēnei kōrero i puta mai i te pukapuka. Kāhore nā te Pākehā e kōrero mai ēnei kōrero ki au. Engari ki te kanohi ki te wairua. Ehara te mea e kite take anō engari i tūtaki ki te au ngā ara ki te ao tērā

ao. Ka taiao te kōrero. Engari ko wai ki te whakaponu ngā kōrero o te rā, te ao anōki. He ao i takahia o tātou mātua tūpuna. E kore taea rātou i roto nga pukapuka i tuku ake ai a tauivi mā. Nā rātou e kohikohi, nā rātou e rangahaua ngā kōrero. Kia puta mai ēnei kaumātua, ēnei tohunga. Ko te wairua, kei a tātou i te wā e mōhio nei tātou, puta i te korero i te pō nei. Ko te whenua ko ahau. Ko ahau ko te whenua. E aroha nei tātou ki tō tātou ao noho. Hoki atu pea ko te iwi o Te Moana-nui-ā-Kiwa. Kei a rātou ērā whakaaro hei tiaki i tō tātou ao noho. Kāore tō tātou ao kore ko tātou. Ko tō tātou whenua. Titiro tātou ki o tātou puke. Kei reira katoa pea ngā tumatakuru e tupu ake ana.⁴ (Rawiri Timoti)

[Translation by D. Kaio: We are celebrated in those stories. Within those stories is the awakening of our Whangaroa Harbour. Like a female, the harbour has a cycle. Those cycles can be seen in the tides and currents. When the current leaves the harbour it separates, and when following one of those currents you come across the ladder, or the sacred pathway of Tāwhaki. In English, this is a portal. Those sites are our connection to the spiritual realm. Their significance was well known to our ancestors, and they passed on the stories to the generations of today. The stories of harbour are not new. The reasoning for the names of the harbour are thus; the left arm, or the right face as you enter the harbour, is the female aspect of the harbour, she is the guardian. Through her I have met Hine-nui-te-pō, I have met Papatūānuku, I have met Whiro. That world is revealed for our world to see. This doesn't come to me from books, or from Pākehā, but from the spiritual realm and the natural world. This is

⁴ Rawiri Timoti, Mana Wahine Wananga, 29-30 July 2016, Karangahape Marae

not to say pākehā don't know, but our beliefs are engrained and taught to us through the generations. All the research and books cannot compare to the knowledge of our elders, who've had it handed down from our ancestors. It is those teachings that supply us with the essence. I am the land, and the land is I. We must return to the teachings of our earliest ancestors. They nurtured the lands, and the lands nurtured our ancestors. Without nature, we would not exist].

18. The kōrero above epitomizes the prejudicial reliance on books that have, in the main, been written by Europeans. Ngā whānau-hapū o Whangaroa strongly consider that our oral histories have been suppressed by such reliance, whereas our whāea said:

Mea mai aku tūpuna ki au 'Haere mai, noho ki taku taha. Kāua o taringa e kapia. A te wa, ka mōhio te honhonutanga'. Sit down and listen. In time you will know the depth of this korero. E kore koe e whara i tae ai te wā There will come a time when people will challenge you.⁵

19. The evidence previously submitted by Whangaroa claimants, informs the significant roles of wāhine in our communities. The importance of women

⁵ Iwa Alker, Mana Wahine Wananga, 29-30 July 2016, Karangahape Marae

is also identified in place names that carry the name of women, and hapū that are identified through tūpuna wāhine.⁶

20. The Crown has sponsored and supported prejudice towards Papatūānuku, our Earth Mother, and the knowledge and practices that our tūpuna had to care for Her and assure the regeneration of Her children, including ourselves:

You must remember that the whenua is a woman. A mother. Papatūānuku is a woman ko te whenua, ko te wahine, and we, the wahine, are here to take care of our Mother. That's why it [the whenua] was always given to the women. Te whānau mai te wahine tana pēpi, hokia te pito me te whenua ki te whenua, ki te wahine.⁷

21. Our kōrero tells how our tohunga wāhine were embalmed and interred on the face of particular Kauri trees. These hidden places were used by the learned to commune and gain insights and understanding from the world of tapu. Those living shrines, and sacred repositories, were protected by shell garlands and kept from the eyes of the insidious, though known to the forest people, the patupaiarehe.

22. However, the written histories tend to focus on male rangatira whose warring activities often feature, and fail to acknowledge unions and female ancestors, who played as important a part, in the whakahekenga.

⁶ Alan Heta N25; Iris Niha N16; Ngaronoa Renata N17; Waitangi Wood S12; Sailor Morgan S13; Awhirangi Lawrence S15; Robyn Tauroa S28; Frances Goulton S29; Hinemoa Pourewa S30;

⁷ Iwa Alker, Tahua Murray, Mere Muka, Mana Wahine Wananga, 29-30 July 2016, Karangahape Marae

23. One example is found with Tuhikura, the mother of Hongi Hika:

My grandmother, Raiha Davis, is the great grand-daughter of Tuhikura. We're always hearing about Hongi and Ururoa. Well, they came from Tuhikura. Tahapango gave Tuhikura this region, Whaingaroa, as their place. She was the cheiftness over them.

My Nanny learnt from Tuhikura, and my Mum learnt from her, and I learnt from my Mum, from under her skirt. It was a fine place getting under my mummies skirt, and listening and feeling the vibration. Everything we breathed, we saw everything in vibration.⁸

The Theory of Systematic Colonization

24. In light of a British economic depression the theory of systematic colonization, was the method laid out for the funding of a British colony in Aotearoa, New Zealand.

25. Evidence presented by Dr. Judi Ward,⁹ circumscribe Crown intentions behind **instructions** given to, and expected of, Captain William Hobson, to negotiate a cession of sovereignty. The British slave-trade was only abolished in 1807, and the ownership of slaves, not until 1833. The *Boyd* was an example of an English vessel originally built for the slave trade and converted after 1807 to transport convicts from the UK to Australia.

⁸ Deborah Hill, Mana Wahine Wananga, 29-30 July 2016, Karangahape Marae

⁹ Dr. Judi Ward, *The Economic Parasites of Imperialism and Te Paparahi o Te Raki*, A Report prepared for Wai774

26. Every piece of evidence we have from ngā whānau-hapū o Whangaroa is that there has never been any cession of sovereignty to the British Crown, or any other international entity we may wish to trade with. That is why our tūpuna signed He Wakaputanga.
27. It was unethical of the British government, to support and sponsor the spirit of capitalism into the world of ngā whānau-hapū o Whangaroa, through the duties on imports of spirits, tobacco and sugar, and the imposition of taxes on lands.
28. Our evidence will outline how the availability and use of these substances was encouraged by the Crown and its agents, and the ongoing impact of them on ngā whānau-hapū o Whangaroa.

Crown Injustices To Rangatira - Pre 1840

The Injustice to Tuki and Ngahuruhuru

29. Tuki and Ngahuruhuru were kidnapped from Motukawanui in 1793.
30. They were taken to the Norfolk Islands with the specific intention that they assist in improving British commercial interests.
31. Whilst that intent was not fulfilled, due to a lack of understanding of gender-specific knowledge by the British at that time, the production of the map drawn from the dictation of Tuki, has informed many since.
32. We seek that the full story of the kidnapping, and our sought after industrial knowledge, are acknowledged.

The Injustice to Te Ara

33. Te Ara was one of four people – two young men and two young women - who departed Whangaroa on the *Star* in 1805.

34. Kōrero told by Whangaroa kaumātua was that the bodies of the two women were later found washed up on the shore.¹⁰

35. Te Ara returned four years later on the *Boyd*. The fate of the other young man is unknown.

36. It is well known that Te Ara was flogged and depraved on board the latter vessel.

37. The story of what happened on the *Boyd* has been told incompletely, without our record of what happened. While it was the doing of one hapū, known for exacting utu for tapu transgressions, every Māori in Whangaroa, and even Aotearoa, has been held accountable by the ignorance of those tellers of our history.

38. Subsequently, communication from British agencies described our tūpuna as treacherous and untrustworthy.

39. We seek that the complete story according to our record be told.

The Injustice to Te Pāhī

40. Te Pāhī was murdered by Crown agents in April 1810.

¹⁰ Eric Albert, Personal communications, 2010

41. Te Pāhī was a leading rangatira involved in trade and economic development for his whānau-hapū.
42. Te Pāhī was as an honest and hard-working leader of his people. Europeans recorded him as the “King of New Zealand,” a title subsequently bestowed on both Hongi and Titore as well. Nevertheless, this Eurocentric version of leadership does not accurately describe him, nor any of those rangatira mentioned here.
43. Leading up to the death of Te Pāhī in 1810, there were many Māori rangatira who had been employed and travelled on British and American vessels, some such as Te Pāhī’s son, Mita, reaching as far as England. Many suffered greatly at the hands of various European leaders and ship captains, thus they were well aware of the European attitude towards native people.
44. Following the false and deceitful accusation of Te Pāhī and his hapū being involved in the *Boyd* incident, he prepared to negotiate his innocence and the return of items retrieved from the *Boyd* cargo, to protect the mana and prosperity of his hapū. Unfortunately, this opportunity was not to be, as no trial or negotiation occurred.
45. Journal records from the Crown agents responsible for murdering Te Pāhī and members of his hapū, without trial, can be found freely in public sources showing that a great injustice was done to an innocent Te Pāhī.
46. This has had a terrible impact on his surviving family, and also the economic capability of ngā whānau-hapū o Whangaroa.

47. The way that this history has been told to the world, denigrates an honest, and productive people, and their rangatira.

48. We seek for this to be put right.

The Injustice to Hongi Hika.

49. Hongi Hika returned to Whangaroa on his mothers' mana.

50. During his lifetime, he was friendly and accommodating towards the Church Missionary Society, and other Crown agents.

51. That he was effectively being an ambassador for Māori International Trade in England in 1820, has not been given the acknowledgement that it should have.

52. That he has been implicated in sacking the Wesleyans from Ngāti Uru territory in Kaeo in 1827 is false.

53. His impetus and involvement in the compilation of the first Māori dictionary has not been acknowledged, yet others have been attributed honorary doctorates for their involvement.

54. We seek for these be put right.

The Injustice to Titore and the Evidence of He Whakaputanga

55. We support the evidence submitted by Cheyne Foley, as well as all other Whangaroa claimants, who speak about the importance of He Whakaputanga.

56. Written communications occurred between Titore and his “Friend and Brother,” King William IV. These communications show that King William IV acknowledged that Māori were exercising sovereignty in Aotearoa New Zealand.

