

**INQUIRY INTO REMAINING HISTORICAL CLAIMS:  
SOUTHERN NORTH ISLAND AND SOUTH ISLAND CLAIMS (REGION 1)  
WAI 2800**

Claim Assessment for the Standing Panel:  
Ngāti Rangatahi kei Rangitikei Claim (Wai 1623)

Research Services Team

Waitangi Tribunal Unit

July 2022

# 1. Introduction

The Ngāti Rangatahi kei Rangitikei claim (Ngāti Rangatahi of Kākāriki claim<sup>1</sup>), received on 27 August 2008, asserts that Ngāti Rangatahi of Kākāriki were prejudicially affected by several Crown acts and omissions.<sup>2</sup> This claim assessment considers only aspects of the alleged breaches that relate to the Wairau Valley and Heretaunga (Hutt Valley). The Ngāti Rangatahi of Kākāriki claim allegations concerning Pāuatahanui, Te Reureu, Kākāriki, and Rangitikei will be heard in the Porirua ki Manawatū Inquiry (Wai 2200). Similarly, Ngāti Rangatahi of Kākāriki claim allegations concerning Military Veteran issues will be heard in the Military Veterans Kaupapa Inquiry (Wai 2500).

On 11 December 2019, Chief Judge Isaac directed that the Ngāti Rangatahi of Kākāriki claim was eligible for inclusion into Region 1 of the Inquiry into Remaining Historical Claims: Southern North Island and South Island Claims<sup>3</sup> (referred to as the ‘Remaining Historical Claims Inquiry’).



Map of the included inquiry districts<sup>4</sup>

<sup>1</sup> The claimants request to be known as either Ngāti Rangatahi or Ngāti Rangatahi of Kakariki

<sup>2</sup> Statement of claim, August 2008 (Wai 1623, #1.1.1); Amended statement of claim, 18 April 2019 (Wai 1623, #1.1.1(d))

<sup>3</sup> Chief Judge W. W. Isaac, memorandum-directions of Chief Judge W. W. Isaac concerning eligibility of claims, 11 December 2019 (Wai 2800, #2.5.5), p 6

<sup>4</sup> Chief Judge W W Isaac, Appendix A: Map of the included inquiry districts, 6 September 2018 (Wai 2800, #2.5.1(a)).

Region 1 comprises:

- Taranaki;
- Whanganui;
- Te Whanganui a Tara/Wellington;
- Te Tau Ihu/Northern South Island;
- Southern South Island; and
- Rekohu/Chatham Islands.<sup>5</sup>

This document has been prepared by the research services team of the Waitangi Tribunal Unit to provide advice to the standing panel. It is an assessment of existing secondary sources relating to the claims issues raised in the statement of claim for the Ngāti Rangatahi kei Rangitikei Claim (Wai 1623). This assessment does not include any primary research. Where possible, it does include reference to primary sources that appear most relevant, should further evidence be required.

## 2. Methodology

This claim assessment summarises allegations raised by the Ngāti Rangatahi of Kākāriki statement of claim in relation to Region 1 of the 'Remaining Historical Claims Inquiry' (Wai 2800). It then summarises and assesses Waitangi Tribunal reports and other existing secondary research relevant to the claim allegations. The assessment concludes by advising that Ngāti Rangatahi of Kākāriki claim issues largely appear to be addressed by existing primary and secondary sources. It makes some recommendations for possible areas for clarification which may be sought by the standing panel.

This claim assessment includes:

- A summary of the Ngāti Rangatahi of Kākāriki claim, including claimant information, claim allegations, and claim amendments;
- A procedural summary of the Ngāti Rangatahi of Kākāriki claim's inclusion into the Remaining Historical Claims Inquiry;

---

<sup>5</sup> Chief Judge W. W. Isaac, memorandum of the Chairperson appointing a standing panel to inquire into remaining historical claims in the south-western North Island, the South Island and the Chatham Islands, 6 September 2018 (Wai 2800, #2.5.1), p 4; Chief Judge W. W. Isaac, Appendix A: Map of the included inquiry districts, 6 September 2018 (Wai 2800, #2.5.1(a))

- A summary of Waitangi Tribunal reports, research, and records pertinent to the Ngāti Rangatahi of Kākāriki claim;
- Overall summary and potential areas for further clarification.

