

WAI 2700 – MANA WĀHINE KAUPAPA INQUIRY
TŪĀPAPA HEARING SIX
HELD AT NGĀ HAU E WHĀ MARAE, WAINONI, ŌTAUTAHI
TUESDAY 20 SEPTEMBER 2022 - FRIDAY 23 SEPTEMBER 2022

Tribunal: Judge Sarah Reeves
Dr Ruakere Hond
Professor Linda Tuhiwai Smith
Dr Robyn Anderson
Kim Ngarimu

Crown Counsel: Matewai Tukapua
Toni Wharehoka
Bill Kaua (Kaumatua)

Claimant Counsel: Alana Thomas
Amy Chesnutt
Annette Sykes
Aroha Herewini
Brooke Loader
Dr Rekha Arya
Eve Rongo
Gordon Chan
Gretta Hansen
Hinerau Rameka
Janet Mason
Joanna Judge
Katherine Alty
Lucy Tothill
Majka Cherrington
Paige Joy
Dr Rekha Arya
Richard Gayfer
Stephanie Roughton
Tania Te Whenua
Tavake Afeaki
Te Maiora Rurehe
Tiaki Grant-Mackie

Interpreter: Dr Petina Winiata

Witnesses: **Day 1 - [20 September 2022]**
Dr Naomi Simmonds (#A134, #A134(a))
Professor Leonie Pihama (#A148)
Dr Byron Rangiwai (#A146)

Obrana Te Hiraangi Maata-Te Wharemataa Huata (#A149)

Day 2 - [21 September 2022]

Christine Harvey (#A147)
Rangi Kipa (#A147)
Te Rua Wallace (#A151)
Jane Mihingarangi Ruka (#A135)
Aroha Rickus (#A140)
Iohangawai Te Pahi
Manakore Rickus
Warren Thomson
Ngaronoa Kimura (#A139)
Ema Roriana Weepu (#A136)
Mary Ellen Elle Archer (#A154(a))
Puti Corbett (#A083)

Day 3 - [22 September 2022]

Mere Skerrett (#A137)
Paihere Clarke (#A141)
Dallas King Williams (#A150(a))
Nora Rameka (#A152, #A152(a))
Tiaho Mary Pillot (#A91, #A91(a))
Daniel Ormsby (#A133)
Merle Ormsby

Day 4 - [23 September 2022]

Professor Angela Wanhalla (#A082)

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PLEASE NOTE: In recognising that the spelling of names, dialect, and kupu differ across hapū and iwi, we acknowledge that each kupu has a whakapapa that is valid. With respect of these differences, the following transcripts have been specified for continuity in our mahi. The dialectal variations have been transcribed verbatim. We have received preference from Taranaki/Aotea for the (h) to be included in the written word (although spoken without).

HEARING COMMENCES TUESDAY 20 SEPTEMBER 2022 AT 10.02 AM**(10:02) DR RUAKERE HOND: (MIHI)**

Tēnā tātou. Kāre i te tika kia tuaruahia nei ngā mihi o te ata nei. Me te mea hoki, ko te karakia i tukuna atu e tō tātou kaumātua me āna kōrero nei mō te
 5 kāinga, mō te whare me te iwi nei o konei, ka pai kia waiho kia iri tonu ki runga i a tātou tae noa ki te mutunga o tā tātou rā. Nō reira, ka mutu atu a mihi, ka rere atu a kōrero. Nō reira ka waiho atu te kōrero, ka tuku atu te wāhanga atu ki tō tātou Kaiwhakawā. Tēnā koutou, tēnā tātou. **[Nil.]**

(10:03) JUDGE SARAH REEVES: (MIHI)

10 Tēnā rā tātou katoa. Āku mihi ki a koutou. Pai ki te kite i a koutou anō. Ko te wā whakamutunga o te Tūāpapa. **Greeting everybody this morning. It's good to see people again today as part of the Tūāpapa hearings.**

Welcome to everybody and it's good to see you all and this is the final hearing
 15 of our Tūāpapa phase of hearings and I think we are just going to move straight into the programme for the day pretty much. But firstly, I am Judge Reeves our Presiding Officer. I am sitting here this week with the panel for the Mana Wāhine Inquiry. To my far left are Dr Linda Tuhiwai Smith, Dr Ruakere Hond, Dr Robyn Anderson and Kim Ngarimu.

20

I am now going to move to taking appearances from counsel and after I have taken appearances I will just address a few housekeeping issues and notices and check to see whether there are any matters that counsel wishes to raise
 25 before we move to our first kōrero for the day. So, I am going to move through the list of appearances in the order that staff have passed it to me. So, firstly, Te Mata Law.

(10:04) MS PAIGE JOY: (MIHI, APPEARANCE)

Tēnā e te Kaiwhakawā. Tēnā koutou Te Rōpū Whakamana i te Tiriti o Waitangi. Ko Ms Joy tōku ingoa, nō te tari o Te Mata Law. Ka tū au mō ngā kerēme 16:
 30 Wai 2673, 1823, 1900, 1959, 1971,2750,2125, 2140, 2354, 2816, 2823, 2824, 2830, 2837,2839 and 2851. Tēnā koe. **Greetings Judge and the panel of the**

Waitangi Tribunal. Ms Joy, Te Mata Law and I appear for 16 claims or the claimants of 16. [Just naming now.]

JUDGE REEVES:

Tēnā koe. Oranganui Legal?

5 **(10:05) MR RICHARD GAYFER: (MIHI, APPEARANCE)**

Tēnā koe e te Kaiwhakawā, koutou hoki Te Rōpū Whakamana i te Tiriti o Waitangi, otirā koutou kua tae mai nei ki tēnei rā, e mihi atu. Ko Richard Gayfer tōku ingoa. Ko au te rōia mō Ms Muriwai Jones, mō Ngāi Tai rāua ko Ririwhenua. Ko ā rātou kerēme ko Wai 3159. Anō hoki, ko au te rōia mō
10 Ms Rosaria Hotere, ko kerēme ko Wai 2709. Kei te tūhono hoki a taku hoa a Ms Rongo i te ipurangi mai i tō mātou whare ki Paraparaumu. Nō reira tēnā koutou katoa. **Greetings to the Judge and to the panel of the Tribunal and those who have assembled here today. My name is Richard Gayfer. I am the lawyer for Ms Muriwai Jones, Wai 3159. Also, I appear for
15 Rosaria Hotere, Wai 2709. And my associate is also online from Paraparaumu.**

JUDGE REEVES:

Tēnā koe, Mr Gayfer. NL Lawyers?

(10:06) MS TIAKI GRANT-MACKIE: (MIHI, APPEARANCE)

20 Tēnā koutou katoa. Tēnā koe e te Kaiwhakawā otirā te tēpu, ngā mihi maioha ki a koutou katoa. Ki te whare e tū nei, tēnā koe. Ki ngā mate kua pahure atu ki te pō, haere atu rā, hoki wairua mai ki a tātou katoa. **Greetings everybody of the panel. I wish the acknowledge the whare, the house that we are assembled in today, stand tall. And to those who have passed on,
25 farewell.**

Counsel's name is Ms Grant-Mackie of NL Lawyers and our claimants are Francis McLaughlin Wai 2123, Ngatai Huata Wai 2820, Merepeka Raukawa-Tait Wai 3102, and Teina Dean Wai 2931. Tēnā koutou
30 katoa.