57. Titore and King William IV died three days apart in June 1837. After their deaths, there becomes an absence of English written references to the history of the relationships between Whangaroa rangatira and the Crown, and of their intentions, especially in regard to their commercial trade interests. These pieces of evidence confirm the level of leadership of Whangaroa rangatira, and that sovereignty was not ceded.

58. How has such important information been kept from public knowledge?

59. We seek to have He Wakaputanga upheld, and the story of International trade relationships and agreements told.

Religious Institution Influences on Political Expectations:

60. We draw attention to the way the missionaries and religious institutions influenced the political expectations of ngā whānau-hapū Whangaroa.

61. We consider that, from the arrival of Marsden in 1814), through the operations of Wesleydale from 1823-1827, the establishment of the missions at both Waitangi in 1838, and Piwania in 1840, our tūpuna had developed an understanding of how these religious institutions influenced the Crown's political environment. (See Map One illustrating early vessels, areas of trade, and known areas of congregation prior to 1840, is at **Appendix C**).

62. We consider that diaries of the early missionaries, do not provide a full record of activities. These diaries are sources of much information regarding that era and the interactions with tangata whenua. However, we state that it is highly unlikely for any person to record behaviour or activities which would bring disrepute to themselves, or their sponsors, by future readers.

63. Early missionaries, sent by the Crown to 'educate the natives', were learning from and interacting with ngā whānau-hapū o Whangaroa. In this way the Crown and its agents were able to learn our language and tikanga, such as tuku whenua, the authority of women as kaitiaki whenua, and other taonga from our unique language and culture.

64. The missionaries and settlers at Kerikeri were central in these activities, and only certain Māori were favoured by them. However, the knowledge the missionaries gained was often ignored and misappropriated enabling capital land gains to be made by European settlers.

Tuku Whenua

65. Whangaroa claimants have drawn attention to the concept of tuku whenua, and evidence indicates that tuku was written in these earlier 'deeds of sale'.¹¹

66. Suggestions are made that original deeds were lost in a fire. It must be noted that almost 20% of Māori land in Whangaroa was alienated through these earlier transactions.

67. We believe that those who entered into these land agreements had the understanding of "tuku" gained from missionary teaching.

Mana Wahine – Kaitiaki Whenua

68. Many Whangaroa claimants have raised issues of suspicion that agents of the Crown have capitalised on land acquisitions through marriage to our tūpuna wāhine.¹²

69. According to our tikanga, whenua has traditionally remained as the kaitiaki responsibility of the female lines, and the hapū to which she belongs has perpetual authority over that whenua.

70. In common law the British subject Edward Gibbon Wakefield was tried and imprisoned for three years for his dubious marriage to a wealthy

¹¹ Ani Taniwha June 2013; Erimana Taniora G1; Ruiha Collier G13; Owen Kingi N15;

¹² Patricia Tauroa N12; Awhirangi Lawrence S15; Tahua Murray S21

heiress in England, and her possessions were returned to her and her family.

71. Ngā whānau-hapū o Whangaroa consider that all unions which resulted in European husbands assuming ownership of property, including land, which previously belonged to their wives, should have remained with the wāhine whakapapa line.

72. These assumptions of ownership have caused concern for whānau-hapū o Whangaroa, and they continue today.

73. We also draw attention to the common practice of rangatira to have more than one wife. This aspect of our tikanga enhanced mana and -hapū strength.

74. Christian teachings perceive of polygamy as a sin, and Crown legislation makes it illegal. We state that this description is not befitting of such marriages and brings dishonour to an honourable tikanga.

75. It was, and still is, common practice for unions to be formed to ensure that the children of those unions remained cared for by the whānau-hapū.

76. The European view of these children was that they are illegitimate and 'bastards'. We state that this description is insulting and brings dishonour to honourable practices.

77. We have kōrero that Europeans in Whangaroa, including certain missionaries, participated in polygamy and benefited in land.

78. The grievances above are hard to prove. However, with the limited time and resources we have had to investigate these suspicions, we hold that

the various points made, regarding land taken unlawfully through *tuku* and marriage, during this early period warrants further research.

79. In our evidence, we show how the Crown dishonoured the *tikanga* of our *whānau-hapū* structures by introducing policies and practices designed to suit a nuclear family unit, and individual capitalism. These have caused the break-down of our *whānau-hapū* systems.

Introduction of Alcohol

80. Our evidence is that our *tūpuna* protested against alcohol, for instance, *Te Pāhī* and others who had stated their disgust and repulsed the moral effects of alcohol.

81. *Kōrero* also tell of *wahine rangatira* who presented a letter to Queen Victoria, asking that *waipiro* be taken out of the Country.

82. Our claimants state that missionaries were endorsing the Crown's policy on alcohol during a period when Māori land is known to have been purchased with it:

We've got to get down to the nitty gritty - the enemy is the Crown. How did we lose our mana wahine over our whenua? Whenua of the tangata, control of our minds control of our whenua...to be able to provide kai, to provide to awhi, to aroha, manaaki the whenua, ma tatou ki te awhi nga manuhiri, the whānau, the hapū. We were disturbed and interfered with and that is how it impacted. Rum was a common thing. The tūpuna would rush over

*to [place and personal names withheld] to get the rum so they could bring it back here to our whanau we were not the only ones that that happened to but it happened here.*¹³

83. These impositions shifted traditional and political authority from wāhine to tāne.

84. In the years leading up to Te Tiriti, certain people were taught to read and write in Māori and English, and spread Christian values throughout Whangaroa. One of these was Henry Wahanga, who led Christian gatherings to a congregation of 60 in Pupuke up until 1840 when his wife died and he returned to Kerikeri. Another was James Waiapu, who lived with James Kemp for ten years. He was then sent to Te Tōwai where he led gatherings of up to 200, and helped build a home and church to settle Shepherd and his growing family at Waitangi. None of these people were from Whangaroa¹⁴.

85. These were the knowledge, skills, and tools that enabled land agreements to be negotiated, and put those negotiators in touch with leading Crown politics.

From 1840 to 1865

86. In the period immediately following the signing of Te Tiriti, there were two forms of land alienation administered by the Crown in Whangaroa, both

¹³ Tahua Murray, 29 – 30 July, Mana Wahine Wananga, Karangahape Marae

¹⁴ Margaret Williams, 13 October 2016, Interview by Robyn Tauroa, Kerikeri.

with devastating effects: Old Land Claims investigations, and Crown Purchases.

Old Land Claims

87. The investigation of 31 pre-Tiriti transactions resulting in the alienation of 40,000 acres of land. This relates to 18% of Whangaroa rohe, according to the Inquiry boundaries.¹⁵

88. By the understanding of tūpuna, both male and female had roles of authority. Also, the whānau-hapū collective had fundamental occupation rights on land, which could not be alienated while the hapū was strong.

89. These understandings were known by those pre-1840 real estate agents who made such efforts to learn our reo and tikanga, however this was ignored and inaccurately recorded as deeds of “sale and purchase”.

90. This leaves the integrity of all Old Land Claims in Whangaroa null and void.

91. There is no evidence that the Crowns intention of land tenurial reform was ever consulted properly before it was obviously too late. Through the process that did occur, the Crown retained 13,216 acres, thus granting a handful of early settler families the remaining 16,998 acres (See Map Two of Whangaroa Old Land Claims at **Appendix D**).

¹⁵ Wai 1040, #1.3.2., p.19

Crown Purchases

92. Through the Crown purchasing processes, a further 85,000 acres was acquired in circumstances that failed to properly identify owners. All of these transactions were facilitated by learned men, and in many cases those men did not have the mana whenua to do so. This relates to 40% of the land, which when added to land from Old Land Claims, shows that 58% was alienated by 1865.¹⁶

93. Among these Crown acquisitions was Te Pupuke ki Runga. According to ngā whānau-hapū o Whangaroa today, this purchase was never legitimated, and as such, a protest occupation was held over several months during 2009.

94. From the outset, Allan Heta, who led the occupation, agreed that he and his supporters would leave as soon as the Crown, or Juken NZ (who were leasing the land from the Crown at that time) could provide proof of sale.

95. Instead, carloads of police arrived to arrest the occupiers and demolish the camp. Their dawn arrival coincided with the welcoming of a new church building at Te Patunga Marae, the marae to which the majority of occupiers were affiliated, thus they found the camp 'deserted'¹⁷.

96. This leaves the integrity of all Crown Purchases during this period questionable.

¹⁶ Ibid.

¹⁷ Alan Heta, Personal Communicaitons

From 1865 – 1907:

97. The first Native Land Court Hearing in Whangaroa was held in 1867 at Waipuna.

98. By this time, with 58% of Whangaroa land alienated, hapū were being divided by an Anglicized Native Land Court system that continued to transgress tikanga.

99. Much kōrero has been submitted about the divisions caused by the Native Land Court process, and how it motivated families against families and siblings against siblings.

100. Even the European population of Whangaroa, were aware of the divisions this process was causing, with the following appearing in the newspaper:

*Magistrates seem to have been appointed more for political than judicial purposes, and in many cases, are as likely to embroil us with the natives, as to do us any good.*¹⁸

101. Evidence regarding divisions caused by those who were given false rangatira status in Whangaroa, or as being owners of Whangaroa lands, have been presented by various Whangaroa Claimants.¹⁹

¹⁸ J.W. H., *Grievances of Whangaroa*, Daily Southern Cross, Volume XXVI Issue 2458, 15 August 1868

¹⁹ Awhirangi Lawrence, S15; Bella Ulrich, G8; Iris Niha N16; Pairama Tahere, G17b, N20; Tahua Murray S21; Trevor Tupe, S24a

102. Such recognition has caused generations of division and unrest, particularly when there are records of meetings that explained that the transactions were invalid due to misrepresentation.

103. The rightful descendants ask - how did the legal system allow such false representations to be upheld?

104. Between 1867-1907 the Native Land Court processes resulted in the alienation of 90,000 acres. Some of this acreage was within the Mangonui and Hokianga regions.

Education Used To Assimilate And Alienate:

105. The following paragraphs describe the alienation of mātauranga Māori through various Crown policies and practices.

106. With over half our lands being alienated from whānau-hapū collectives, the next stage of Crown sponsored capitalism was to create a labour force so that the European settlers could better profit and benefit. What is necessary in this exercise of rule and order is to 'educate the natives', and change what they do with their time. For ngā whānau-hapū o Whangaroa this had been governed by maramataka.

107. We cannot present evidence around maramataka without describing the moons intrinsic relationship to the earth's movement around the sun, through the ages. Each night in the moons cycle around the earth, is named to identify different activities; each has special skills and tools, in respect of the natural energies at work.