### 3. The Ngāti Rangatahi kei Rangitikei Claim

This section summarises the Ngāti Rangatahi of Kākāriki claim, including background to the statements of claim, claim allegations, and amendments to the statement of claim.

#### The claimants

The original statement of claim, dated 26 August 2008, was made by Turoa Karatea, Mason Durie, Danny Karatea-Goddard, and Sue Tumanako Herangi on behalf of ‘Ngati Rangatahi kei Rangitikei and Te Hiiri o Mahuta marae.’<sup>6</sup> On 6 June 2018, the Te Hiiri o Mahuta Marae Trustees, the body that manages Ngāti Rangatahi affairs, appointed the following named claimants: Danny Karatea-Goddard, Sue Tumanako Herangi, Turoa Karatea, Rawiri Meihana Durie, Mereti Hokipera Taipana, Natasha Jane Ropata, and Eljon Fitzgerald.<sup>7</sup> On 30 January 2019, Turoa Karatea requested his name be removed from the Ngāti Rangatahi kei Rangitikei claim.<sup>8</sup>

#### Claim allegations

The jurisdictional situation of the Ngāti Rangatahi of Kākāriki claim is detailed in section 4. The relevant claim allegations summarised in this section relate only the Wairau Valley and Heretaunga areas. The Ngāti Rangatahi of Kākāriki claimants say:

- Ngāti Rangatahi sought to settle the Wairau Valley with Ngāti Toa but were forcibly removed by the Crown after the Wairau conflict in 1843;<sup>9</sup>
- The Crown forcibly removed Ngāti Rangatahi from Heretaunga and then destroyed homes, marae, chapel, stock, and crops in 1846;<sup>10</sup>
- The Crown did not consider the unique interests of Ngāti Rangatahi of Kākāriki when engaging with Taumarunui-based Ngāti Rangatahi concerning the 1992 Hutt Valley

<sup>6</sup> Statement of claim, August 2008 (Wai 1623, #1.1.1)

<sup>7</sup> Amended statement of claim, 6 June 2018 (Wai 1623, #1.1.1(b))

<sup>8</sup> Amended statement of claim, 30 January 2019 (Wai 1623, #1.1.1(c))

<sup>9</sup> Amended statement of claim, 18 April 2019 (Wai 1623, #1.1.1(d)), p [3]

<sup>10</sup> Statement of claim, August 2008 (Wai 1623, #1.1.1), pp 1-3

railway settlement. Similarly, the Crown progressed Treaty settlement mandate activity with their Ngāti Rangatahi Whanaunga Association (also based in Taumarunui) without the proper consideration of Ngāti Rangatahi of Kākāriki.<sup>11</sup>

#### 4. The Ngāti Rangatahi of Kākāriki claim's inclusion into the Remaining Historical Claims Inquiry

This section discusses the procedural history of the Ngāti Rangatahi of Kākāriki claim and its inclusion into the Remaining Historical Claims Inquiry (Wai 2800).

The Ngāti Rangatahi of Kākāriki claim was registered on 19 December 2008.<sup>12</sup> On 24 April 2017, Deputy Chief Judge Fox aggregated the Ngāti Rangatahi of Kākāriki claim into the Porirua ki Manawatū inquiry for the aspects of the claim relating to that district.<sup>13</sup> On 2 March 2015, an amended statement of claim was filed concerning Military Veteran issues.<sup>14</sup> Chief Judge Isaac subsequently included the Ngāti Rangatahi of Kākāriki claim in a final list of claims eligible to participate in the Military Veterans Kaupapa Inquiry.<sup>15</sup>

On 6 September 2018, Chief Judge Isaac appointed a Standing Panel to inquire into claims with historical grievances that remained within the Waitangi Tribunal's jurisdiction in six inquiry districts. Chief Judge Isaac appointed himself as presiding officer and directed the registrar of the Waitangi Tribunal to establish a new combined record of inquiry, termed the 'Inquiry into Remaining Historical Claims: Southern North Island and South Island Claims (Wai 2800)'. A preliminary list of claims, including the Ngāti Rangatahi of Kākāriki claim, was assessed for eligibility. On 1 October 2018, Chief Judge Isaac sought submissions from parties concerning the preliminary list.<sup>16</sup>

On 21 December 2018, Crown counsel filed a memorandum in response to the preliminary list. Crown counsel noted that the Ngāti Rangatahi of Kākāriki claim had been aggregated into the Porirua ki Manawatū Inquiry and the Military Veterans Kaupapa Inquiry. While the Crown also acknowledged that there were claim issues that sit outside the Porirua ki Manawatū