(10:07) MS AMY CHESNUTT: (MIHI, APPEARANCE)

Tēnā koutou katoa. Ko te mea tuatahi ka mihi atu ki te haukāinga o tēnei rohe, tēnā koutou katoa. Tēnā e te Kaiwhakawā, otirā ki a koutou ngā mema o Te Rōpū Whakamana i te Tiriti o Waitangi, he mihi mahana ki a koutou katoa i

5 tēnei ata. Ko Ms Chesnutt tōku ingoa. Ka tae mai a Ms Tothill a Rāpare. E whakakanohi ana ahau mō te Kahurangi Dame Aroha Reriti-Crofts. Moe mai rā e te rangatira, moe mai, moe mai. Ā, he kaikerēme mō te rōpū Wahine Māori Toko i te Ora Wai 381 me te hapū Patuharakeke Wai 745. Tēnā koutou.

Greetings to everybody. I first like to acknowledge the hosts, greetings to

10 **you all. To also you the Judge and the members of the panel, Waitangi Tribunal, good morning to you all. My name is Ms Chesnutt. Ms Tottle will be here on Thursday. I appear on behalf of Dame Aroha Reriti-Crofts.**

JUDGE REEVES:

Tēnā koe Ms Chesnutt. Sykes & Co.

15 (10:08) MS ANNETTE SYKES: (MIHI, APPEARANCE)

Kia ora e te whare. Kei te tū i te mihi kua mihia i te rā nei. Kua roa te wā i tae mai ahau kei waenga nui i a koe, Aoraki. I maumahara au i te wā i tae mai māua tahi ko Eva Rickard. I taua wā ko te hiahia o Ngāi Tahu kia puta mātou o te rōpū ahi kā ki waho o tēnei whenua Te Waka **(Māori 10:08:59 Ika)**. Engari, i tēnei

20 whare tīpuna, i whakatuwhera tō kuaha hei whakamahana i a tātou i taua wā i runga i te whakaaro kei te whai tonu māua tahi ko Eva te tino rangatiratanga o tō tātou nei Tiriti. **Greetings everybody and acknowledge the sentiments that were expressed during our welcome this morning. It's been a long time since I've been here. Way back when I came with Eva Rickard. I come**

25 **here into this whare to receive us today. And Eva Rickard being a face of rangatiratanga over the many years.**

I runga o taua tūāhuatanga, kei te huri atu au ki te haukāinga. I maumahara au i te wā e ora ana a Hori Brennan mā, Hohua mā, ā, ko tāku nei uncle a

30 Robin Curtis mā, i reira koutou i taua wā ki te whakamahana te pōhiri o tēnei whare ki a tātou. Anā, ki a koe e Norm me tō kaumātua ki tō taha, kei reira tonu koe, i reira tonu koe i āiane i runga i taua tūāhuatanga. Kei te tino mihi ki a

koutou i runga i te whakaaro rangatira ahakoa ko wai koe, ahakoa nō hea koe, ahakoa te mahi whakaparahako a te Karauna ki a tātou te iwi Māori, kei konei tēnei marae hei whakamahana i ngā kōrero i puta, anā, i runga i taua tūāhuatanga kei te mihi atu au ki tēnei whare.

5 **I remember those of the past, Hori Brennan, Hohua Tutengaehe, Robin Curtis, those who were there in the past. I acknowledge those who have been here for a long time and are still here and a part of activities. Doesn't matter what's going on. You're here and the marae is always able to support our activities.**

10

Ka huri au ki tāku mihi tuarua ki a koutou Te Rōpū Whakamana i te Tiriti. I tēnei mārama kei te mōhio au te pakanga mō to tātou nei reo, te Petihana Māori me te whakatū o te rōpū toa o te ao, Ngā Tamatoa, te rōpū kia kaha whai atu i te reo Māori me te hunga rangatira. Anā, i runga i taua tūāhuatanga kei te mihi

15 atu ki a koutou. E kīa nei ngā kanohi tawhito, ngā kanohi ora mō taua tūāhuatanga, Linda rāua ko Ruakere. Ki a koe e te Kaiwhakawā, kei te mihi atu ki a koe mō to manaaki ki a tātou. **I would like to extend also my greetings to the Tribunal and I know with this month in particular was a celebration of te reo, remembering the efforts of the Ngā Tamatoa and the people in**

20 **the early 70s who pushed that through. And yes, always can acknowledge the efforts of Linda and those times, Ruakere in undertaking the efforts for the revitalisation of the language.**

Anā, ko tāku nei mihi whakamutunga ki a koutou mā, ngā wahine māreikura,

25 ngā wahine whai atu i ngā whakaaro aroha, ngā whakaaro kaha o tō tātou nei whaea Papatūānuku me ōna whakatipuranga, kei te mihi atu au ki a koutou. I kite atu wētahi o koutou kei te māuiui ana, ahakoa te uaua o taua tūāhuatanga kei te tino mihi ki a koutou i tae mai ā-tinana mai, ā-wairua mai ki te whakakaha i tēnei o ngā tūāhuatanga. **But all women, like to acknowledge for being just**

30 **like Papatūānuku, the nurturer, fosterer of all things. I'd like to thank everybody who's come here to support this event today.**

Ka huri atu ki tērā o ngā reo nā te mea he maha ngā kerēme i whai atu kei raro i te maru o tāku tari. Ko te raru i te rā nei, i tae mai a Hinepūkohurangi kei

Rotorua, kei te tatari tonu te nuinga o aku nei hoa rōia i reira, me wātea te huarahi ki a tae ā-tinana mai pea, rātou ā-wairua mai pea i tēnei kaupapa. **Here, even though despite my office, covers a lot of claims, some of my associates were troubled by the fog in Rotorua and haven't come today.**

5

We act for a number of claimants, Wai 381 where one of the claimants for Ms Donna Awatere-Huata who is an original claimant for the Wai 381 claim with a number of other women who have now departed, particularly want to recognise many of those from the Māori Women's Welfare League that aren't
10 with us but this marae also is one of the few marae when that claim was being made, that was very supportive of that claim and of the late Dame Mira Szászy.

Wai 2494 is a racism claim that's also pursued by Donna Awatere. The geniuses for that claim also came from, I don't know if people know, but this
15 marae was the only marae in the 1980s that had a legal office attached to it to provide free legal advice to our people living here in Ōtautahi, that had left – what did they call them – imports from the North Island in the whaikōrero and Dr Caroline Bullen and Mike Knowles well before the Community Law Centres, use to operate a free service all day, all night from this marae.

20

Women's Refuge also had its beginnings at this marae. I used to work at the back there when I was here in the early 80s and that this marae was one of the few provided safe refuge for women that suffered enormous hardship at the hands of the family violence that they endured and the failure of the system at
25 that time provide support.

I'd like to turn to the next claim which is the focus of many of our hearing this week. It's a claim Wai 2872 and we are fortunate that Dr Leonie Pihama and Ms Te Ringahuia Hata have come down today to support the witnesses this
30 morning that are being called in, in relation to that claim.

There's also claims Wai 558 from Te Whakatōhea. There's Gang Girls Claim, there's the claim from Kirikiriroa Urban Māori Authorities which is a sister authority to the Urban Māori Authority that operates from this marae.

I just wanted to say that this morning because I felt the whaikōrero invisibilised all of these historical issues for Māori women and if people are going to speak on our behalf please ask us because we have history in these places that over
 5 the last 50 years, over the last 100 years that actually may educate some of us that haven't actually been part of those journeys, kia ora.

JUDGE REEVES:

Tēnā koe Ms Sykes. Phoenix Law.