108. Te Whānau Mārama were placed by Tāne when he raised the pillars of the world, so the maramataka thus connects us to everything, especially mauri - of the body, of the mind, and of the spirit. It is our calendar, our almanac, and our planning guide.
109. The experience and observations of our tūpuna developed the maramataka. These have been developed specifically for each rohe. From this ancient intelligence, we maintained successful governing ideologies, including the tikanga of kaitiaki, manaaki, whanaunga, and tohatoha.
110. Our maramataka begins at Puanga, the star seen before dawn when others are looking for Matariki at mid-winter. Puanga heralds the Whangaroa Māori New Year.
111. Maramataka awareness and intelligence, coupled with the practice of rāhui the prosperity and wellbeing of ngā whānau-hapū. The best practices for business in agriculture, forestry, fisheries, and labour management, complete with monthly and yearly celebrations, are described there. Not only is this knowledge anciently tried and true, but with an intelligent and reasoning mind, it has great potential for all current and modern day applications.
112. Mātauranga Māori from the maramataka is connected to wisdom and understanding that is as old as the earth, moon, and stars. Our traditions are that Taāe, Taāhaki, and others of their family, are the heroes to thank for these blessings, but they have been damned and suppressed with words like 'ignorant' and 'savage'.

113. This is as it was, until the arrival of the 'Commerce' sailing into Whangaroa Harbour in June of the year of 'the Lord' 1808. Like out of a fairy tale, the ships' captain dropped his "Atua" pocket watch overboard, introducing a different intelligence to this land, with a different view of the world, and a different economy of success.
114. Unlike our maramataka culture, this Crown supported culture holds reverence to heroic entrepreneurs, who find pleasure in profiting from exploiting resources. This is the spirit of capitalism, and nothing is found to be immune to it. Captain Ceronci promoted his time piece and also introduced a disease epidemic upon our tūpuna.
115. Korero informs us that the social economy of nga whānau-hapū o Whangaroa under a maramataka government was strong and healthy. Whangaroa had many trading posts both inland and coastal, with plenty to trade. In their time Te Pāhī, Hongi, and Titore, were rangatira traders from Whangaroa during the period around which He Wakaputanga was developed for international trade, and leaders behaved with sovereign power bestowing mana on their people.
116. Our traditional education methods and systems were interfered with in a number of ways as our patterns of behaviour, thinking, and interaction were prejudiced, and punished in schools, as well as other Crown institutions.
117. This era also entailed the beginning of Native Schools which became gate keepers for Māori into certain occupations (See Map Three showing locations of Native Schools at **Appendix E**)

118. Beginning a seven-day week system with worship on Sunday morning is the start of what it takes to make an industrious economy poised to capitalize sustainably on every situation. For children who must be at school on Monday morning for roll call where Christian and Roman leaders names have preferential place, and which were often imposed on children by teachers, this time is very influential:

My first day of school, they were calling the roll, and they called out Ow-high Ran-gee. We all looked at each other thinking oooh, we don't know that. Then they said it again. Ow-high Ran-gee. But this time, the surname, Pomana. Straight away the kids laughed. Oh my god I was in shock. So, I hated my school day. Hated the teacher. Hated school.²⁰

119. The new ruling time system meant that at precise minutes during each of the five school working days, bells are rung to keep rule and order. This also regulated when you were to eat, drink, and toilet. These policies and practices created many future alimentary tract problems for students.

120. Along with this type of education were other nefarious methods used by teachers and officials to make children (and Māori in general) feel inferior. To be successful in life, Māori were taught you had to behave, think, and have patterns of interaction like the Pākehā, that is, in the spirit of capitalism.

121. In school, children are taught what success means, and ways of achieving success. This includes how to manage your time and

²⁰ Awhirangi Lawrence, 29-30 July 2016, Mana Wahine Wananga, Karangahape Marae

resources wisely. Any departure from this line of rule is treated as deviant, and damned. The fear of God is often put into a child's mind through this type of education.

122. There is no evidence anywhere however that maramataka knowledge, and/or our telling of our history was ever mentioned at school, let alone being taught. This is an injustice to both our culture, and the ways of nature.

123. Particularly In earlier schools, themes were taught about a place called Hell, and the fearful Devil who lives there. That place is under the Earth, and the place of the damned. For the child who has learnt to respect Papatūānuku, Her family, and their natural world, this sort of education introduced a fear and mistrust of Her, and what Her family meant. They were instead being taught that Paputūanuku is where the Devil resides, and if you sin you will burn in Hell forever.²¹

124. The economy of Crown supported capitalism revolves around the yearly celebration of Christmas. Set aside as a day holy to the birth of the Saviour, people are conditioned to save their money and resources all year, to enable spending that shows a measure of success on this day. This is the day where gluttony presides, and a Saint can be secretly primed for personally desired choices – a great day for heroic entrepreneurs, and merchant bankers.

125. Starting with the employment of the agency of the Church Missionary Society out of the Colonial Office to “educate the natives”, through the Native School system, to our current education system which teaches the knowledge, skills, and tools of capitalism, is making fertile ground for

²¹ Ihapera Baker, Personal Communication, September 2016; Isabella Ulrich, Personal Communication, August 2016

corporate growth and greed alone. By these, and other supporting Crown policies and practices, both the maramataka and ngā whānau-hapū o Whangaroa are prejudiced and suppressed in almost every way.

126. As a result, a further assault from disease epidemics was introduced into our communities through the poor work camp conditions killing vulnerable children, and in several cases, closing schools.

127. Native School records, which often mention poverty and malnourishment of children, also show closures due to multiple deaths, as follows –

1902 Kaeo – influenza

1902 Te Touwai – typhoid

1903 Kaeo – influenza

1903 Pupuke – measles and influenza.²²

128. By the turn of the nineteenth century large amounts of land had been cleared and people from ngā whānau-hapū o Whangaroa were being employed, through necessity, on gum-fields and in forestry both within and beyond our rohe.

129. Our tūpuna suffered poverty and famine from the loss of whenua and resources, with several claimants providing evidence regarding the adults, and sometimes entire whānau and hapū, participating in the gum-fields, as one of the only available cash economies.

²² Education Department (1903), *Memorandum from James Pope Inspector General of Schools* – 13th May HE.1

1907-1945: Absence of Men and Suppression of Tohunga

130. By 1907, 84% of land had been alienated from Māori ownership.²³

131. During this era, there began a more concerted disconnection and absence of men from their women and children into distant work camp situations in order to develop Pākehā commercial interests. Employment for our men was in the dairy industry, agriculture, roads, railways and forestry, as well as war. Those Pākehā interests were not only around Whangaroa, but also in government sponsored land development schemes in other areas, for example Ngāti Pōrou.

132. With a more mobile workforce, and inventive mechanical systems, during this period a lot of land previously remaining untouched, was exploited for timber and farmland. That industrious zeal, without the mitigation and protection of tohunga who knew, clear felled the land indiscriminately. This huge effort also desecrated our most tapu of wāhi tapu, the burial places of our most venerated tūpuna.

133. 1907 and 1908 brought the Tohunga Suppression Act and the Quackery Act respectively, introducing a fear of traditional health and kaitiaki practices.

134. The following statements are made by Whangaroa claimants, in relation to impacts of the Tohunga Suppression Act:

The tohunga were the ones who taught the rest of us, how to practice caring for what was around us. The Crown have stopped

²³ Wai 1040, #1.3.2, p.20

*the Tohunga from teaching us; they've added to the denigration of what is around us.*²⁴

*We had two tohunga in Matangirau. One was recognised for his ability to collect rongoa and look after everyone. The majority of his practices were done secretly, although everyone went to him for their ailments. The other had the ability to do karakia for the water.*²⁵

*In that phase they were hiding, keeping their knowledge close, which helped to create a generational gap, a knowledge gap*²⁶

135. Ngā whānau-hapū o Whangaroa had renowned tohunga who were sought after for their ability to relieve suffering and impart knowledge. Generally, however, all people knew something about rongoa, and lived in warm, cosy, and easily repaired whare.

136. Tohunga were only being promoted for their knowledge of makutu, not for any of the beneficial healing and caring knowledge that they had. Therefore, whānau-hapū became fearful of seeking assistance. Our evidence is that this was largely impressed on us through the education system, whereby children were being taught that such practices were (superstitious) and evil.

137. An example of this, is the practice of whakamoemiti to enable a successful activity, clear the mind of distracting thoughts and open the

²⁴ Patricia Tauroa, Kaitiaki Wananga, 19-20 August 2016, Wainui Marae

²⁵ Awhirangi Lawrence, Kaitiaki Wananga, 19-20 August 2016, Wainui Marae

²⁶ Deborah Hill, Kaitiaki Wananga, 19-20 August 2016, Wainui Marae

way for our best focussed effort. Again, at the end, this ensures that everything is acknowledged and returns peacefully to its proper place:

*The first thing is karakia, an acknowledgement that there is an element there that needs to be acknowledged...an element more powerful than you.*²⁷

138. These strategies were suppressed and prejudiced, and our tūpuna were called 'superstitious' and 'primitive'. Now, these same strategies are seen as particularly helpful skills and are sought after in the modern-day work force.

Disease and Whānau-Hapū Breakdown:

139. Moana Wood recalled stories of Māori having to pick up their sick whanaunga and quarantine them at home. She also tells of police picking up whanau with Typhoid and taking them away – some were never seen again.²⁸

140. Tūrō Tepania and his wife spoke poignantly of their memories of these times, and the effects on their whanau:

The disease was called Parekura, epidemic. My father had died a couple of months before the epidemic so my mother was the only one alive.

Those days were poverty stricken. There was no work, nothing. So we lived on kumara, fish and milk. There were cows to milk.

²⁷ Patricia Tauroa, 19-20 August 2016, Kaitiaki wananga, Wainui Marae

²⁸ Moana Wood, 16 August 2016, Personal communication, Waipuna

They were living in Pinea at that time on the beach. My mother had to throw a line to catch a fish, feed one of them while the others had to wait until another fish was caught.

My father's sister was the first to fall ill, wife to Hone Paraone. Mother went down there to look after her. When she was getting better another one would fall ill.

You couldn't take the sick to the doctor. They had to be seen by the District Nurse.

If you were near to death, your family would not visit you. Our mother would go about visiting, she was a seer (matakite).