---

<sup>11</sup> Statement of claim, August 2008 (Wai 1623, #1.1.1), pp 3-4

<sup>12</sup> Memorandum-Directions of the acting Chairperson, 19 December 2008 (Wai 1623, #2.1.1)

<sup>13</sup> Memorandum-Directions of Deputy Chief Judge Fox, 24 April 2017 (Wai 2200, doc# 2.5.143)

<sup>14</sup> Amended statement of claim, 31 July 2015 (Wai 1623, #1.1.1(b))

<sup>15</sup> Memorandum-Directions of Chief Isaac, 19 April 2021 (Wai 2500, #2.5.71; see also Wai 2500, #2.5.71(b))

<sup>16</sup> Memorandum of the Chairperson, 6 September 2018 (Wai 2800, #2.5.1); Memorandum-Directions of Presiding Officer, 1 October 2018 (Wai 2800, #2.5.2), pp 1-3

inquiry district, it nonetheless considered that those aspects should be considered within the Porirua ki Manawatu inquiry.<sup>17</sup> The Crown, therefore, submitted that the Ngāti Rangatahi of Kākāriki claim should be precluded from participating in the Remaining Historical Claims Inquiry.<sup>18</sup> The Crown did not comment on Ngāti Rangatahi of Kākāriki claim allegations concerning the Wairau Valley.

Several days later, counsel for the Ngāti Rangatahi of Kākāriki claim sought direction as to how they should proceed with claim issues concerning the Wairau Valley, Heretaunga and Manawatū. Claimant counsel noted their clients did not appear in the Northern South Island District Inquiry, nor in the Wellington District Inquiry. Claimant counsel maintained that the Treaty of Waitangi Act 1975 does not require an appearance in every district that a claim relates to, nor does tikanga provide for this. Claimant counsel submitted that according to tikanga, a claimant group should speak from its own turangawaewae or marae. It was, therefore, the preference of the claimants to be heard as part of the Porirua ki Manawatū Inquiry.<sup>19</sup>

On 8 February 2019, Deputy Chief Judge Fox, the presiding officer of the Porirua ki Manawatū Inquiry, declined claimant counsel's request to have their clients Wairau and Heretaunga allegations heard in that jurisdiction.<sup>20</sup> Consequently, Chief Judge Isaac directed that these allegations will be heard in the Remaining Historical Claims Inquiry.<sup>21</sup>

---

<sup>17</sup> Memorandum of counsel for the Crown, 21 December 2018 (Wai 2800, #3.1.3), p 7

<sup>18</sup> Memorandum of counsel for the Crown, 21 December 2018 (Wai 2800, #3.1.3), p 7

<sup>19</sup> Memorandum of claimant counsel, 24 December 2018 (Wai 2800, #3.1.5)

<sup>20</sup> Memorandum-Directions of Deputy Chief Judge Fox, 8 February 2019 (Wai 2200, #2.6.43)

<sup>21</sup> Memorandum-Directions of Chief Judge Isaac, 12 June 2019 (Wai 2800, #2.5.4), p 3

## 5. Summary of research pertinent to the Ngāti Rangatahi of Kākāriki claim

This section summarises Waitangi Tribunal reports and existing research relevant to Ngāti Rangatahi of Kākāriki claim.

The *Te Tau Ihu Report (Wai 785)* concerning Northern South Island claims, released in 2008, did not specifically consider the respective customary interests of Ngāti Rangatahi in that inquiry district. The report found that no single migratory group associated with the northern heke held primary rights in the district, although the leadership of Ngāti Toa and Te Rauparaha was acknowledged. Rather, the new territories were divided between the different groups that effected the raupatu, on a communally agreed basis.<sup>22</sup> Similarly, the report provided little insight into the specific involvement of Ngāti Rangatahi in the 1843 Wairau conflict, identifying only Ngāti Rarua and Rangitāne support for Ngāti Toa resistance to the New Zealand Company.<sup>23</sup>

The report noted that Governor FitzRoy's contemporary inquiry in 1844 concluded that, although Ngāti Toa had been wrong to kill prisoners, primary blame for the affair rested squarely with the New Zealand Company and its supporters.<sup>24</sup> The *Te Tau Ihu Report* also commented:

We also agree with those claimant counsel who contended that the Crown prioritised its obligations to the company at the expense of its obligations to Maori under the Treaty. This was apparent in the reaction to Maori opposition at Motupipi and in the lead-up to the Wairau, and it became increasingly apparent as the decade progressed. Accordingly, we find that, in failing to intervene in the New Zealand Company's activities on the ground in the early 1840s, the Crown was advancing the needs of settlers over those of Maori. The company proceeded with its surveys and settlement of Maori land, but the Crown failed to adequately respond to Maori protests about the surveys at Te Matu, Motupipi, and the Wairau. In the shorter term, this failure was particularly apparent in the case of the Wairau, where protests were clearly expressed over a period of time and where the consequences of the Crown's inaction was severe. The Crown's failure to intervene was in breach of article 3 of the Treaty and of its duty to actively protect Maori.<sup>25</sup>

---

<sup>22</sup> Waitangi Tribunal, *Te Tau Ihu o te Waka a Maui: Northern South Island Claims (Wai 785)*, 3 vols. (Wellington, Legislation Direct, 2008), p 1367

<sup>23</sup> Waitangi Tribunal, *Te Tau Ihu*, pp 195-197

<sup>24</sup> Waitangi Tribunal, *Te Tau Ihu*, p 198

<sup>25</sup> Waitangi Tribunal, *Te Tau Ihu*, p 243

Ultimately, the *Te Tau Ihu Report* found the Crown's response to the Wairau incident was consistent with its Treaty obligations.<sup>26</sup> There was also no detail concerning the involvement of Ngāti Rangatahi in the subsequent 1847 Wairau Crown purchase.<sup>27</sup> It is possible that the absence of Ngāti Rangatahi references in the *Te Tau Ihu Report* resulted from the fact that Ngāti Rangatahi of Kākāriki claimants did not participate in that inquiry.

The *Whanganui a Tara me ona Takiwa Report (Wai 145)*, on the Wellington District released in 2003, considered Ngāti Rangatahi's occupation and expulsion from Heretaunga at length. It also made several findings in relation to actions of the Crown towards Ngāti Rangatahi in Heretaunga and Pauatahanui.<sup>28</sup> In particular, the Whanganui a Tara Tribunal found that the Crown had breached the Treaty principle of active protection in relation to Ngāti Rangatahi by:

- failing to recognise and protect their rights to their lands, cultivations, and other properties in the Hutt Valley, which were acquired pursuant to Maori custom;
- ordering their expulsion from the Hutt Valley in February 1846;
- allowing the destruction and pillaging of their property after they had agreed to vacate their lands in the Hutt Valley (which included the burning of their pa by the military forces of the Crown);
- failing to award compensation for the loss of their lands and valuable cultivations following their expulsion in 1846; and
- failing to reserve lands in the Hutt Valley for their future use and enjoyment.<sup>29</sup>

Several relevant technical reports were filed for the Whanganui a Tara Tribunal to consider, which include references to Ngāti Rangatahi. 'Ngāti Rangatahi' by Joy Hippolite, filed in 1997, provides whakapapa evidence and other commentary on the origins of Ngāti Rangatahi. It examines Te Rauparaha's motivations for migrating to Whanganui a Tara with his Ngāti Rangatahi allies. Hippolite considers the experience of Ngāti Rangatahi in the Wellington

---

<sup>26</sup> Waitangi Tribunal, *Te Tau Ihu*, p 243

<sup>27</sup> Waitangi Tribunal, *Te Tau Ihu*, pp 195-197

<sup>28</sup> Waitangi Tribunal, *Te Whanganui a Tara me ona Takiwa (Wai 145)*, (Wellington: Legislation Direct, 2003), p 220-222

<sup>29</sup> Waitangi Tribunal, *Te Whanganui a Tara*, p 222



district, as well as the events resulting in their expulsion from Heretaunga.<sup>30</sup> The evidence of Bob Hayes, titled 'The Valley of the Hutt', examines the views of various European officials and observers concerning the events which led to the outbreak of fighting at Heretaunga. His supporting document banks are extensive and well-ordered.<sup>31</sup> A report by Alan Ward titled 'Maori Customary Interests in the Port Nicolson District, 1820s-1840s: An Overview', considers the nature of Māori rights to land before the conflict at Heretaunga.<sup>32</sup>