(10:14) MS GRETTA HANSEN: (APPEARANCE)

10 Tēnā koe, tēnā koe e te Kaiwhakawā. Tēnā koutou katoa. Ms Hansen tōku ingoa. May it please the Tribunal, counsel's name is Ms Hansen and I will be appearing alongside Ms Mason who will be arriving tomorrow. We appear on behalf of a number of claimants represented by Phoenix Law who are listed in document number 2700 #3.1.296(a).

15

This week we have eight witnesses presenting evidence on behalf of Wai 1940, a claim by Ms Jane Ruka on behalf of the Waitaha Grandmother Council, kia ora.

JUDGE REEVES:

20 Tēnā koe Ms Hansen. Afeaki Chambers.

(10:15) MR TAVAKE AFEAKI: (MIHI, APPEARANCE)

Tēnā koe e te rangatira, huri noa te tēpu nui, kei te mihi, kei te mihi, kei te mihi atu, huri noa tō tātou whare tēnā tātou katoa. Kua tū ake māua ko taku hoa rōia, ko Dr Rekha Arya, kia tautoko ngā kerēme o Wai 700, ko ngā kerēme o
 25 Anania Wikaira mō Te Hikutu hapū o Hokianga Whakapau Karakia. Ā muri tēnā ko te kerēme o Tracey Waitokia, ko Wai 2278, e pā ana nei ki ngā rangatira o Whanganui, nō reira tēnā tātou katoa. **Greetings to the panel, to the Judge, everybody here assembled, good morning. My associate here I stand with to support our claims my officer is looking after.**

JUDGE REEVES:

Tēnā kōrua. Kaupare Law.

(10:16) MS ALANA THOMAS: (MIHI, APPEARANCE)

5 Tēnā e te Kaiwhakawā. A, mātua rā e tautoko mārika ana au i ngā kupu a tā
tātou Tākuta i whakatakotohia i te ata nei, mō ngā mihi i roto i te pōhiri, kāore
he take o te tōwai i ērā mihi, heoi anō tāku he tautoko, he tautoko. Me taku tāpiri
anō hoki ki ngā mihi me te hoki whakamahara a Annette ki tērā wā o te whawhai
me te hekenga o te werawera me te whakapau kaha o ngā wahine i aua wā rā.
10 I runga anō i te mōhio, āe, kua tō te rā ki runga i te wiki o te reo Māori engari
kei konei tātou e tuku nei i te reo Māori kia rere noa ki roto i te whare, ā, nā
koutou te take, nō reira e te Tākuta Linda, Ruakere, ā, ka mutu, taku tuakana
Annette, e mihi ana ki a koutou me ō koutou tirohanga mō te āpōpō o te pae
tawhiti, ā, koinā te take kei konei tātou e hāpaitia nei te reo Māori, a haere ake
nei, a haere ake nei. **Tēnā koe, greetings to the Judge and to the words that
15 were shared during our welcome this morning. It's not necessary to
repeat but I'm supportive of the sentiments expressed this morning. I do
wish to support the words that Annette expressed about our senior
women, elders who were the movers and shakers in their time for the reo
so that the reo could flourish and for all of those women and to yourself
20 Dr Smith, Dr Ruakere Hond and even yourself Annette, driving those
initiatives from the past and still doing that today.**

I runga i tērā e te Kaiwhakawā, e whakakanohi ana māua ko Ms Herewini ki
runga i te ipurangi rā i te kerēme 3003 me taku mihi anō hoki ki a koe e te
25 Kaiwhakawā i to whakaāe mai kia kuhu mai a Nora Rameka ki tēnei hōtaka
ahakoa tērā pea kei te miniti whakamutunga, i whakaaro ake mātou i tērā atu
nohonga e tika ana kia whai wāhi mai te reo o Ngāti Rehia ki tēnei kaupapa kia
tuku i ētahi kōrero mō te tipuna rangatira a Matire Toha. Nō reira ka tū, ka hono
mai a Ms Rameka hei te Taite mai i te Tai Tokerau i taua wā rā. Nō reira e mihi
30 ana ki a koe e te Kaiwhakawā. **I'd also like to say that I, myself, and Ms
Herewini are representing claim 3003 and thank you for accepting her to
present during this hearing, will be at the request at the very last minute
for Nora Rameka, thank you very much. But it was important for a voice**

of Ngāti Rehia to be presented in this forum. She will connect to us online on Thursday.

JUDGE REEVES:

Tēnā kōrua Ms Thomas and Ms Herewini. **Thank you both.** Tamaki Legal.

5 **(10:18) MS STEPHANIE ROUGHTON: (MIHI, APPEARANCE)**

E te Kaiwhakawā, e Te Rōpū Whakamana i te Tiriti o Waitangi, ngā rōia mō te karauna, ngā rōia mō ngā kaikerēme, koutou ngā kaikerēme, huri noa ki te whare, tēnā koutou, tēnā koutou, tēnā koutou katoa. Ko Stephanie Roughton tōku ingoa. **The Judge, the panel of Te Tiriti o Waitangi, the lawyers of all**
10 **the claimants and everybody assembled, good morning, greetings to all. My name is Stephanie Roughton.**

I appear this week on behalf of the claimants represented by Tamaki Legal, in particular we have two claims participating this week, first is Wai 1196 a claim
15 by Merle Mata Ormsby, Daniel Ormsby, Tiaho Mary Pillot and Manu Patena, as members of Ngāti Hikairo iwi, Ngāti Tamakōpiri and Ngāti Hotu o Tokaanu, Otūkou Marae o te Okahukura Whare Tupuna, and Papakai Marae of the Rakeipoho Wharepuni. The second claim is Wai 1886, a claim by Robert Gabel on behalf of Ngāti Tara.

20

Ma'am, just to note that my learned friends Mr Chan and Ms Alty will be appearing alongside the claimants as they present by AVL on Thursday. Tēnā koe.

JUDGE REEVES:

25 Tēnā koe Ms Roughton. Te Whenua Law.

(10:19) MS TANIA TE WHENUA: (MIHI, APPEARANCE)

Tēnā koe e te Kaiwhakawā, otirā Te Rōpū Whakamana i te Tiriti o Waitangi, koutou kua noho i te tēpu, tēnā koutou. Huri noa i te whare, ngā mana whenua, kei te mihi atu au ki a koutou. Hoki atu rā ki aku hoa mahi, aku hoa rōia kei te
30 noho hei rōia mō ngā kaikerēme, kei te mihi atu. Kei te tautokohia rawatia tētahi

kua mihi e te tuahine a Annette Sykes, ko tētahi o ngā tōtara kua hinga, me mihi atu anō hoki au ki a ia, ko Maanu Paul tērā, te kaikerēme nō tātou i runga anō i tōna kaha ki te hāpai atu ngā take e pā ana ki tērā take nui o te ao a climate change. Nā reira, ki a koe e te rangatira, moe mai rā, moe mai rā.

5 **Greetings to the Judge, to the panel of the Waitangi Tribunal and everybody assembled there. The hosts for this week, greetings to you all. To my associates, my fellow lawyers who are presenting for claimants this week, greetings to you as well. I acknowledge what Annette has to say, including mentioning Maanu Paul who was a claimant for climate**
10 **change, and I farewell him accordingly.**

Hoki atu ki a tātou te hunga ora, kei te noho nei ahau hei rōia mō ngā kaikerēme 2859, ko rātou te Rūnanga o te Kaimahi Māori o Aotearoa, the New Zealand Council of Trade Unions, mō Wai 2864 Te Rūnanga o Ngā Toa
15 Āwhina (the Rūnanga of the New Zealand Public Service Association), mō Wai 3011 the Wāhine Toa Movement o te Rōpū o te Kēnge Māpu (the Mongrel Mob Kingdom), me Wai 1511 te kerēme o Keita Hudson mō tana hapū o Ngāi Tamatea. Tēnā koutou. **I am a lawyer representing claims 2859 and 2864 and also for claim 3011 Wāhine Toa Movement and claim 1511.**

20 **JUDGE REEVES:**

Tēnā koe, Ms Te Whenua. Loader Legal?