There were no grave diggers, it was the women, the girls and members of whānau instead that were the grave diggers. The cross erected there is a sign. So, if you see a rākau like that you knew there was someone beneath it. They are still there now to remind us of that sickness that many died from.²⁹

141. The following story demonstrates that children were not spared from prejudicial treatment:

In 1932, my brother Dobbie was 10 years old. He was taken to hospital with chronic asthma. The hospital contacted our father, and said there was nothing further they could do for him, and he

²⁹ Turo Tepania, 8 August 1995, Interviewed by Uru Heta and Pita Pangari, Waihapa (Te Reo Maori Interview translated and summarised by Anna Hotere)

*couldn't die there. When my father arrived at the hospital, Dobbie, a very sick young boy, had been left outside the door. My father put him on his back and started heading home. He found a place to light a fire, collected some rongoa from the surrounding ngahere, prepared it and gave it to Dobbie. All Dobbie remembers about the whole thing was our mother was calling out to them as they were arriving home.*³⁰

142. The following kōrero was shared by a kaumatua regarding his childhood experience of tohunga. His family had moved to Putaruru, and following a short stay in hospital his mother took him to tohunga from Whangaroa, who had also moved to that area:

I fell very ill. So too did my elder brothers Hare and Taitimu. We were diagnosed with tuberculosis and admitted to the TB ward of Waikato Hospital.

After being there for a month I was determined to go home, but I was still quite sick, so my mother said to travel to Rotorua to visit Kapi. I thought to myself "You keep saying to me, don't go see tohunga, go to the doctors. Now you're telling me to go see a tohunga"

The tohunga believed they were looking in the wrong place for the cause, that my sickness was in my hip. He told me I should return to my doctor in Hamilton and tell them to look at my hip. You don't forget things like that.

³⁰ Personal Communications, 6 October 2016

I returned and they removed a piece of my hip which was infected. I saw a different side to my mother whilst I was in hospital. It was a side I didn't like. I was near the lifts and each time I heard the lift arrive I'd get anxious. I could hear her from the lift chanting and reciting her karakia. I thought she was crazy, but I was the crazy one for even thinking that.³¹

143. This korero demonstrates the effects that the education system was having on young minds, encouraging rebellion towards parents and ancestor practices.

144. The Tohunga Suppression Act and the education system combined, severely disrupted the maintenance and transmission of cultural knowledge.

Land Issues

145. By 1930, the Whangaroa population was concentrated on the coast, the service towns of Totara North, Whangaroa and Kaeo, and inland farms.

146. Native Land Court decisions considered that claimed land was abandoned. However, hapū movements were integral to our kaitiaki rāhui and sustainability traditions, and therefore contradictory to the capitalist ideals being imposed:

³¹ Waihora More, Interviewed by Pat Tauroa, 7 September 2016, Te Tapui (Te Reo Maori interview translated and summarised by Daniel Kaio)

When our families moved it was a process of leaving that whenua, they were leaving it to heal. They went and lived in another area, while that happened. The Crown said – no one's living here – its' abandoned.³²

When our people were doing their maara kai they used to have a tohu, a rākau that they put in the ground. There were specific ones required for when he was to move the plantation to another area, he would take down and put it in the old garden, and that space was left. To us, it was protected until the next time it was used, and we moved to the new one.³³

147. This shows that the imposed legal system that defined our lands as abandoned, did not protect our people and the practice of rāhui, an integral part of our kaitiakitanga. The concept of rāhui, which according to our kaumatua 'has no Pākehā translation' will be presented further in later paragraphs relating to maramataka.

Education

148. Kōrero from Whangaroa throughout the memory of twentieth century schools, tell about how biblical themes, and European history, were taught according to the Julian-Gregorian day, week, month, and year calendar. Teaching this curriculum, in English, is still a major portion of the curriculum in mainstream education.

³² Patricia Tauroa, 19-20 August 2016, Kaitiaki Wananga, Wainui Marae

³³ Deborah Hill, 19-20 August 2016, Wainui Marae

149. Through the influence of Crown sponsored education leading up to that period, the younger generations were viewing their elders with disrespect, as they continued the practice of transmitting knowledge. These were meant to be protected and upheld by the Crown:

*The government of the day prescribed what we learned. What we have to learn and have to be taught in school. It's a form of control. Who of us has effectively buried the emotional scars that have plagued us during our growing up?*³⁴

*At school was where I really learnt about racism. It took me years to get over that feeling of worthlessness – absolutely years. No self-esteem. Just terrible.*³⁵

*I was going to school at Matangirau. My mother pulled us out because my sister Dolly and I had long hair and the teacher cut it off. She [the teacher] did that to a lot of families and the old people didn't like it because that is tapu, our hair is tapu and we are tapu. So we moved to Waitaruke and went to school there.*³⁶

Prejudices of Council and Rating

150. In 1887, the first Whangaroa County Council had been formed, established to develop infrastructure, especially roads.

³⁴ Isabella Urlich, 29 July, Mana Wahine Wananga, Karangahape Marae

³⁵ Parani Poata, 4 September 2016, Interview by Frances Goulton, Matangirau

³⁶ Meri Muka, 29 September 2016, Interview by Robyn Tauroa, Otengi

151. By legislation the right to vote in local body elections was linked to payment of rates which in turn funded road construction. While Māori are always shown to be in the lowest socio-economic groups in NZ society, the representation of nga whānau-hapū o Whangaroa on the Whangaroa County Council was absent during this period.

152. This created an opportunity for the prejudicial abuse by Councillors towards the interests of ngā whānau-hapū o Whangaroa. In the Whangaroa County Council minute book it records such abuse:

- On the 29th June 1891, Mr Henare King (Native) wrote to Council asking to be removed from the valuation register. In response, the Council agreed to remove his name, and *'all other natives names off the Council rolls.'*³⁷

153. Our research also indicates that, at a time of economic destitution, ngā whānau-hapū efforts to work for food were declined:

- 9 January 1928 – Letter stating that Māori were willing to give free labour (on Otoroa road construction) providing the Council supplied food. This offer was declined.³⁸

154. Our research indicates that Council road decisions were made to benefit Pākehā commercial interests while avoiding and undermining the economic capabilities of ngā whānau-hapū o Whangaroa:

- 9 Feb 1931 - A request for work to start on Wainui Rd, Wainui Bay and Huia Rd from Kaeo to Touwai to open up areas for

³⁷ Minutes of Meeting of Whangaroa County Council, Minute Books, p.99 (See Appendix F_

³⁸ Ibid. (pg. No. unknown – not included in photographs, See Appendix G)

development by Natives. The Council declined owing to low state of finances. At the same meeting, a decision was made to undertake work on the Whangaroa Road.³⁹

- 11 Apr 1932 – A request for work on roads to give access to the Native Settlements at Mangaiti, Pupuke and Matangirau. The Council considered they were unable to approve at present. At the same meeting, a decision was made to finance carparks and a gents loo in Kaeo, as well as metalling on other roads.⁴⁰

155. Furthermore, there appears to have been prejudicial decisions made regarding the wavering of rates when considering Council Annual Reports, however due to resource constraints we have not been able to quantify this statement.

156. While the impact on ngā whānau-hapū o Whangaroa from these and other Crown policies was a state of impoverishment in order to pay rates, living in fear of losing precious land was another.

157. In June 1929, the Whangaroa County Council were concerned with the new voting system that was being proposed which would allow Māori to vote, based on residence as opposed to land ownership. This confirms the Councillors ongoing discrimination, as they represented all residents and were fearful that Māori would potentially outvote Pākehā.

³⁹ R. Tauroa, Research Notes, Recorded during Whanau Project (See Appendix H)

⁴⁰ Ibid.

Crown Ignorance Of Kaitiaki Practice:

158. As is consistently proven, legislative policies and practices introduced by the Crown, have imposed the ideology of individual capitalism on ngā whānau-hapū o Whangaroa. The idea of 'ownership rights', especially over resources within the natural environment, to us is not only absurd, but also a violation of the social and moral values our tūpuna passed down. We find no evidence that our traditional interests in the natural environment were willingly conceded, or that those interests have been recognised or understood.

159. While the following kōrero describes the understanding between ngā whānau-hapū in regards to fishing, it is indicative of the understandings regarding all of our natural resources:

Whānau knew whānau, so you knew those whanau who were taught right from when they were kids. There are whānau that we know that still have that knowledge. For example, Orua-te-manu, was a common ground for all of the whanau to gather, also Te Ngaere, Wainui, Matangirau. There were unspoken rules while there.

When they saw that my Dad was on the water, they would row over, and have conversation about the maomao. If they were skinny, you couldn't go for the maomao; if they were fat, you could fish for them. That was the way of asking for permission.

*When you're on the water, it's different; when you are on the marae, different again.*⁴¹

160. The exploitative, damaging and degrading nature of capitalism continued exploiting and degrading our natural environment in Whangaroa. These are injustices to ngā whānau-hapū o Whangaroa and a disregard of any notion of partnership described in the Articles of Te Tiriti O Waitangi.

Social Impacts Of Deforestation:

161. By the whānau-hapū local management of natural resources, those resources were carefully passed from generation to generation. Our diet was varied from the forests, waterways, and sea, and there was very little disease amongst them prior to European introduced ones.

162. The effects of deforestation are such that we were being forced into a diet largely made up of glutinous wheat products, dairy, and red meat, with just about everything having sugar added.

163. However, one kuia from Matangirau distinctly remembers her father controlling their diet to exclude red meat and sugar, and the long-term benefits this has meant for her:

My father wouldn't let us eat meat. He had cows and calves and that but he wouldn't let us eat them. He used to say to us, 'No, it's

⁴¹ Awhirangi Lawrence, 19-20 August 2016, Kaitiaki Wananga, Wainui Marae

*no good for you. It rots in your guts'. And that's true. It actually is. Another thing we weren't allowed to have was tea, and sugar. No sugar....so I grew up not wanting sugar very much. I still have most of my teeth.*⁴²

164. The traditional economy of ngā whānau-hapū o Whangaroa was based on knowledge and education systems which passed on principles of sustainability, ensured by an adherence to maramataka, rāhui, and tohatoha. As mentioned in the previous section, these continued to be disrupted by Crown policies and practices.

Impact Of Whangaroa War Efforts:

World War I

165. From 1914 to 1918, 97 men served and 36 did not return to these shores.⁴³

166. Of those who did return, many were injured, maimed and affected by the gas used on those battle fields.

167. Private Edward (Ngaronoa) Samuels was one of those who returned to a place where he was no longer able to earn his livelihood as a fisherman, as access to his traditional fishing sites around the harbour were severely restricted by new ownership regimes.