Several other papers and evidence presented in other district inquiries also provide useful detail concerning the origins of Ngāti Rangatahi. The research of Anthony Patete in the Whanganui Land Inquiry (Wai 903), and Grant Young and Michael Belgrave in the Te Rohe Potae Inquiry (Wai 898) both explored the Tainui and Ngāti Maniapoto heritage of Ngāti Rangatahi.<sup>33</sup> Similarly, 'He Iti Nā Mōtai volume 1, part II', by Professor Whatarangi Winiata for Te Hono ki Raukawa, produced for the Porirua ki Manawatū District Inquiry (Wai 2200), considers the history and whakapapa of Ngāti Rangatahi.<sup>34</sup> In addition, Professor Winiata also examines Te Heke mai i raro (southern migration), resulting in two branches of the iwi now located at Taumaranui and Kākāriki/Rangitikei.

The most detailed report concerning the experiences of Ngāti Rangatahi at Wairau and Heretaunga consulted in the preparation of this paper, was 'Ngāti Rangatahi and Ngāti Matakore in the Porirua ki Manawatu Inquiry District 1800-1900', by Dr Paul Husbands. The report, commissioned by the Crown Forestry Rental Trust and filed in July 2020, distinguishes the Ngāti Rangatahi of Kākāriki perspective from that advanced by the Taumarunui-based Ngāti Rangatahi. Husbands suggests that the latter's participation in the 1993-2003 Te Whanganui a Tara Inquiry, and in the subsequent Whanganui Land and Te Rohe Potae Inquiries has generated a Ngāti Maniapoto aligned perspective of the iwi, not necessarily shared by Ngāti Rangatahi of Kākāriki.<sup>35</sup> Ngāti Rangatahi of Kākāriki, in contrast, generally advance the Ngāti Toa perspective.<sup>36</sup> The report also commented:

---

<sup>30</sup> Joy Hippolite, 'Ngati Rangatahi', January 1997 (Wai 145, #H4)

<sup>31</sup> Bob Hayes, 'The Valley of the Hutt – 1839-1846', Wai 145, #M3

<sup>32</sup> Alan Ward, 'Maori Customary Interests in the Port Nicolson District, 1820s to 1840s: An Overview', October 1998 (Wai 145, #M1)

<sup>33</sup> Anthony Patete, 'Whanganui Northern Cluster' (Wai 898, #A108); Grant Young and Michael Belgrave, 'Northern Whanganui Cluster' (Wai 903, #A114)

<sup>34</sup> Professor Whatarangi Winiata, 'He Iti Nā Mōtai volume 1', 31 January 2019 (Wai 2200, #H1), pp 84-117

<sup>35</sup> Paul Husbands, 'Ngāti Rangatahi and Ngāti Matakore in the Porirua ki Manawatu Inquiry District 1800-1900', 31 July 2020 (Wai 2200, #A221), p 8

<sup>36</sup> Husbands, 'Ngāti Rangatahi and Ngāti Matakore' (Wai 2200, #A221), pp 8-9

Sir Taihākurei Durie explained that the Ngāti Rangatahi community at Kākāriki did not participate in the Whanganui-a-Tara Tribunal inquiry for two reasons. First of all, Sir Taihākurei's personal participation was precluded by the fact that during the course of the inquiry (roughly between 1995 and 2003) he was the Chairperson of the Waitangi Tribunal and therefore barred from taking part, either on his own or his tribe's account. Secondly, Sir Taihākurei's father Matawhā Durie (Mihi-ki-Tūrangi's grandson) believed that it would not be appropriate for Ngāti Rangatahi ki Kākāriki to participate in a Waitangi Tribunal Inquiry outside of the tribe's rohe.<sup>37</sup>

Husbands also examines primary and secondary sources that refer to Ngāti Rangatahi involvement during the Wairau incident. He identifies a contemporary report which claimed the Ngāti Rangatahi 'head men', Kaparatehau and E Horo, were amongst the 'most active and ferocious' in the fight, in which another Ngāti Rangatahi chief named Atuta [Te Ahuta] had been killed.<sup>38</sup> Similarly, Husbands notes the *Wellington Independent* reported the Ngāti Rangatahi chief E Pare - described by the newspaper as a 'subservient tool of Rangihaeata' - was 'notorious' for having single-handedly 'butchered' five of the European prisoners who had been taken at Wairau.<sup>39</sup>