(10:22) MS BROOKE LOADER: (MIHI, APPEARANCE)

Tēnā koe e te Kaiwhakawā, ā, kia ora mai tātou katoa. Tuatahi, ki ngā mana whenua ki te ata nei, ka nui te mihi ki a koutou katoa. Ki ngā rangatira o te tēpu,
25 taku mihi ki a koutou. Ki ngā kaikerēme, ngā māngai o wahine Māori nō te katoa o te motu, tēnā koutou katoa. **Greetings to the Judge and to everybody assembled, greetings. I would like to acknowledge our hosts for the week, those of the panel here as well, good morning. Those who are representing all the women associated with this claim throughout the**
30 **motu, throughout the country, greetings.**

Ko Brooke Loader tōku ingoa. Ka tū au i tēnei rā ki te whakamārama te kerēme o Hana Maxwell Wai 2855 me Huhana Lyndon Wai 2917. Tēnā koutou katoa.

And representing various claims as just mentioned.

JUDGE REEVES:

5 Tēnā koe, Ms Loader. Kāhui Legal?

(10:22) MS JOANNA JUDGE: (MIHI, APPEARANCE)

Tēnā koutou katoa. E te taumata, ki a koutou e te haukāinga, me mihi koutou ka tika. He mihi tēnei ki tō tātou wharenuī, tēnei ka mihi. E mihi ana ki ngā mema katoa o te Taraipiunara, tēnā koutou katoa. Tēnā, e te Kaiwhakawā, ko Joanna

10 Judge tōku ingoa, nō Kāhui Legal, e whakakanohi ana i ngā kaikerēme o Wai 381 me Wai 2260 arā ko Ripeka Evans rāua ko Papaarangi Reid ērā.
Greetings to the panel, to everybody assembled here. To the whare that stands and securing for us, greetings. My name is Joanna Judge, I am from Kāhui Legal. Wai 381 and on behalf of Linda Evans and
 15 **Papaarangi Reid.**

Ma'am, if I can seek leave for Kāhui Legal to observe the livestream for the remainder of the week due to existing commitments?

JUDGE REEVES:

20 Yes, leave is granted.

MS JUDGE:

Tēnā koutou katoa.

JUDGE REEVES:

Tukau Law?

25 **(10:23) MS MAJKA CHERRINGTON: (MIHI, APPEARANCE)**

Tēnā koe e te Kaiwhakawā, otirā ki a koutou ngā mema o te Taraipiunara. He mihi mahana ki a koutou katoa i tēnei ata. Ko Ms Cherrington tōku ingoa.

Greetings to the Judge and the panel members of the Tribunal. My name

is Ms Cherrington. I appear on behalf of those claimants represented by Tūkau Law, those are Wai 1464 a claim by Te Kapotai, Wai 682 a claim by Te Rūnanga o Ngāti Hine.

- 5 Your Honour, we are not actively participating in this hearing week due to having already presented our evidence, so we also seek leave to attend by livestream for the remainder of the hearing and will revert to the AVL link should we need to. Tēnā koutou.

JUDGE REEVES:

- 10 Tēnā koe Ms Cherrington, that leave is granted. Any other appearances by claimant counsel we've missed? Okay. Mō te Karauna?

(10:24) MS MATEWAI TUKAPUA: (MIHI, APPEARANCE)

- Tēnā koe e te Kaiwhakawā, ā, tēnā koutou katoa e ngā mema o te tēpu nei, ā, he mihi mahana ki a koutou katoa. He mihi hoki ki te haukāinga mō te
 15 manaakitanga i tēnei ata. He mihi nunui hoki ki ngā kaikerēme mō te kōrero ka puta i tēnei rā. Ko Ms Tukapua me Ms Wharehoka māua, he rōia mō te Karauna, ā, kei konei hoki a Mr Kaua, he kaiāwhina i a māua i tēnei wiki. Kia whakamōhio atu, ka wehe ahau āpōpō, ka haramai a Ms Ngaronoa hei te Taite. Kia ora. **Greetings from the Crown. Thank you, Judge for your words
 20 of greeting this morning. To our hosts, thank you very much for the claimants and those who will present today, wish you well. Me and my associate represent the Crown along with Bill Kaua. Also, I seek leave tomorrow with somebody else replacing me tomorrow.**

JUDGE REEVES:

- 25 Tēnā koe Ms Tukapua. All right. If we could now turn to just a few housekeeping issues.

HOUSEKEEPING (10:25:41 – 10:35:14)

ANNETTE SYKES:

Mōrena. It's my pleasure to actually introduce today, Dr Naomi Simmonds. And she is accompanied with her whānau, her daughter and her nieces. Before I actually ask her to confirm the evidence before the Tribunal, they may wish to
5 just do a little mihi whakatau if that's permissible by the Tribunal.

(10:35) DR NAOMI SIMMONDS: (MIHI)

Tēnā koutou. E te Kaiwhakawā, nei rā te mihi mahana ki a koe, ki ngā mema o Te Roopū Whakamana i te Tiriti o Waitangi, he mihi matakuikui tēnei ki a koutou kua noho i raro i te maru o te korowai aroha o tēnei whare, tū tonu, tū tonu. He
10 uri tēnei nō Raukawa ki Te Kaokaoroa-o-Pātetere e mihi ana, ko Naomi Simmonds tōku ingoa. Kua tae mai taku irāmutu me taku pōtiki o te whānau, ko Tyra Begbie, ko Kaylee Begbie, ko Hinekārohirohi Bennett nō Raukawa, Ngāti Huri, Ngāti Wehi Wehi, Pikitu Marae rāua ko Ukaipō Marae mātou e mihi ana, tēnā koutou. **Greetings everybody. To you, the Judge,, greetings and the**
15 **members of the panel, greetings on this joyous occasion. To the whare that we have assembled in, stand tall. I am from Wharepuhunga in the north and my two nieces are here with me. I am from Ngāti Raukawa, Ngāti Huri and Ngāti Wehiwehi. From Pikitu and Ukaipō Marae.**

20 MS SYKES CALLS**DR NAOMI SIMMONDS (SWORN)**

Q. Kia ora Dr Simmonds, you prepared helpfully in August, a brief of evidence. I know people don't talk about themselves but I'm going to use some of that brief of evidence to introduce you. You are a Dr of
25 Philosophy which you completed in 2014 and graduated or received that from the Geography Department at the University of Waikato and that doctorate or thesis was entitled Te Turuturu o Hineteiwaiwa, mana wahine geography is the birth in Aotearoa. Is that correct?

A. Āe.

30 Q. And that thesis forms the basis of your evidence today?

A. Āe.

Q. You also held a number of professional positions with respect to post-settlement governance entity and tribal representative groups for your

hapū and iwi from Raukawa and you're presently the co-director of an environmental research and management consultancy. Tūānuku Limited, is that correct?