⁴² Parani Poata, 4 September 2016, Interviewed by Frances Goulton, Matangirau

⁴³ Nathan, June, 2015, *Whangaroa Roll of Honour and List of Returned Servicemen WWI* (See Appendix J)

World War II

168. Between 1939 and 1945, 79 men served and 30 did not return.⁴⁴

169. Some areas of Whangaroa were acquired for defence purposes. Two of these were Otengi, now known as Radar Hill, and Oheia, now known as Kingfish Point and evidence has been presented by claimants regarding both of these areas.

170. Of interest, however, is the treatment of one kuia who had purchased a section at Otengi some years ago, when she approached the Council for information some years later:

*The Crown took this place. It was an Air Force station. The Crown took it but when they finished with it, they sold it. When my husband and I wanted to come home it was on the market so we bought it. We had difficulty with the Crown because they said it still belonged to them. We had bought it and we owned it, but they said they had title shares. It had been sold after the war and there were two or three owners before us. It was really a mess.*⁴⁵

From 1945 to 1991: From Gumboots To Patches

171. In 1945, the Whangaroa population was 2428, of which 1325 (54%) identified as Māori.

⁴⁴ Nathan, June, 2015, *Whangaroa Roll of Honour and List of Returned Service Men WWII* (See Appendix J)

⁴⁵ Meri Muka, 29 September 2016, Interview by Robyn Tauroa, Otengi

172. Soon after the ravages of WWII, the aim of the Māori Social and Economic Advancement Act 1945 was introduced to provide a form of tino rangatiratanga and work in partnership with the Crown, by establishing devolved governance through Tribal Executives and Committees.

173. There were seven Tribal Committee Areas gazetted in November 1946 – Akatere, Otangaroa, Waitaruke, Pupuke, Matangirau, Wainui and Whakarara.

174. Mere Apiata explained that the Whakarara Tribal Committee considered all types of justice issues – from adultery and assault, to animals encroaching into gardens. A complaint would be lodged and it would be dealt with by the committee. A type of court would be held, and they would interrogate the person or persons, and the witnesses to get the facts and act accordingly. When someone was found to be guilty, the person or persons, justice was meted out accordingly.

175. Mere Muka's explanation of the Matangirau Tribal Committee is similar, however she also mentions police involvement at times, and an eventual prohibition of magistrates holding Land Court hearings within the marae -

If there was a raruraru, the kaumatua would say come to the marae and we will talk about it. People used to gather together and talk about it. Sometimes the police were there, and the old people would talk about how they can do better things. They

used to have a taumata and they used to gather together now and then, from Pupuke, Matangirau, Tauranga. They used to take a lot of the land issues to the marae and the Judge used to come there. Sometimes they had a court case, but then the kaumatua stopped it. They said to the judge “when you come into the marae, we are the boss. Don’t come and lay your law down in front of us. We will lay our law in front of you”.⁴⁶

Up until the early 60s we all had responsibilities, and we were all expected to be responsible people, and that’s what the demand was. When you stepped out of line, there were consequences. Life was not easy. It was highly disciplined. Everybody had a responsibility. The respect was enormous.⁴⁷

176. Whangaroa rural Māori communities continued to be able to sustain themselves on the lands still in our possession and housed on small plots of multiply-owned land. Self-sustenance was achieved by growing and harvesting from the lands, sea and waterways, with cultural practices continuing to a degree, in the traditional collective manner.

177. Predominantly ngā whānau-hapū o Whangaroa were isolated from the main road infrastructure. Upper Matauri was an exception which was serviced by a road constructed for the Lands and Survey Farms on the Tipene Tablelands. Also, Pupuke-Mangapa, where a bridge had been constructed through an indemnity agreement between the Council and central government in 1929 (which disadvantaged Māori cream-can

⁴⁶ Ibid.

⁴⁷ Anaru Kira, 19 August 2016, Kaitiaki Wananga, Wainui Marae

farmers).⁴⁸ That road was maintained to serviceable degree for farming and forestry. The remaining rural Māori settlements continued to be neglected.

178. Everyone had jersey cows, and konekes (sledges), and supplied cream to the local dairy factory, which also provided employment for some, who would either travel by horse over the trails, or find lodging with relations nearer to the factory.

179. Whānau also continued to exchange foodstuffs and materials between whānau-hapū in other settlements, as they had done for centuries.

Kumara was important. As little as we were, we knew it was our food source. If you run away, you don't get any tea that night. We all used to follow behind each other - one made holes, one plant the kumara plants, and someone would follow with a can of water, and another would go behind and cover it in. Everybody [in the valley] did it at the same time. My grandfather would have a karakia at the gardens. No fences. No possums. Pukeko, they were a nuisance. When they dug them up, we used to go along and pick them up and separate the big ones from the little ones, the miha. We did all this by maramataka.

Fishing with grandad, he used to show me the places we were not to eat, because it is tapu. We all knew not to go in these

⁴⁸ Terry Tauroa, N1

*areas. We could ride past but not go there. My grandfather would then send me on the track through the bush to Te Huia with fish for the kaumatua up there - Pouri and Pomana. On my horse it takes about an hour. Pouri would give me meat to bring back.*⁴⁹

Effects of Education and Urbanisation on Kaitiakitanga:

180. As in the evidence of Eric Hikuwai and others, this lifestyle was to change dramatically, particularly following the visit of Government politicians and bureaucrats. Their role was to motivate our whanau to leave what land we still possessed and move to the Pākehā economic powerhouses called cities, with promises of increased employment, education opportunities and better housing.

181. That motivation was accelerated with Crown-sponsored policies, such as the changes to the dairy farming industry, which included the closure of the local dairy factory, changes to the housing policies that deferred any construction in areas isolated from employment and education. As well the introduction of the 1957 Marine Reserves Act which effectively banned customary entitlement to collect kaimoana from the nearby harbour and coast.

There were the oysters. We always had to hide because we weren't allowed to eat them. So, if we see a boat we hide behind the rocks, all of Matangirau were brought up that way. Evidently, there were restrictions, but that was our food.

⁴⁹ Meri Muka, 29 September 2016, Interview by Robyn Tauroa, Otengi

When the dairy factory closed, my mum got a job cooking at the Marlin Hotel. The trucks picked up the cream and took it to Moerewa. That was the amalgamation. The little farms started to close down. It was the bigger farms that were benefiting. All the men and families started to go to Auckland and to Moerewa to live. They had the dairy factory there and the freezing works, and on the railways.⁵⁰

I can remember living at Whangaroa, going down to the beach, there with a colander, and picking some kokota for my dinner. Two guys walked by and called out to me 'how many have you got?'. I held my colander up and said 'go catch the real thieves' and I just continued.⁵¹

I was born in 1960. It was part of this huge migration of people leaving the valley, huge families having to leave. I was a little child, and my memories are - we're all crying and we're hugging our families because they all had to leave. I'm not sure why but they're all crying with us. It impacted on our valley, this whole valley. Nobody was exempt by what was going on.⁵²

182. In Whangaroa, households were predominantly grandparents raising grandchildren, so much that Pupuke became known locally as 'Mokopuna Valley.' These grandchildren however, were raised learning the responsibilities of kaitiakitanga for their elderly:

⁵⁰ Ibid.

⁵¹ Isabella Ulrich, 29-30 July 2016, Mana wahine Wananga, Karangahape Marae

⁵² Awhirangi Lawrence, 29-30 July 2016, Mana Wahine Wananga, Karangahape Marae

We were brought up knowing we were kai tonotono, so we were spread out in the valley to help the old people. That was part of our role as mokopuna in the valley. Climb the trees to pick the fruit for preserving...empty the potty for our old Hori and Emma Pou. They were really, really old, and she was blind. That was my job before I went to school. My sister had to cook them breakfast, my other sister used to wash the clothes. My brother milked their cow, collected water, and wood for their wood stack. To me, that's part of our tikanga and our practices.⁵³

We grew up with my grandmother. She taught us the rights and the wrongs from her bed - how to look after ourselves; how to cook; how to do all sorts. She used to send us to the bush to get kohehohe because she was crippled from rheumatics. We knew where it was. When we were woken up about 3 in the morning - it was a special time for gathering. It was good for rheumatics. My mother, she's learnt from her mother and grandmother Marara how to go to the bush and do this. She taught us how to get the bark off the tree, to dye the nets, to strengthen them. Then there's the hoihere (lacebark) they used for making poi, clothes, cloaks and things like that. This is why I see how important our bush and our whenua for us.⁵⁴

183. Without realizing it, these children were also being schooled in traditional kaitiaki knowledge, as a normal part of simply living. Such practices as cleaning the rocks after harvesting tio to ensure their continued

⁵³ Ibid.

⁵⁴ Meri Muka, 29 September 2016, Interview with Robyn Tauroa, Otengi

regeneration, and using puha as an antiseptic rongoa for cuts, were taught and practiced as being vital to the maintenance of our well-being.

184. This is an area that deserves further research to understand practices that can be applied today. This research would include investigating what native medicinal plants are being patented by foreign pharmaceuticals preventing their use by Māori.

185. The Eurocentric view of success is largely measured by a financial economy, and time is spent wisely being regular and precise using a 24-hour system. Children are taught special skills and tools to make capital gains from raw materials as an individual consumer. This implies to the child that everything is to be exploited wisely 24 hours a day, and for at least 6 days a week, although these days even the sacred Sunday has been enfranchised for profit. Today, even duties from the sale of alcohol is profited by the Crown on a Sunday.

186. By maramataka governance, society is taught to respect and care for all things, and to share. However, by the time and calendar system and their related institutions and practices, supported and sponsored by the Crown, it seems that every day is for profitable exploits, and gains that are for the self alone.

187. Many Whangaroa claimants record how they were channeled as children by the education system into occupations which ensured the financial success of Pākehā interests alone. In conjunction with land ownership issues that stopped them at the bank, they were left with no choice but to rent to a landlord. At Christmas, the food bank for Whangaroa whānau operating from Te Rūnanga o Whaingaroa is overwhelmed and insufficient.

Environmental and Economic Degradation:

188. Our kōrero and written records inform us that while we practiced our value system te taiao passed from generation to generation pure and unsullied. Dr Garth Cant's report concerning the Crown's sponsorship of mass deforestation amply illustrates the Crown's involvement in the degradation of te taiao.

189. What we support that evidence with, is kōrero which explains how land and resources which once supported the livelihood and wellbeing of many, has been restricted to the profit and pleasure of the settler communities at the expense of ngā whānau-hapū o Whangaroa.

190. In the fullness of time guiding principles from maramataka knowledge ensure that there is respect in the use of shared resources, and that neither employer, employee nor their sources are depleted, degraded, or unfairly distributed.