Husbands also cites James Cowan's *The New Zealand Wars*, who noted that Ngāti Rangatahi 'shared in the Wairau affair in 1843, and soon afterward occupied land on the banks of the Hutt under Te Rangihaeata's encouragement.'<sup>40</sup>

Husbands concludes that at least one member of Ngāti Rangatahi (Te Ahuta) was killed at Wairau.<sup>41</sup> He quotes Professor Richard Boast, who commented: 'it is known that a group of Rangitahi [sic] were at the battle and may have formed the bulk of those with Te Rangihaeata, and that the Ngāti Rangatahi man killed, Te Ahuta, was a relation of Te Rauparaha.'<sup>42</sup> Husbands states that the Ngāti Rangatahi relatives of Te Ahuta were also likely involved in the killing of nine Europeans who had surrendered. The prisoners were seemingly executed by Te Rangihaeata as utu for the death of his wife Te Rongopamamao. According to claimant, Sir Taihākurei Durie, Te Rongopamamao was also affiliated with Ngāti Rangatahi.<sup>43</sup> There is no

---

<sup>37</sup> Husbands, 'Ngāti Rangatahi and Ngāti Matakore' (Wai 2200, #A221), p 29

<sup>38</sup> *New Zealand Spectator, and Cook's Straits Guardian*, 28 February 1846 p 2 c 3 & 4 (Husbands, A211, p 32)

<sup>39</sup> 'The Affairs of the Hutt', *Wellington Independent*, 4 March 1846, p 2, c 3 (Husbands, A211, p 32)

<sup>40</sup> James Cowan, *The New Zealand Wars: A History of the Maori Campaigns and the Pioneering Period, Volume I: 1845-1864*, (Wellington), 1922 (1983 reprint), p 102 (Husbands, A211, p 32)

<sup>41</sup> Husbands, 'Ngāti Rangatahi and Ngāti Matakore' (Wai 2200, #A221), p 32

<sup>42</sup> Husbands, 'Ngāti Rangatahi and Ngāti Matakore' (Wai 2200, #A221), p 32

<sup>43</sup> Husbands, 'Ngāti Rangatahi and Ngāti Matakore' (Wai 2200, #A221), p 33

surviving contemporary account from Ngāti Rangatahi themselves of the part they played at Wairau.

Husbands also considers the events leading to the expulsion of the Māori community at Heretaunga, agreeing with Sir Taihakorei that Ngāti Rangatahi's 'whanaungatanga connections with Ngāti Toa', and their personal loyalty to Te Rangihaeata, led them into the confrontation with the Crown.<sup>44</sup> In February and March 1846, Governor Grey employed 'overwhelming military force' to evict Ngāti Rangatahi from their Heretaunga kainga said to cover 800 acres.<sup>45</sup> Numerous relevant primary and secondary accounts and newspaper articles are cited by Husbands and his analysis of events at Heretaunga generally align with the findings made by the *Whanganui a Tara Report (Wai 145)*.

Peter McBurney has a contrasting position on the Taumarunui-based Ngāti Rangatahi community. His report, commissioned by the Crown Forestry Rental Trust and filed in January 2022, also for the Porirua ki Manawatū Inquiry (Wai 2200), records that this community now identify with the Ngāti Rangatahi Whanaunga Association based in Taumarunui.<sup>46</sup> McBurney's Ngāti Rangatahi Whanaunga Association oral history informants stressed their strong identification with Ngāti Maniapoto.<sup>47</sup>

McBurney does record that Ngāti Toa gifted Ngāti Rangatahi land at Heretaunga. He also noted Ngāti Rangatahi assistance to Ngāti Toa at Wairau in 1843.<sup>48</sup> Like Husbands, McBurney recounted Ngāti Rangatahi loyalty to Te Rangihaeata, which they demonstrated by following him from Heretaunga to Poroutawhao and beyond.<sup>49</sup>

The claimants further allege that the Crown did not consider the unique interests of Ngāti Rangatahi of Kākāriki when engaging with Taumarunui-based Ngāti Rangatahi in relation to the 1992 Hutt Valley railway settlement. In the preparation of this paper, we were unable to locate evidence specific to this claim allegation.

