

IN THE WAITANGI TRIBUNAL

**WAI 2750
WAI 2917**

IN THE MATTER OF

The Treaty of Waitangi Act 1975

AND

IN THE MATTER OF

The Wai 2700 Mana Wāhine Kaupapa Inquiry

AND

IN THE MATTER OF

A claim by Huhana Lyndon concerning mana wāhine representation in local government

Joint Brief of Evidence of Huhana Lyndon and Nicki Wakefield

Dated 30 June 2021



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Waitangi Tribunal

30 Jun 2021

Ministry of Justice
WELLINGTON

MAY IT PLEASE THE TRIBUNAL

1. This is the joint brief of evidence of Huhana Lyndon and Nicki Wakefield.
2. This has been filed on behalf of the Wai 2917 claim brought by Huhana Lyndon (Ngāti Hine, Ngāpuhi, Ngatiwai, Ngāti Whatua) on behalf of her whanau and wāhine Māori elected as representatives to Local Government, the communities that they represent, and Māori in general, as well as those groups and areas where there is yet inadequate or a complete lack of representation for wāhine Māori.

Whangārei Rohe Overview

3. In this joint brief of evidence, we offer to the Mana Wāhine Inquiry Tūāpapa stage some insight into mana i te whenua of the wider Whangaarei rohe as handed down to us by our tūpuna.
4. A large part of today's cultural landscape of Whangaarei is defined by events in times before 1840. Some of the cultural landscape features are the result of events which occurred after 1840 also. In both pre and post 1840 events which give rise to today's cultural landscape in Whangaarei, wāhine feature in many ways and we offer some of these for the Tribunal consideration as evidence that mana wahine and mana i te whenua is inseparable.
5. Wāhine, like so many parts of Te Ao are essentially connected to the whole, and it is difficult to consider mana wāhine on its own, in the absence of the wider context of whānau, and the societal roles within the tribes. Haere takirua is the cultural imperative that both wāhine and tāne move as one, and we offer evidence on the use of this concept in times before the signing of Te Tiriti o Waitangi.
6. We note that the evidence offered here is collated from land titling records in the Old Land Claims, Crown Purchasing and Native Land Court eras. It is a summary of evidence from this wider Whangaarei rohe and does not act as a proxy for the respective mana i te whenua groupings knowledge and lineages. The evidence is also handed down in oral traditions.

7. We look forward to providing further evidence on the impact and the disruptions to Mana Wāhine and Mana i te whenua suffered by the uri whakaheke since the signing of Te Tiriti o Waitangi in Stage Two of this inquiry.

Mana i te whenua

8. Mana i te whenua indicates mana as the rights and obligations derived and transmitted from whakapapa to the whenua. Rights include management of resources and occupation. Obligations include management of resources and occupation.
9. Whakapapa to the whenua is transmitted through occupation since our tūpuna arrival to these lands. Elements of that mana is shared with others outside those lineages by various means also such as tuku whenua, gifting and conquest, however these are rarely enduring without unions with the residents and ongoing occupation over generations.
10. While many who have inherited mana i te whenua in their lineages do not know their lands today, the lands await their return. Their whakapapa is inalienable.
11. Mana i te whenua is not the same as mana whenua, although it is often used interchangeably. The term mana i te whenua is preferred in the North as it centres the whenua and the responsibilities derived from that whakapapa.
12. The duties and voice of mana i te whenua is represented by members of today's whenua Māori, kāinga, marae and hapū groupings who work at times in alliance with each other and iwi, tauiwi and the kāwana. This responsibility is best carried out with access to the comprehensive knowledge on the layers of relationships with the whānau, hapū and iwi over time. This knowledge is carried by wāhine and tāne, with some of that knowledge carried exclusively by wāhine. This is true today, as it was in precolonial times.
13. The cultural landscape in times before the impact of the Crown's breaches of Te Tiriti o Waitangi and the examples below show that mana i te whenua being derived via lineages from wāhine. It is through these

wāhine and their various unions the mana i te whenua has endured over time undisturbed.

14. A few examples of whenua blocks in the Whangarei rohe where mana i te whenua is derived from tūpuna whāea as presented in the Native Land Court:
- a. Ngati Hau interests in (Kiripaka, Puketotara, Pehiaweri, via Kahukuri wives Waiatarangi and Te Aupumeroa)
 - b. Mihiao and Te Uho where Te Uho is named as the primary tūpuna in some blocks and Mihiao in other land blocks
 - c. Kauaungarua (Te Rewarewa)
 - d. Pae and Weku (Kapowaiwaha and the shark pools)
 - e. Te Uwhi at Kopipi
 - f. Te Ao Wheonga at Mangawhati

Dated at Tāmaki Makaurau this 30th day of June 2021



Huhana Lyndon



Nicki Wakefield

TO: The Registrar, Waitangi Tribunal, Wellington;
All Counsel - Wai 2700 The Mana Wāhine Kaupapa Inquiry