191. In the living memory of ngā whānau-hapū o Whangaroa, are promises that Crown policies and agents have made, offering economic developments that would benefit them and their descendants. Consistently however, these offers have resulted in impoverishment, alienation, and the degradation of the environment. Following on from the degradation initiated by native-timber milling, gum-digging, and farming practices of the previous periods, then came marine farming and pine-forestry.

192. Victor Heke recalls his parents talking about a meeting in Whangaroa, where they had objected to the oyster farms when they first appeared in our harbour, as they were going 'to ruin everything'. Their fears however, were acquiesced by promises of employment.⁵⁵ As has been presented in tangata whenua evidence, such employment was low-skilled, mainly casual, and was eventually brought in from other areas.

193. Victor explains that, during the early 1970's, our people also objected to the planting of pine forests. Not only were they aware of the damage to the environment it could cause, but as little as two generations earlier, tupuna had spent decades clearing and fencing the land for farming, even though the farms were balloted to Pākehā. Again, they were encouraged by the promise of employment and future forestry asset development. None of this has come to pass as forestry companies soon employed workers from outside the area, and continue to do so, as well as preventing whānau-hapū from accessing their traditional resources.

194. Several farmers facing the challenges with dairy industry changes, and poor housing and isolation, accepted the attractions of urbanization, sweetened by the offers being made by forestry companies, and joined the urban migration.

195. The photograph at Appendix F shows a Maori owned property at Rautahi which illustrates this point.

196. What remained of forested 'scrub' land was roller crushed and then set alight. In places, such as Umukiwi this involved surrounding and burning

⁵⁵ Victor Heke, 14 August 2016, Interviewed by Robyn Tauroa, Tahaawai

areas traditionally used and known to have high populations of kiwi.

Unable to escape, their screams could be heard from a long distance.

197. Victor also describes how the men were ordered to destroy the huts of earlier settlements in previously forested areas thereby denying evidence of pre-occupation –

There's a waterfall and the hunters used to camp in the huts there. We were sent up to have fire practice on the huts and burn them down. It was sad because our great great-grandparents used to camp there. That place was part of us. But we were doing exactly what we were told. About 70 people were employed for 14 years in the development of pine forestry in the Omahuta Forest. They gave us the idea that when we planted it, it was going to come back to us. Then it closed down. Everyone was made redundant and then the big contractors came in and brought their own workers and machinery.⁵⁶

198. Deborah Hill remembers as a child in 1950's working with her whānau to fence off an area of the Otangaroa-Waihapa Block that had been traditionally used for gardens. This had been beside a small stream running out from the ancient native forest, downstream from which was an area called "Te Matoki", the nesting place of birds by the same name.

199. The forest has now long been stripped and turned into farmland. The stream is many times its original volume without the forest to absorb it, and the old fence posts are barely visible being only 2 feet out of the ground from sedimentation. Consequently, Matoki no longer have a

⁵⁶ Victor Heke, 14 August 2016, Interview by Robyn Tauroa, Tahawai

place to nest on this type of ground and have not been seen or heard for many years.

200. Map Four (see Appendix K) illustrates Te Matoki and other known breeding grounds lost through Deforestation.

201. The relationship between Tane and Tangaroa has been mentioned by others, such as Moana Wood, Frances Goulton and Patricia Tauroa. The following extracts provide evidence that these relationships continue to be honoured:

In terms of the rākau selected for the Whangaroa waka. The first kai up there, it had to be from the sea. Going into the forest, the first kai had to be fish. The karakia wasn't just acknowledging the tree – it was to the manu and insects – the inter-dependence of one creature with another, one element with another. Those are the things that sadly we have to stipulate because it's been taken away from us. There are very few who know what those practices are now.⁵⁷

202. Over the course of our research wānanga, a number of examples of Kaitiaki were shared by Whangaroa whānau, some with explanations pertaining to that particular area or hapū, and all indicating the importance of these relationships that sustain our well-being;

- Tuna - ensuring our waterways are kept clean (several hapu mentioned these in their awa, springs and waterfalls, e.g. Touwai, Te Ngaere, Waihapa.
- Fantail – bringing a special message when they enter whare

⁵⁷ Patricia Tauroa, 9-10 September 2016, Social Impacts Wānanga, Te Huia Marae

- Kaukau – Whangaroa name of Ruru
- Kawau – providing different messages dependent on their location
- Dolphins – when they come into the harbour, there is a storm coming
- Pāpapakura – for Ngāti Rangi
- Whai
- Tohora
- Weta
- Lizards, gecko

203. In addition, numerous features of our landscape are presented as kaitiaki by ngā whānau-hapū o Whangaroa. The following is an example, demonstrating the continuing reluctance of non-Māori to accept indigenous knowledge, until it has been proven by Eurocentric Crown sponsored science:

We have two toka that are kaitiaki of the koura - Motueka nui and Motueka iti. That's where they come in to breed. They've got a place there where they lay their eggs. We go there to fish for them. We still do today. Some years ago, they wanted to make the place into a marina. They were going to blow the rocks up. Our people knew that that was the special place and they objected. There was some research done that showed that it was a big hole, the breeding ground for crays.⁵⁸

⁵⁸ Hone Haare, 20 August 2016, Kaitiaki Wananga, Wainui Marae

204. In recent times, we have had nga whānau-hapū o Whangaroa protesting the Crown's attack on our traditional economy and socio-political structure, attempting to live by maramataka, tohatoha, whānau-hapū decision making, and the produce from land and sea.

205. Mere Apiata and Kevin Samuels were amongst a few Ngāti Kura whānau who chose to assert their tino rangatiratanga by learning and applying the maramataka in their daily lives. When the group started, they were guided by a tohunga and they exercised the practise of bartering and trading of their goods & produce, in lieu of money as best they could.

206. Whānau were welcomed to participate and exchanges took place with surplus from both garden and ocean harvests for a wide range of materials such as building materials, timber, roofing iron, machinery, implements and equipment. However, the gardens were on incorporated land (a government entity) and managed by a committee of management who ordered them to cease all cultivations on the land. An injunction was sought -they were charged, arrested and incarcerated for 'injuring the land.'

207. When asked what they were doing to damage the land, Kevin explained it was nothing whatsoever to do with damaging the land, it was about survival. Customary traditions and practises utilising nga taonga tuku iho i.e. te maramataka me ōna tikanga i runga te whenua me Tangaroa.

208. Today Mere and Kevin talk about being jailed

It was a journey that affected ourselves, our whānau and the hapū, we were jailed for growing KUMARA!

I am the 5th generation working the same garden as my tupuna whaea Rawinia Tamati Ho did. It was a special revelation to me, so I felt safe, secure and strong in knowing this. In keeping with nga tikanga, all our mahinga and kainga noho were acknowledged and named through nga maunga

On following maramataka, it clashed with the 'Christian' practises we had become familiar with thru colonisation. For example, a few times the planting phase included planting on a Sunday. Our kaumatua/kuia attending church service did not approve hence the clash between European religious concepts and that of tangata o te whenua.

One of the biggest things for me when we came out of prison was realising how much mamae my children were carrying. It was New Years' Eve 1995 and I was shopping in town. We came across an aunty to which my girls wanted to avoid (in their eyes she was one of those that put us in jail) I had to prove to my girls that we had to get on with each other and we were all whanau we need to shower aunty with love, and we did. That was one of the proudest moments as a mother. Today my girls talk freely with their aunty. That was one of several experiences on this journey of self -determination to take us back to a better future for our people and to understand who we really are there is no one else

above us we are tangata o te whenua with gifts we can koha to Papatūānuku for the betterment of mankind.⁵⁹

209. Like so many whānau hapū o Whangaroa living near the once abundant and fully accessible coastline, they have been restricted and constrained from practising their customary rights to sustain themselves. That disdain is echoed throughout the region as our rights have been overtaken and imposed by Crown policy that favours the commercial sector –

Our ability to go out and harvest for our whanau, and our tangihanga I see a lot of commercial fishing boats out there. They supply and satisfy the commercial sector and here we are as tangata whenua we've been restricted, so, we have been forced to go to these supermarkets and stores to survive as far as our kai is concerned.⁶⁰

Land Amalgamations and Abandonment

210. The Crown supported thirst for Māori land seemed unquenchable, and many people alive today remember the shame of losing land, and living with the fear of unpaid land rates. People often went hungry to be able to pay land rates from meagre incomes, and sometimes land was lost at the shop to make it easy to pay for items that had been made necessary in the Crown imposed economy.

⁵⁹ Mere Apiata, 16 August 2016, Interview by Robyn Tauroa, Parakohe

⁶⁰ Kevin Samuels, 16 August 2016, Interview by Robyn Tauroa, Parakohe

211. In May 1960, a *NZ Herald* report outlined the 'abandoned land problem' as being caused by multiply-owned Māori land, and share-holders living elsewhere demanding shares of any profits that the farmers working the land were creating. The Whangaroa County Clerk of the time informed the *Herald* that almost all Māori farmland in Whangaroa was uneconomic, and 20% of rates demands to Māori were returned 'address unknown'. Ironically it also noted that 90% of rates were paid by cream cheques, and therefore when the cream supply stopped, the County virtually ceased to collect rates.

212. Soon after, J.K. Hunn, of the Department of Māori Affairs, visited Northland, meeting with Māori farmers whom he asked to cooperate as the Government were seeking potential answers to the problems confronting them. His message was that the Government was to develop Māori land, and increase the amount of productive land.

213. Hunn's itinerary included a visit to Kaeo, where Tom Shepherd spoke on behalf of the Otangaroa farmers, saying that Māori will continue to leave, as there were two main problems that needed solving – the lack of freehold title, and the lack of capital required to develop the land. Both required changes to policy and legislation.

214. However, the supposed cooperation sought was false, the responses from Māori went unheard, and Hunn announced that "The future for Māori lies in industrialisation, not farming."

215. The urbanisation policies were effectively evicting people and destroying their settlements around Whangaroa. Patricia Tauroa remembers

coming home in 1962, after four years away, and Waitaruke had basically been wiped out. The occupants had been shifted out and all their houses pulled down.

216. The following korero, from Nola Stewart, refers to evidence submitted by Michael Williams in relation to the eviction from bachs' at Te Ngaere:

When I read Mickey's brief of evidence, it triggered a memory for me, a memory I thought that I had carefully put away all those years ago. Several times since I have revisited and rehearsed that day over and over again. It is etched clearly in my mind, and it still has the potential to make me feel uncomfortable. For my grand-parents I feel a great sadness. It should never have happened the way it did. Each and every one of our family were affected in different ways by it.