In addition, the Taumarunui-based Ngāti Rangatahi Whanaunga Association commenced Treaty negotiations with the Crown in 2008. They are currently seeking a mandate to

---

<sup>44</sup> Husbands, 'Ngāti Rangatahi and Ngāti Matakore' (Wai 2200, #A221), pp 37-40

<sup>45</sup> Husbands, 'Ngāti Rangatahi and Ngāti Matakore' (Wai 2200, #A221), pp 43-45

<sup>46</sup> Peter McBurney, 'Tumatanui Oral and Traditional History Report', 22 January 2018 (Wai 2200, #A204), pp 10, 61

<sup>47</sup> McBurney, 'Tumatanui Oral and Traditional' (Wai 2200, #A204), pp 111, 127

<sup>48</sup> McBurney, 'Tumatanui Oral and Traditional' (Wai 2200, #A204), pp 224, 336-337, 396-402

<sup>49</sup> McBurney, 'Tumatanui Oral and Traditional' (Wai 2200, #A204), pp 431, 775-776

represent all Ngāti Rangatahi of Kākāriki claims (including Ngāti Rangatahi of Kākāriki) in these negotiations.<sup>50</sup> The current mandate strategy includes Heretaunga, but it does not include Wairau in its areas of interest.<sup>51</sup>

---

<sup>50</sup> <https://www.govt.nz/assets/Documents/OTS/Ngati-Rangatahi/Ngati-Rangatahi-Whanaunga-Association-Draft-Mandate-Strategy.pdf>

<sup>51</sup> Appendix 6 – Areas of Interest Map, Ngati Rangatahi Whanaunga Association Draft Mandate Strategy, (6 June 2019) p 32

## 6. Overall Summary and potential areas for further clarification

From the sources considered in the preparation of this assessment, there appears to be sufficient evidence for the standing panel to consider Ngāti Rangatahi of Kākāriki claim allegations in relation to their historical experiences at Heretaunga. The *Whanganui a Tara Report* established that Ngāti Rangatahi exercised customary interests at Heretaunga and found their expulsion from the area to be in breach of the Treaty and its principles. The detail of the *Whanganui a Tara Report* concerning the events at Heretaunga appears to remove the need for further research on that aspect of their history. However, it should be noted that the Taumarunui-based Wai 366 claimants, not Ngāti Rangatahi of Kākāriki, participated in the Te Whanganui a Tara Inquiry. Therefore, the Standing Panel may wish to hear from Ngāti Rangatahi Kākāriki on their experiences at Heretaunga.

There appears to be less evidential coverage in relation to Ngāti Rangatahi of Kākāriki claim allegations relating to Wairua. The *Te Tau Ihu Report* made general findings concerning events at Wairua. However, those findings were not specific to Ngāti Rangatahi. There also appears to be little available evidence concerning the exact nature of the customary relationship Ngāti Rangatahi exercised in relation to land in the Te Tau Ihu district. The claimants allege that:

[Ngāti Rangatahi] sought to settle with Ngāti Toa in the Wairau Valley . . . [until] they were obliged to leave there. Following an attack by a party of Europeans, Captain Wakefield and several other of the European vigilantes, including a Magistrate were killed.<sup>52</sup>

While both Husbands and McBurney, in their recent research reports for the Porirua ki Manawatū Inquiry, refer to Ngāti Rangatahi's support of Te Rangihaeata and Ngāti Toa in the 1843 conflict, neither discuss Ngāti Rangatahi's settlement in the Wairau Valley. The Ngāti Rangatahi claimants may be able to provide additional evidence concerning this claim issue to demonstrate and support the particular details of the events at Wairau.

From the evidence examined in the preparation of this assessment, it is also unclear whether Ngāti Rangatahi participated in the Spain inquiry, or the extent to which they may have been involved in the 1847 Wairau Crown purchase. It is not clear whether there is sufficient evidence to establish whether Ngāti Rangatahi established rights in Wairau akin to

---

<sup>52</sup> Amended statement of claim, 18 April 2019 (Wai 1623, #1.1.1(d)), p [3]

the those that have been established at Heretaunga. It may, for example, be possible to examine the available in records of the Spain inquiry, or the records of the negotiation of the 1847 Wairau Crown purchase. However, in relation to the 1847 Wairau purchase, the *Te Tau Ihu Report* discovered only one contemporary account of the transaction. Consequently, that panel's understanding of the purchase was largely from second-hand accounts as much of the detailed correspondence concerning the sale has since been lost.<sup>53</sup> It is, therefore, possible that a deficient of evidence concerning the Wairau purchase will remain.