A. Āe, tika tērā.

5 Q. You're also an advisor to Raukawa Te Ukaipō Hapū Ora pilot programme and are contributing also for the Raukawa environmental management plan, the Ngāti Huri environmental strategy and the Te Waiotu cultural impact assessment?

A. Āe.

10 Q. And what you haven't included, you also advise, don't you, on a range of matters around the health and wellbeing and the waiora of te awa o Waikato to which you have a close and intermit whakapapa relationship.

A. Āe, he tika tērā.

15 Q. Your evidence has an appellation of #A134 and #A134(a). Would you confirm that that is true and correct to the best of your knowledge and belief?

A. Yes.

20 Q. And as part of your presentation today, you want a montage of photos to be placed for the Tribunal there a PowerPoint presentation which can run in the background.

A. Āe, tika.

Q. Is there anything you want to say about that PowerPoint before we actually turn to the evidence?

25 A. It is just a montage of photos to demonstrate a little bit of what is in the evidence, in words I think it speaks quite loud compared to kupu anake.

Q. And I know your evidence is scheduled for about 90 minutes. If you're tired, please feel free to sit down, you don't have to stand but kei a koe te wā, kia ora.

(10:39) DR NAOMI SIMMONDS: (#A134, #A134(a))

30 Tēnā koutou. Taku tapuwae, he tapuwae tapu. Taku tapuwae, he tapuwae roa. Taku tapuwae, he tapuwae kura. Oioi i a Ranginui e tū iho nei, oioi i a Papatūānuku e takoto nei. Kia hiki matā ngā tapuwae o Māhinaarangi, ka whai matā ngā tapuwae o Māhinaarangi. Nau mai rā e kui me ō mana, whakaihihi

te mauri o tēnei wānanga, o ēnei wahine kia puta ki te whai ao, ki te ao marama. Tūturu whakamaua kia tina, Haumi e, hui e, tāiki e. **Greetings everybody. [This is an expression of her identity and her connection to her ancestresses to come to be a part of the events today.]**

5

Tēnā anō e te Kaiwhakawā, e ngā mema o Te Roopū Whakamana i te Tiriti, ki ngā kaimahi. He tū whakaiti tēnei, he pīpī, paopao tēnei e tū ana ki te mihi ki ngā ruruhi, ki ngā mareikura, aku kōka, aku kuia kua tū i mua i ahau ki te whakamana i te reo o ngā wahine, i te mana wahine. **Greetings again Judge, the members of the panel and those who are involved in the hearing. I'm just a newbie to this sort of presentation and activity but I am here to present and to represent the mana of women today.**

10

It's pleasure and a privilege to stand here on behalf of my whānau, Ngāti Huri. On behalf of the wahine of our whānau to share a little bit of my research, our research into our tupuna wahine, Māhinaarangi. Our tupuna wahine e mihi ana ki a Ngāti Kahungunu i tēnei wā, our tupuna Māhinaarangi and the deeply embedded knowledges that she left for us in the whenua and I wanted to start with a poem about Māhinaarangi that concludes my evidence but I thought it might be worthwhile reading at this particular point and it's called 'Through my feet, I come to know you'.

15

20

I start with this poem because in order for me to understand who my tupuna wahine was and the mana that she carried, there is a whole lot that we need to disentangle from our context here in Aotearoa, our very colonial context here in Aotearoa that's impacted on wahine in specific and unique ways that is impacted on our relationship with the whenua in very specific and unique ways so in order to talk about pre-1840 mana wahine, mana wahine maternities and the hononga, the relationship between wahine and the whenua, we need to understand our own context in the here and now and what that tells us about what we might be able to understand of them.

25

30

Through my feet, I come to know you. Māhinaarangi walked. She simply put one step ahead of the other and walked, hapū with Raukawa comforted inside

her whare tangata, she walked purposefully towards the lands and waters of Turongo. The journey was long and I can only begin to imagine what the journey entailed. Who went with her? Who led her? Or more correctly, who did she lead? Why did she choose the route that she went, who did she meet and see
5 along the way, what were the stories they shared?

She walked one step in front of the other. Not as an exercise in research or remembrance or memorialising but as a purposeful movement and migration from her turangawaewae at Kahotea to create a new home for her son at
10 Rangiātea. How did she feel leaving what was her home for her entire life and was this the furthestest she had adventured? How old was she? Was she scared or tired?

One step in front of the other, feet moving atop the ground, no roads, no tracks,
15 she was the track maker, the map maker, her feet, the makers of a journey that would be etched into the lands and people forever more. Did she know this would happen? How could she not?

She walked but she did this strategically, she moved over hills, across plains,
20 over rivers and lakes knowing that she was carving out the valleys of tradition and tikanga that could transform the lives of her great-great-grandchildren and their great-great-grandchildren. She walked and walked and walked, along the way giving birth to Raukawa in foreign lands. Her labour pains spout in the name of the stream Ngā Amuamu Wahine, her tears spout in the waterfall
25 Te Rere i Oturu as she farewelled the waters that flowed to her home in the east, knowing she would birth her baby to the lands in the west.

She laboured all while still moving through space. She birthed our ancestral knowledges onto and into the lands and waters that she moved through. Up
30 ahead, there's a clearing, she can see for miles. There between Maungatautari and Wharepuhunga, she can see where her new home will be. She laboured by the rivers and gave birth and the bottom of the hills, a place we now know as Whenua a Kura, the land redden by blood or the land where a treasure is born, Ukaipō.

The place she breastfed her baby that forever has fused our identity to the land. The places we can and should be able to go and find sustenance and then she walked and cared for her new born and walked and did this on repeat until she
 5 reached the banks of the Waikato River. She walked one foot in front of the other until she reached Rangiātea. A house built for her and her child by the man that she woo'd with the scent of the Raukawa tree. It is here that the tohi ritual was performed and that child was taken on as the responsibility of the entire community.

10

Māhinaarangi was not on her own. She setup a village, a whānau, a life, an iwi. Did she ever question, what if it doesn't work out; she just did it. She walked until she reached that place which would become home for her and her children
 for me and my children. Is this a love story, a story of leaving home, a birthing
 15 story, a tribal story? It is all of these.

15

Māhinaarangi. I feel like I know you intimately, yet you feel like a stranger. And so, we walk in your footsteps to come closer to knowing you and knowing ourselves. We feel your pains, hopes, joys and struggles in our whare tangata
 20 (our womb space) and we lean on your lessons as we carry the responsibilities of te ukaipō the source of sustenance for our babies from our whenua.

20

And so, one foot in front of the other we will walk your pathways, mō ake tonu. Taku Ara Rā... Ko Māhinaarangi Te Tapairu Tapu Nui Mana Roa Tiketike o Te
 25 Tai Rawhiti!! **Māhinaarangi the great ancestor of the East Coast.**

25

I wanted to share that particular piece of writing as it ties together the key messages in my evidence that I wanted to touch on today, those being the relationship between the whenua and wahine; the integral imbedded
 30 relationship between whenua and wahine. It ties together the points that our maternal knowledges are deeply imbedded in our lands, and our waters and our language. And for me, the significance of those three things and the entanglement of those three things together, tell us a little bit why this is an iwi

30

management plan claim for us to hear in terms of what's happened to our land, our languages, and wahine as well.

5 When I was training to be a geographer and I decided on my PhD topic, a lot which is on Māori birthing in the geography department, a lot of tauwiwi said, "How can you be doing geography and birthing at the same. No Māori that I said I was researching Māori birthing in a geography department ever questioned that, because the relationship between what has happened to Papatūānuku is the same as what has happened to Māori women.