It took place over 41 years ago, in 1974. My grandparents, a grand aunt, their niece and her whanau, lived in two Whangaroa County Council bachs on the foreshore at Te Ngaere, the ancestral home of my grandfather.

After having spent many years living and working in Kaeo, my grandparents decided it was time to return to Te Ngaere. My grandfather had purchased a building from Tauranga Bay and was in the process of moving it to their old homestead. It was a work in progress.

My grandparents were two elderly people in their 70s and 80s, living solely on the Penihana (benefit). They had a grandchild in their care which meant that progress was slow. Living in the baches meant they could save money so they could afford to get the house they were building up to living standard.

This was from a generation whereby what Pakeha were doing was never questioned, not their motives, their actions nor their beliefs. To us, their laws were to be obeyed at all costs Even if it meant it was going to be harmful.

My grandparents were told they had to get out of the baches, as they were going to be pulled down. We were never told why they had to get out. They could have waited for my grandfather's house to be finished, things would have been a bit better. Certainly, it would not have been so hurtful. They were not hurting anyone and it wasn't as if the council wanted to build on the land.

It was then that my father came home extremely agitated and upset. He was employed by the Whangaroa Council Council and had been told that they had a job to do - to demolish and pull down the baches at Te Ngaere. He told me one day, the following morning the council arrived to pull it down. He didn't show up for work that day.⁶¹

⁶¹ Nola Stewart, Personal Communication, 27 October 2016

217.Kōrero regarding struggles that whānau-hapū faced regarding rates payments, including rates arrears for those wanting to clear debts, follows:

*Upon my return, I learnt there were a small number of rates due. I became mounful to the laws that were in place, the rates and rates system. You had to pay five years' worth of rates, and you could not ask for any less – it had to be five years' worth. That is a very big problem.*⁶²

218.Whilst we have not been able to ascertain the amount of lands that was taken from ngā whānau-hapū o Whangaroa removed in lieu of rates, and assumed abandoned, it has been an ongoing concern that several families of Councillors have, over the years, acquired such lands.

219.These suspicions are exacerbated by Council policy that enables lands to be advertised as 'abandoned' after three years of unpaid rates, and returned mail.

220.Properties in the following areas, have specifically been mentioned by ngā whānau-hapū o Whangaroa, in regards to this matter -

- Kahoe
- Mahinepua
- Omaunu
- Te Ngaere

⁶² Waihora More, 7 September 2016, Interviewed by Patricia Tauroa, Te Tapui

- Totara North
- Waiare
- Waihapa
- Waihuka
- Whangaroa
- Upokorau

221. Attempts have been made to research these concerns, however the information required to reach conclusions is expensive, and the records are restrictive.

222. We ask the questions – Were these lands sold to Councillors? If they were resold, why did Māori not receive a share of the sale prices?

223. We consider that this requires further research.

Whangaroa initiatives

224. Many initiatives were conceived of and initiated by ngā whānau-hapū members. Consistently though, obstacles and legislation have been used to take those initiatives away, only to find that they have been used in other places to benefit other populations. Slowly but surely Crown supported capitalism has reduced Whangaroa to its present state of health and economy. This is no secret, as history and the news has been filled with negative perceptions of ngā whānau-hapū o Whangaroa since the mistreatment of our tupuna and the unfortunate burning of the *Boyd*.

225. A housing program proposed by Te Rūnanga o Whaingaroa in 1999 following the deaths of four children in a house fire at Matauri is one such initiative. The proposal was sent by Chairperson to Taitokerau MP Dover Samuels and Housing NZ to address housing needs.⁶³

226. The outcome was that substandard housing is still being repaired, and Housing NZ decided to work with Te Rarawa Rūnanga on other developments as 'Whangaroa is too small'.

Capitalist Attack On Whangaroa Health And Integrity:

227. The Crown has sponsored the introduction of some of the most addictive and physically and morally degrading substances known. In effect, duties from the sale of alcohol, sugar, and tobacco, as well as taxes from the sale of privately owned land, have been used to fund a capitalist administration at the expense of our health and moral integrity.

228. Whangaroa Māori communities are hugely affected, as our teenagers leave school poorly educated. When able to find employment locally, it was (and is) low-skilled, low-paid jobs, mostly seasonal and casual, and with very little knowledge of financial management.

229. Therefore, in an environment where alcohol and tobacco addiction were high, and financial incomes were low, it was the mothers and children

⁶³ Patricia Tauroa, Personal Communication, 2 October 2016

who suffered the most, especially being isolated from social and health services.

230. Dawn Franklin, now a grandmother, shared her personal story, outlining her upbringing with her grandparents, the social structure that supported her, and the decisions she had to make in later years when, as a young mother she became affected by alcohol. What was happening was in conflict with the principles she had been taught:

My grandparents were Ngahoro Puru Paora and Hena Timoti Hohaia. I called them Mum and Dad. No disrespect to my mother, Tangiora Timoti Hohaia. I called her Mum too. The number one thing Mum and Dad tried to show us, as their mokopuna, as their tamariki, was the essence of how very, very important the roles of being a mother and father are. I say that very reflectively, because when I had my children, a lot of people drank here in Matangirau. So my mamae was because of the alcohol and all the other things that went with it. It was being disrespected, being trampled on. I was so tired of being a home alone mother. There were lots of implications - how were we living? What were my tamariki missing out on? I'll never forget my grandmother's words. I said "Mum, what is going on here?" She just said to me, "You know kotiro, once upon a time our men would fight to the death to protect the family. They would be out hunting for days and fishing. That was our men. But they came and took away everything that they stood for. That took their identity, that took away their mana. It took away their role." So, I went out to mahi.

Not because I wanted to, but because I had to. I'm going to say forced. They force women out to mahi. The system that our grandparents had years ago, was that we all awahi each other. This system doesn't benefit us. It benefits those people up there. We are just their pawns, their tools. They knew exactly what they were doing when they brought the system here.⁶⁴

231. As if to rub salt into a horrible wound the Crown legislated to keep pubs open till 10 o'clock at night. Many of us remember only too well the degrading effect this has had in our families –

I remember vividly the change to our whānau that we endured because of 10 o'clock closing. We were only children at the time, mostly I remember dad not being at home until late. Access to alcohol and the abuse that resulted from too much consumption had a devastating effect on our whānau, being the source of much anxiety for our mother and ourselves. My brother and I have talked this through and we know it remains for us to continue to heal from that hurt.⁶⁵

Birthing Practices

232. Our tikanga and knowledge included pregnancy care, and preparation of women for child-birth, and nursing. Robyn Tauroa presented evidence of how three generations of young mothers with un-born or new-born babies in her family have been lost, we point out that the practices

⁶⁴ Dawn Franklin, 30 July 2016, Mana Wahine Wananga, Karangahape Marae

⁶⁵ Frances Goulton, 30 July 2016, Mana Wahine Wananga, Karangahape Marae

surrounding their care and support, were commonly known within whanau and the transmission of this knowledge had been totally disrupted by Crown impositions.

233. Our elders, both male and female, spoke openly about conception and the development of their descendants in the whare tangata, with things like mirimiri specific to pregnancy and child-bearing, and how these practices were the responsibility of whanau. Specifically, trained people included both male and female.

234. Uru Heta and Tūrō Tepania told how preparation was the key. If you were ready and the time arrived, everything would be alright. In those times, they knew if the baby was going to be a boy or a girl. No matter what hour of the day, they knew. They would go to work and know when baby is due and come home; they knew. When it came to that time, there were no worries or concerns. Nowadays, babies are born wherever, in the plane, in car, everywhere. Therefore, there is no longer any knowledge of this time. The cultural knowledge of raising the baby as if they were still in the womb has been ignored and prejudiced.

235. Tūrō also talked about his wife birthing all their grandchildren at the house of Aunty-Ngawini. She had said to his wife, "This is the pathway for you, you will take this on." After that, she did all the birthing. She was very careful with the birthing, of welcoming new babies into this world. If someone was hapū, she would know if the baby was a boy or girl, even if they were twins.

236. Uru Heta explained the expected arrival of their first mokopuna, and how the doctors had said one thing, advising when the baby was to be born. The doctor was incorrect. and his wife was right, down to the baby being a girl and the week she was born. He lamented that the whānau have turned to the doctors as being the main problem. His children were listening to the doctor and believing in the machines of the Pākehā, and although the machine is for the kikokiko - wairua cannot be seen.

237. Huia Walters shared how her father helped her mother bring her and each of her 12 siblings into the world:

My mother had an Auntie who was a tohunga, Te Aue Shepherd. She was teaching my mother how to be a tohunga. Out of 13 of us only three of us were born in the hospital. Dad did the births. She told him what to do with the baby. There was karakia at the start, and the end. Dad took all the afterbirths and everything away, in Tipene, and buried them.⁶⁶

238. The experiences of some mothers being taken to hospital was traumatic, with some not even knowing why they had to be taken there:

My mother made such an issue about me being born in a hospital. She was traumatized, because it was the first time she was exposed to a clinical forum. We've got a big family. Prior to

⁶⁶ Huia Walters, 20 August 2016, Kaitiaki Wananga, Wainui Marae

*that, she had her babies at home, and had the support of my dad and Aunty Mautini. They had their own practices around the birthing*⁶⁷

239. Adding to such individual trauma, the following evidence suggests that there was attempted genocide by deliberate and unconsented sterilization of women and newly born baby girls, which included a number of Whangaroa women:

*In January 1981, I was having another baby. I hadn't had anything to do with the maternity side of the [Whangārei Base] hospital for a while. We were in the neonatal ward because she was born with foetal malnutrition. An older nurse, who had delivered my older kids, whispered in my ear - "All the baby girls of Māori descent, they're trying to treat to be sterilised." The head nurse on the neonatal ward was deadly against it. But they weren't doing it, the paediatricians were – Dr. Beazley. The Pākehā women that were in the nursing home were aghast it was happening. I started looking into it, and it seemed that Dr. Beazley was also injecting the mothers during labour.*⁶⁸

Practices surrounding Care and Burial of Tupapaku

240. Deborah Hill had also been raised by her grandparents, whom she refers to as her parents. In her 2014 evidence she spoke about being taught

⁶⁷ Awhirangi Lawrence, 29 July 2016, Mana Wahine Wananga, Karangahape Marae

⁶⁸ Deborah Hill, 9 August 2016, Interview by Robyn Tauroa, Komene

from an early age the tikanga surrounding the care of tūpāpaku, and the prejudicial treatment experienced by her whanau when carrying out these practices at Whangaroa Hospital. She continues sharing some of those practices here:

The tree was specifically selected. If there was a whakapapa in that tree, it was seen by the tohunga. It was relevant to the tūpāpaku. Blessings were asked. Not a chip from the chopping was left to rot upon the ground. It was put aside and ceremonially burnt. Everything was done with reverence – speaking to the atua. The trunk was treated, so that it would either sprout again, or sprout into the realm of the things around it and in time it would be petrified. That was your sign that you had done it right.