Should the Standing Panel consider that clarification of this claim allegation is necessary, Ngāti Rangatahi claimants could be invited to provide clarification on the following:

- a) Was Ngāti Rangatahi participation in the 1843 Wairau conflict sufficient to establish their Treaty rights there?
- b) Were Ngāti Rangatahi acting independently of Ngāti Toa at Wairau in 1843, and in the subsequent 1847 Wairau Crown purchase negotiations?
- c) Did Ngāti Rangatahi participate independently in Land Claims Commissioner Spain's 1842-1845 inquiry?

In addition, Research staff we were unable to locate evidence relevant to the allegation that the Crown did not consider the unique interests of Ngāti Rangatahi of Kākāriki when engaging with Taumarunui-based Ngāti Rangatahi in negotiations for the 1992 Hutt Valley railway settlement, and during subsequent Treaty settlement mandate activity. Relevant evidence could be sought from the claimants in relation to these issues.

---

<sup>53</sup> Waitangi Tribunal, *Te Tau Ihu*, p 318

## 7. Bibliography

### **Primary Sources**

Archives New Zealand.

Old Land Claims files, ACFC 16153

Samuel Ashmore & Richard Jones, OLC 46

New Zealand Company Nelson, OLC 907

*British Parliamentary Papers.*

Ironside and Whiteley Wairau evidence, July 1843, BPP 1844 (556) App 4, pp 179-182

Spain report, 12 September 1843, BPP 1844 (556) App 9, pp 291-307

Waikanae hui, 12 February 1844, BPP 1845 (131), pp 30-33

Stanley to FitzRoy 30 November 1844, BPP 1845 (131), pp 49-56

Grey to Earl Grey, 26 March 1847, BPP 1847-48 (892), pp 7-9

Te Kanae, Wi Neera. 'History of Ngati-toarangatira', MS 6373, Alexander Turnbull Library

### **Secondary Sources**

Adams, Ernest. Ngāti Rangatahi evidence, 4 July 2014, Wai 2200, #A57

Alexander, David. 'Reserves of Te Tau Ihu (Northern South Island)', 2 vols, Wai 785, #A60, October 1999

Boast, Richard. 'Ngati Toa and the Upper South Island', 2 vols, Wai 785, #A56, March 2000

Generic evidence, 9 June 2002, Wai 785, #E11

Ngati Toa Traditional history, 9 June 2003, Wai 785, #P20

Wairau brief, 9 June 2003, Wai 785, #P21

Butler, Peter ed. *Life and times of Te Rauparaha*, Martinborough, Alister Taylor Publishers, 1980

Chambers, Wesley A. *Samuel Ironside in New Zealand 1839-1858*, Auckland, Ray Richards Publishers, 1982

Hayes, Bob. The Valley of the Hutt – 1839-1846, Wai 145, #M3

Herangi, Tumanako, Ngāti Rangatahi evidence, 5 July 2014, Wai 2200, #A58

Hippolite, Joy. Ngati Rangatahi, January 1997, Wai 145, #H4

- Husbands, Paul. 'Ngāti Rangatahi and Ngāti Matakore in the Porirua ki Manawatu Inquiry District 1800-1900', Wai 2200, #A221, August 2020
- Mackay, Alexander comp., *A Compendium of Official Documents Relative to Native Affairs in the South Island*, 2 vols, Wellington, Government Printer, 1873
- McBurney, Peter. 'Tumatanui Oral and Traditional History', Wai 2200, #A204, January 2018
- Mitchell, Hilary and John. *Te Tau Ihu o te Waka: A History of Maori of Nelson and Marlborough*, 2 vols, Wellington, Huia Publishers, 2004 & 2007
- Nicholson, Ngarongo Iwikatea. Ngati Toa rangatira evidence, September 1998, Wai 145, #L4 (b)
- Ngati Toarangatira evidence. 9 June 2003, Wai 785, #P4
- Phillipson, Grant. 'Northern South Island District report', part I, Wai 785, #A24, June 1995  
Summary of evidence, 5 June 2002, Wai 785, #E7
- Waitangi Tribunal. *Te Whanganui a Tara me ona Takiwa*, Wellington, Legislation Direct, 2003  
*Te Tau Ihu o te Waka a Maui: Northern South Island Claims*, 3 vols. Wellington, Legislation Direct, 2008
- Ward, Alan. 'Maori Customary Interests in the Port Nicolson District, 1820s to 1840s: An Overview', October 1998, Wai 145, #M1