10

The marginalisation of our whenua is the same as the marginalisation of women's' bodies, the marginalisation of whare tangata. It is no coincidence that our reo tells us about this relationship. It is no coincidence that the word "Hapū" means – has a dual meaning to mean being pregnant and to mean our collective of whānau. It is no coincidence that our tupuna had duality for the women's maternal body or the maternal body should I say and its connection to whenua. Whenua ki te whenua kia hoki te whenua ki te whenua **return the placenta to the land** that nourished our babies inside our whare tangata returns to that which will nourish our babies outside of our whare tangata.

20

It is no coincidence that the word for the womb space is whare tangata the house of humanity.

25 I wanted to share photos of our hīkoi as well because not only is what we know important about Māori maternity about Māhinaarangi's journey and the clues and signals that she left imbedded the whenua, but how we come to know these particular knowledges, to my mind, is equally as important as the knowledge itself.

30 So, learning about Māhinaarangi's story through the pages of a book gives us one understanding of her mana and her tapu.

Might I add though that the majority of accounts written about her have been written by men, and there are a number of accounts that were written by non-

Māori men, and what these accounts fail to acknowledge is her strategic cunning, the fact that she chose the route she chose purposefully. It wasn't the most direct pathway for her to get from Kahotea to Rangiātea.

5 And so, how we come to understand our relationship our ancestors and the knowledge that they've left for us is as important as the knowledge it selves. It takes us outside of the pages of a book. It takes us into where where they're stored in our whakairo, where they're stored in our whaikōrero. And as we had the fortune and the really hard task of understanding, they're stored in our feet
10 and in our tinana and in our tangible relationship to particular parts of the taiao.

What that also tells us though is that having access to whenua, having access to the wāhi tapu, to the places that Māhinaarangi footsteps fell on is a requirement of the reclamation of her mana and of mana wahine more
15 generally.

When we did our hīkoi, there were a number of places, of significant wāhi tapu that we were denied access to. Private landowners refused us access to those sites, or we would arrive at those sites and they had been concreted over. We
20 had to walk state highways and not the native tracks. We had to get consents from New Zealand Transport Authority (He Waka Kotahi) in order to walk the pathway of our ancestors. We had to arrive at the puna **the pool** at Okoroire, the puna where Raukawa was bathed, only to find that the farmer had not fenced it and it is now all but destroyed – all but a tiny little portion.

25 We had to walk through places where the place names that hold this deep knowledge had been completely erased or had been shortened or bastardised.

Te Poipoitanga a Raukawa is a place where Māhinaarangi settled Raukawa.
30 To poipoi your baby is to settle your baby. For some tribes, for some iwi, that's rocking them in the direction of their tūrangawaewae, of their home. For others, it's rocking them in the direction of ngā hau e whā. Fitting. It has now been renamed Te Poi, or as local farming communities call it "Ti Poi". When we start to see the erasure of our names, we start to see the erasure of our places.

Furthermore, what we learnt is that actually the locations of these places have been transformed through survey maps and through surveyors taking a point that was convenient for them in terms of surveying and that becoming the name of the place. Okoroire for example is a prime example of that. Most people know Okoroire as where the hot pools and the hotel are, but actually Okoroire proper is quite far from that location. And so, restoring our relationship to whenua again means disentangling ourselves from the maps, from the survey maps, from the colonial maps that sought to isolate our knowledge into specific pinpoints, that sought to isolate our wāhi tapu into these easily constrained boundaries that could then be built around, driven around or sold off.

Part of the reclamation of the stories of mana wahine and of our experience of Māori maternities here in Aotearoa also requires us to interrogate the relationship of our tinana as wāhine to the tinana of our tūpuna and trying to understand what that means for us in the here and now.

Personal reclamation we learnt on the trail is a daily effort, it's daily work, and what's happened, the obsession of the west with a singular truth with finding one single pathway that Māhinaarangi walked, as if we were going to find the true pathway that she walked, serves to confine her story and confine our story to one single hīkoi. And what we actually learnt along the way is that she probably moved back and forth across that whenua multiple times as she made her way from Kahotea and Rangiātea over her lifetime. And so the places, the multiplicity of stories that came from all of the iwi and hapū and mana whenua that we were able to come into contact with paints a much greater, much more diverse, much deeper picture of who she was, and therefore who we were, and also the maternal knowledge that she brought with her.

There is a tendency to romanticise these stories because they are the last remaining remnants of what we had, but in doing so we risk marginalising the real work and strategy that our tupuna had and did to make place for us. Each place that we stopped, each marae that we stopped in our hīkoi had stories of Māhinaarangi. Every iwi that we went to claimed her as theirs. We

were criticised for not going up to Mahia. We were criticised for not going further around up to Porourangi; we only had 23 days, but we did what we could.

5 But what this tells me is that when we engage in the place-based pedagogy that our tupuna had, there is the imbedded mātauranga in those places that isn't sitting in the confines of a 100,000-word dissertation. That isn't sitting in the confines of a book or even of a documentary. That's sitting with the mana whenua with the tangata whenua of those places, and so, reclaiming our relationship to those places helps to restore our relationship to those
10 knowledges.

Personal reclamation is daily work because we are bathed as Leanne Simpson of Anishinaabe descent says, "We are bathed in a vat cognitive imperialism. To reclaim our mana wahine, to reclaim our maternities, our Māori maternities that
15 our ancestors have left for us, requires daily disentangling from that vat of cognitive, and sometimes physical imperialism as we found through our hīkoi.

The ways in which Māori maternal knowledges and practises are imbedded within the land are just exemplified. There is one Māhinaarangi story is one
20 example of that and throughout journey, through our hīkoi we heard many other stories of many other tupuna wahine, of many other kuia who also had imbedded their stories in the land who had drawn from the tikanga that the whenua gave them.

25 The impact of colonialism on Māori maternities, and specifically on Māhinaarangi's descendants to my mind as happened in a kind of three-fold inter-connected way, the fragmentation of our collectives through urbanisation, through land loss, land confiscation through raupatu, through Public Works Act, particularly for our iwi in Raukawa in the centre of the North Island, all of those
30 things have meant that as wahine, we rely now, predominantly on seeking knowledge about maternities from experts who are usually trained health professionals.

We also have seen the impact of colonialism through the marginalisation of our reo, of our language, through the erasure of our tupuna wahine and many of their accounts that were re-written by Pākehā ethnographers, Elsdon Best probably being the most sighted through his reinterpretation of te whare tangata is something to be seen as unclean, something to be seen as restricted or restricting, quite in opposition to what our tupuna understood whare tangata to be.

Our language, our place names, the erasure, the shortening, the disconnect of those place names from the places proper themselves have impacted on our ability to birth, to be pregnant, to birth and to parent in uniquely Māori ways.

Although this is being reclaimed by whānau with the practise of retuning whenua ki te whenua, then probably the most evidence of that. But then numerous tikanga pertaining to pregnancy and childbirth that are only just - we've only just scratched the surface of,

The third area that I wanted to touch on in terms of colonialism and Māori maternities are specifically pertains to legislation that sought to assimilation Māori women to birth, to be pregnant, to birth and to parent like non-Māori.

The Tohunga Suppression Act

The midwife registration act which effectively saw the outlaw of traditional birthing attendance and traditional birthing practises, but there were other legislative mechanisms and policy mechanisms. Māori women weren't able to be serviced by the same organisations as non-Māori women, so we remained under the Māori Health Department whereas other women were serviced by Plunket, unique Māori wards where there was to be no cross-contamination between Māori at the hospital and non-Māori in hospital spaces, and even the tying of a Social Security Act to birth registration. So, in order to secure a social security benefit, birth registration had to be – you had to register your birth which had to occur at a hospital usually under the auspices of a non-Māori doctor.