When we took the tūpāpaku back, my mum and dad always made sure we followed the trails of the tupu whenua. It wasn't on the roads we have today. You can't feel those vibrations. We went through the ngahere. Without the ngahere you can't take them on their true path - past their people, past their tupuna. That's the true meaning of tupu whenua to me. The mamae is that colonisation brought their teachings.

When a woman ate kukupa, it was food for the spirit. Oil of the kukupa is one of the most healing oils out of all of the fowl. For the women, it strengthened, protected and preserved her body so that she could come and go freely between the two worlds. For a man it was generally given when they were dying, because it was

*the spirit world calling them. That's why even today, our old people know when they're going. It's a sensation that they can actually feel the healing.*⁶⁹

241. Along with other wāhine Māori, Deborah had supported Māori suffering prejudice within the health systems in both Whangārei and Auckland. Regarding herself as an unpaid social worker, she shared several stories regarding prejudicial treatment by doctors, hospitals and coroners -

Some of our people were taken into the mental ward of the hospital if they didn't speak to the doctor. If the doctor couldn't get them to speak to him, they were classified as mental. There's no medical test done.

*There were Māori social workers that made sure you had plenty to eat and were warm and understood the procedures, but that couldn't go over and above those boundaries. I was working with [name withheld] to push for our tūpāpaku to be returned. This seemed to be my calling, to be there to wash our tūpāpaku, collect all the clothing and sheeting, because the undertakers would throw them out otherwise.*⁷⁰

242. Deborah referred to two incidents regarding Whangaroa whanaunga, whom had body parts removed without consent during the 1970s, and of

⁶⁹ Deborah Hill, 9 August 2016, Interview by Robyn Tauroa, Komene

⁷⁰ *ibid*

how independent coroners would often be called upon, to try and ensure tūpāpaku were returned to whānau appropriately.

243. Anaru Roberts left Matangirau during the migration, eventually having a career in the Ministry of Transport, and NZ Police spanning 40+ years. For some years, Anaru worked as Iwi Liaison Officer and shared some of his experiences of that role. He confirmed that the prejudice Māori were facing with tūpāpaku were still being experienced in the 21st century, sometimes through administrative negligence:

There was a scenario when a kuia was given the wrong medication in Middlemore Hospital. Her skin was literally falling off her body, and she died. The doctors didn't do the paperwork properly and released the body. Then I get a ring - "Anaru, I've got a tricky one here." So, I go there, explain what's happened, what needs to happen, and go outside, so they can talk. When I go back in, they whanau say, No. So I stand up and say "I'm here on behalf of coroner. If I don't take this taonga away, there will be so many policemen on this marae it won't be funny. Do you want that?" Silence. Then one of the tamariki stands up. "Kia ora, you can take my mother for one hour." She was taken and back within the hour. I told the whanau to take a grievance to Middlemore Hospital to seek compensation and apology. It was one of those things I didn't do very often – maybe four or five of those.

The saddest thing was a post-mortem - the family wanting to go through with their baby. I said "I'll watch every step and I'll come through in the end and tell you how your baby was treated". I say

to the doctor - I hope you are putting all that stuff back". Some of them don't. "Why are you doing this? I have to tell the families about this, that you are not putting all of their baby back?" So I had to do that on two or three occasions.⁷¹

244. Anaru also spoke of earlier years, when Māori officers were being unfairly treated. This was when employee racism was commonly experienced, and Anaru's evidence shows that those who were meant to protect us as equal citizens, were not exempt from racial behaviours:

Definitely, there have been roadblocks put in. We had to work twice as hard as our Pākehā counterparts to get promoted. When we would go into situations of big events, the Pākehā supervisors tended to have us Māori out in the front. They'd rather have Māori officers in the front line rather than their own. That was some of the discrimination.

There were more bosses who were Pākehā and of course they were more discriminatory against Māori officers. There have been at least four or five that I know of that left because they said they were being picked on because they're Māori. Even though they are doing the same work, if there is anyone to blame it is always them⁷².

⁷¹ Anaru Roberts, 5 October 2016, Interviewed by Robyn Tauroa, Onerahi

⁷² Ibid.

245. Anaru also shared his personal experience of being unfairly demoted when transferred to work under a new Pākehā supervisor. He embarked on an internal mediation process which resulted in reinstatement. Despite this however, he never received an apology from the supervisor, who was transferred elsewhere, leaving him with little doubt that his experience was based on discrimination. .

Current Impacts of Policies

246. We claim that the Crown has supported the denigration and discrimination of our tūpuna and their values. These impact both the current health and wellbeing of whānau-hapū o Whangaroa, as well as our ability to kaitiaki our natural resources, and manaaki our whanaunga.

Kei hea a tātou maara kai. Kei hea te pukepoke o te whenua? Te aroha o te ringaringa. Kia pokepoke ai o te whenua. Kei hea te aroha o te whenua. Ka haere kē tātou ki nga toa. Kia aisle 7, aisle 8. Hoko ai o tātou kai. Ko mahua mai te whenua. E kore e puta te hua a te whenua, nā te mea e mōhio ana ki tō tātou aroha.⁷³

247. Recent research from Auckland University, School of Psychological Medicine, was conducted in Whangaroa looking at how perceived identity discrimination affects hypertension, and mental coping

⁷³ Rawiri Timoti, 29 July 2016, Mana Wahine Wananga, Karangahape Marae.

strategies⁷⁴. Evidence suggests that Whangaroa Māori aged between 18-40 years, are subject to high levels of perceived discrimination, social exclusion, and authenticity beliefs. These disparate predispositions impact both physical and mental health issues.

*We have had Social Policy made the Kaitiaki of us*⁷⁵

248. Throughout the collective of ngā whānau-hapū o Whangaroa briefs of evidence we show how social policies imposed by the Crown undermine the integrity of our whānau-hapū social system, and force individuals into an economy that exploits and degrades.

*Our maraes at home – we are trying to maintain things – and our own people are disturbing it. Our people have become socially dependant, and socially irresponsible. The amount of alcohol and drugs. We know it's rampant through our communities but we do nothing about it. We allow it. It comes down to the same period of time when our people were forced to move. Now most of the whenua is gone and we are fighting about what's left. Because those values that our tupuna left are gone. He manaaki. He aroha. They're gone.*⁷⁶

⁷⁴ Wilson, Nikolas William Slater, 2014, *Thesis: The Influence of Discrimination on Identity and Blood Pressure in Aotearoa New Zealand: A Physical and Mental Challenge in a Rural Northland Maori Sample*, University of Auckland Department of Psychological Medicine

⁷⁵ Patricia Tauroa, 19 August 2016, Kaitiaki Wananga, Wainui Marae

⁷⁶ Anaru Kira, 19 August 2016, Kaitiaki Wananga, Wainui Marae

249. The type of employment commonly available to ngā whānau-hapū o Whangaroa is hard to budget and plan for, making bank mortgage impossible, and consequently creates a housing problem. The extra costs and obstacles lead those with rural Māori land to operate outside the system, thereby building inadequate housing and infrastructure. Again, this impacts on both ngā whānau-hapū and the environment.

250. With poor access to resources, and multiple obstacles to collective economic development ngā whānau-hapū o Whangaroa remain impoverished. As the social history of Whangaroa has been portrayed incorrectly, so have our population numbers been used by others to bolster their funding applications. A lack of Crown fund consistency often leads to a first come first served situation where those from Whangaroa in need, are least likely to engage:

That word manaaki now means I look after myself.⁷⁷

251. Although Te Rūnanga O Whaingaroa has been allocated a housing fund, it is nowhere sufficient to address the need.

252. From a history of deforestation, 'green revolution' farming practices, Department of Conservation management, and inappropriate whānau-hapū consultation, we are left with concerns for the future of our natural resources and environment.

Our people have come back here - they have a right to come back – though some with some not so great ideas, that Tangaroa

⁷⁷ Ibid.

was free for all, whenever and wherever. They ignored everything that our people valued. That was what social policies have done. Now there is no discipline. Jump on a boat and you go anywhere.

We used to drink out of every stream. Now – you'll get sick or die.⁷⁸

253. How are we to ensure these taonga are properly managed, when so much of our culture has been misunderstood?

The children's question to us today is, what's in it for me?⁷⁹

The biggest part is to ensure our future is provided with knowledge that's been based on from when the land came up from the sea. I have never been to a place where they have so clearly identified markers of what their whenua is telling them. Some of the younger generation think they should have been taught that knowledge, but the nature of colonization and the education system today has taken away from that.⁸⁰

254. What is left from the land managed by DoC has been neglected and is now in need of repair and maintenance. The health of our waterways, evidenced by the state of Whangaroa harbour continues to have sediment and pollutants pouring into them.

⁷⁸ Anaru Kira, 19 August 2016, Kaitiaki Wananga, Wainui Marae

⁷⁹ Deborah Hill, 9-10 September 2016, Social Impacts Wananga, te Huia Marae.

⁸⁰ Frances Goulton, 20 August 2016, Kaitiaki Wananga, Wainui Marae

255. Our evidence shows that in spite of the Crown's 1991 Resource Management Act, land, forests, and waterways are constantly degraded and polluted with little or no apparent authority to deal with it. Complicated housing issues, and poorly monitored environmental strategies in best forestry and farming practices, are implicated by a muddy harbor even after long periods without rain (See Appendix H).

256. We have put forward here concerning the ravaged state of ngā whānau-hapū o Whangaroa, our natural environment, economic capability, and socio-economic status caused by the intelligence of the Crown's policy makers. One could be forgiven in thinking that this is the work of ignorant savages who don't know any better!

257. We have presented evidence showing how Crown policies and practices have broken our economy, and its leadership, and have mobilized ngā whānau/hapū o Whangaroa alienating from place and culture. Our collective values and our struggle for independence and freedom continues, and without it, we are unable to repair the damage that was imposed on us.

258. To right these injustices our kōrero must be properly told, and we must be able to be Kaitiaki. As the Crown has profited from the capitalist endeavour it sponsors and supports, the cost for this must be afforded from by them also.

Dated at Kaeo this 4th day of November 2016



Robyn E.M. Tauroa



Thomas A. Hawtin