That said, there are a number of whānau, hapū and iwi that are reclaiming maternities, reclaiming the mana and tapu of the maternal body. We've been able to see that in Raukawa through the development of a Hapū Ora Programme, but I want to acknowledge all of the whānau across the motu who
5 have engaged in reclaiming these particular practises.

The pedagogy of place requires engagement with mana whenua of those places. The pedagogy of place which holds mana wahine knowledges and holds Māori maternal knowledges also requires that we aren't continuing to
10 repeat the same mistakes that further separate the relationship between wahine and the whenua.

We've seen back home on multiple occasions and we're in the middle of quite a significant battle with councils and with a quarry just to get accountability for
15 a wāhi tapu Tīrauiti that have fallen into a quarry site, that has been quarried. And so, whilst I realise this isn't an environmental RMA Tribunal Hearing I actually think these are really important kaupapa to bring into the mana wahine space. By and large many of the witnesses that I've seen present in this Tribunal, also fight a number of fights on the environment front.

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They also are the leaders for a number of their iwi and hapū holding the line to be able to ensure that that relationship between wahine and whenua, between whānau and whenua is maintained. When we see decisions being made about our whenua in 2022 that continue to disrupt that relationship it is an ongoing
25 example of colonialism.

I just want to turn now to a few lessons that we learnt on the trail and I want to acknowledge the six other wahine that walked that hīkoi with me. 23 days, 380 km, I have to keep reminding myself what that was, 380 km attempting to
30 retrace Māhinaarangi's hīkoi from Kahotea through to Wairoa along the banks of Waikaremoana across the Huiarau Range to Ruatāhuna. From Ruatāhuna to Whakatāne, to Ōhinemataroa, Te Manuka Tūtahi. From Te Manuka Tūtahi back over to Tauranga Moana to the top of the Kaimai Mamaku Ranges. From the Kaimai Mamaku Ranges moving down where she gave birth to Raukawa at

Whenua-a-Kura. From Whenua-a-Kura along to Te Poipoitanga a Raukawa, along to the Waikato River. She crossed the Waikato River and then carried on to Rangiātea.

5 We walked probably half of the walk that she was able to do, although I was reminded by Rangi Mātāmua when we came out of the Urewera's and he picked us up that she probably would have been taken across on a waka, on the lake, the young girls weren't so happy at me that I made them walk around the edges of the lake.

10

There's variations to her story with some saying that she went to Rotorua, and other accounts talking about her journey to Whakatāne and then to Tauranga. Again, to my mind she probably did it all.

15 We were able to put our footsteps on a number of the places that she journeyed but there were a number of places that we weren't able to access as I've said previously.

20 One of the accounts of the place that she birthed is called Whenua-a-Kura. Another place that has a dual meaning if you look at our reo. Referred to as the chiefly land because it is where Raukawa was born, but there's also a meaning related to Kura which is treasured possession or chief, but also red auka, Kurawaka and Kurawaka o Papatūānuku or to redden as well.

25 Part of the research that we undertook in this project and I will just name the other wahine that were with us, Kaia Watene-Hakaraia, Lisa Begbie, Arahia Moeke and Ngāhuia Kopa as well as K'lee Begbie and Tyra Begbie and if it pleases the court I would like to give them a couple of minutes to reflect on what that hīkoi meant for them in a moment.

30

We sought to use hīkoi not as a exercise in hiking or tramping. When we finished the hīkoi a number of people said, "How was your tramp?" To my mind the word tramp is probably the furthest thing from hīkoi that you could get and so part of this journey was learning about Māhinaarangi but was also reclaiming

our traditional ways of relating to place and for me hīkoi or whīkoi in our dialect has a different politics of place, it has a reciprocity to place. We can never go back to those places and not have a reciprocal obligation.

5 The hīkoi taught us though that Māhinaarangi wasn't on her own. She didn't do that journey on her own. And again, we've romanticised her story to think that she was eight months hapū, strolling through the bush all by herself, e kao, she was a puhi, they wouldn't have let her go on her own and she was strategic where she went. She had whakapapa connections to all of the places that she
10 went. She was incredibly well looked after and what that tells us about Māori maternities is that we look after our hapū māmā, we look after our māmā with new-born babies, that they are not left on their own to raise children, to be pregnant, to birth and to raise their children.

15 We sought to use whīkoi to understand who she was and the places that she walked. It was purposeful though. It was a purposeful act of rangatiratanga to also re-establish our connection to those places as well. Hīkoi acknowledges our sovereign right to access the trails and places of our ancestors and it is an expression of our rangatiratanga that intimately, and I have to say from that
20 photo there, painfully connected to land.

We sought to understand more about her and what she could teach us through walking through the land. That the land, the whenua is a holder of knowledge, a conduit of memory, a teacher, a student and what we learnt was that perhaps
25 the land itself remembers what we may have forgotten. The land holds who we are as wahine, as Māhinaarangi's descendants.

If it's okay e te Kaiwhakawā, I'd like to give Tyra and K'lee a couple of moments to reflect on what that hīkoi and Māhinaarangi means for them.

30 **(11:08) K'LEE BEGBIE: (EVIDENCE)**

Tēnā koutou e te whare nei. Ko K'lee Begbie tōku ingoa. He uri ahau nō Raukawa. **Greetings everybody. I'm Ms Begbie. I'm from Raukawa.** I'm just going to share a poem that I wrote:

“I follow the trails of mothers. Before Ngāti Huri was the hapū that claimed me. Hapū was my māmā. Before Pikitū was the ūkaipō that hold me. Ukaipō was mother. Before Raukawa was the iwi that carried me, iwi was my mother. My mother is the first whenua I had belonged to and every day since birth I return home to my mother. My pito remains connected to the pito of my mother and every mother before us both. My pito is a tie to every mother that has ever held me and nurtured. The mother, she runs the kitchen, the mothers of old, they run the whānau, they run the marae. The mothers of old age, those matakite, them, those witches and bitches and mana wahine, them. I am what I am because of my mother. If I am lost, well I will follow the trails of my mothers, those paths will always lead me home.”

(11:09) TYRA BEGBIE: (EVIDENCE)

Kia ora koutou. He uri tēnei nō Raukawa. Ko Tyra Begbie tōku ingoa. **Kia ora. I am a descendant of Raukawa, I’m Ms Begbie, another one.** I’m not going to do a poem but I’m just going to do a little spiel about the whīkoi. So, for me as a rangatahi wahine **young woman** the whīkoi meant reclaiming the mana of our tīpuna kuia Māhinaarangi and in return reclaiming and knowing who I am as a Raukawa wahine. I think as iwi Māori our oranga lies innately in knowing who we are, yet we are purposely brought up in these systems, in these western systems that deny us of teaching us of who we are as Māori. So, I think this whīkoi is amazing, provided the opportunity for us to reclaim that. So, yes, kia ora.

25 NAOMI SIMMONDS: (CONTINUES)

Tēnā kōrua, tēnā koe e te Kaiwhakawā. **Thank you both, thank you to you Judge.**

I want to kind of wrap up actually to allow some time for questions by really reflecting on the intergenerational way that our tīpuna left knowledge for us and the opportunities that we have here today to think about the intergenerational legacy that we might leave.

I want to also identify that in the Māori maternity space, in the pregnancy and the birthing space there's still much more work to be done. There's still many more tikanga to be reclaimed and many more places that whānau should and could have access to but do not.

I also want to acknowledge the diverse range of birthing experiences that hasn't been shared here today, that we've shared the birthing the journey of one of our tipuna kuia but there are many more birthing experiences and sadly many more traumatic birthing experiences that have occurred for many of our kuia, our tipuna kuia being one of those who had 15 children, she birthed three at home at the pā surrounded by her whānau and the rest she was forced into hospital with no support people and her final birth, she was seen as a unique case because she was over 40, had had 14 prior births and therefore became fodder for 10 student doctors to do examinations on.

Part of reclaiming Māori maternities then is also providing for the diverse range of birthing experiences that our whānau have and I want to acknowledge that their experiences for our disabled whānau in this space that hasn't been explored, for our whānau, takatāpui whānau, in the maternity space that hasn't been explored. I also want to acknowledge the importance of whānau in the birthing space and ongoing trauma that tends to occur particularly in the hospital space for a number of birthing bodies and birthing whānau.

The research that I've been privileged to be involved in has revealed a number of places and genealogical connections and rather than striving for a single truth or one clearly defined pathway, I acknowledge and want to embrace the multiplicity of expressions of Māhinaarangi's journey and of our journey as Māori women, as birthing bodies that create a colourful tapestry for us in the present and in the future.

Nei rā te mihi nunui ki a koutou katoa. Kia ora. **Thank you all.**

JUDGE REEVES:

Kia ora mō o kōrero. I'm just going to – we're going to be taking the morning break at 11:30 and so I am just going to get my question off and then we'll move through the panel.

(11:13) JUDGE REEVES TO DR NAOMI SIMMONDS:

5 Q. So, you've given us an account of the experience of Māhinaarangi and her birthing journey, so my question for you is what can we extrapolate from her experiences, or her experience about the practices of pre-colonial, wahine Māori in relation to pregnancy and birthing?

10 A. Kia ora. I think her experiences to my mind kind of the gold standard for us to think about in terms of birthing, in terms of pregnancy and birthing. The way that she was looked after and not just because she was puhi, not because of her standing in all of the iwi that she had relationships to. But in particular because of the tikanga that she was enabled to practice even far from home.

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So, even when she was no birthing on her own whenua, she was enabled to practice the tikanga of breastfeeding, of takapau whāriki. So, there are a number of place names that I haven't touched on in this presentation or in this evidence that need further research might I add, but takapau
20 whāriki was the ceremonial mat that was laid out to Poipoi. There were a number of tikanga that she was enabled and supported to practice and she had collectives around her that supported her to do that. So, for me, whilst I wouldn't recommend to everybody walking 400 kms whilst heavily hapū and birthing your baby I think in her story are a number of messages
25 that tell us what birth can be like, that it can well supported, that it can be grounded in tikanga, that it can be connected to place and I think those are some of the things that we need to look at how we reclaim that in a more contemporary kind of health system that we are working in.

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Part of that is about people, it's about having the people who have those knowledges, who have that understanding, i a whānau, i whānau, i a marae, i a hapū, i a iwi, not just sitting in a health professional. To my mind, too much of our expectations sits on midwives to be able to do the

physical side of birthing and then also to have to carry the cultural side of birthing as well. And so reclamation to me, her story to me is part of that kind of gold standard of what we could be aiming for.

(11:16) KIM NGARIMU TO DR NAOMI SIMMONDS:

5 Q. Tēnā koe. Thank you, what an amazing kōrero. I did just really want to just acknowledge the hīkoi that you went on following the footprints of Māhinaarangi. It must have been an amazing experience of connection of tipuna and to place and to self and so, ngā mihi ki a koe. But, just one of the things I wanted to ask you about is a term you've been using this
10 morning and as you've talked about reclaiming Māhinaarangi's mana, and can you just talk to us a bit about what you mean by that?

A. Āe, kia ora. So probably it's actually not reclaiming her mana, her stands right? It's about reconnecting to her mana, it's about understanding the depth and breadth of that mana and where it sits and who holds those
15 histories, who holds those pūrākau. In doing the research, when I went and spoke to different knowledge holders we didn't just sit and talk like an interview, they said, "Oh, come here" and they took me to a place and so for me it was unlocking those stories about her mana in the places that mana whenua took us. We as Raukawa have our story about our tipuna
20 kuia, right, she's the mother of Raukawa. Ngāti Kahungunu have their story about their Ruruhi that they let go of and to come over. Porourangi and Rongomaiwahine have a story about her.

And so, it's about unlocking and for us about activating, what does that
25 mean for us now, not just as a story, an amazing story of how amazing she is, how awesome she is, and how epic her story was, but what does that mean for us and the challenges that we face as wahine, as rangatahi in today and that was a primary focus of the hīkoi and to be honest with you, it's one that we completed the hīkoi in December 2020, that we're
30 still unpacking what that means. Every time a challenge comes up, we then are faced with, 'Okay, what does this mean? How does the whīkoi influence us?'

And we underestimated in that journey – we were so focused on following her and focused on finding out about her that we underestimated the impacted that what we were doing was having on the whānau that we met along the way. So, in some ways she guided us into those places. So, probably the wording is slightly off, it's not reclaiming her mana, her mana stands, it's unlocking and reconnecting with what that means for us in the hearing now.

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Q. Kia ora. I thought that was probably it but I just thought that would be useful to just, to make sure I had the right understanding there. This isn't something that you've got in your brief but I want to try and tap into because of your expertise in Māori maternities and I want to ask you about what you know about the practice of abortion in pre-colonial times?

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A. Yes, he pātai pai tērā, that's a really good question. I didn't specifically go into that in my doctoral study but I know that Dr Kirsten Gable has touched on it in her PhD Thesis which also looks at Māori mothering, and in her work and what I have seen and I have heard discussed by some of our kuia is that there were examples of pre-colonial abortion, there were examples of particular kinds of rongoā, particular kinds of medicines that our tupuna knew how to use if there was a pregnancy that wasn't wanted.

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I think perhaps an important point to make is that our tupuna understood te whare ngaro as well, so they understood when there were – when you were unable to have children. They understood when children needed to be cared for by others and to me the collectivism, the way that we lived collectively supported those kinds of decisions. Again, we live in a very different world, we live in a much more isolated world where we are making decisions on an individual basis as wahine usually on our own and I have to say sometimes in secret in that particular instance, whereas I know, and my research has said that our tupuna were much more open in those decision-making processes.

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So, whether it was abortion, whether it was whāngai, whether it was supporting someone who was whare ngaro, who wasn't able to conceive and have their own child.

Q. Kia ora, thank you.

(11:21) DR ROBYN ANDERSON TO DR NAOMI SIMMONDS:

Q. Tēnā koe Dr Simmonds. I'd like to endorse what Kim said, what a fascinating endeavour and project to undertake. You've talked about the different – that there are many different written accounts of Māhinaarangi and that most of them are, all but one, that you've found are by men and one by a women, was the perspective substantially different by that one account?

A. The one account that I have seen that was penned by a women was actually fictionalised telling of the story of Māhinaarangi. So, it was taking her journey and turning it into a fictionalised story as well. So, it was quite different in that way and didn't necessarily look specifically at the trail that she took. In saying that, in all of the interviews that I did and the kōrero I had, the kuia that I spoke to were in awe of her journey and in actual fact, a lot of the written accounts talk about the love story between Turongo and Māhinaarangi and how he won her over or how her father gave her away, but actually when you talk to whānau and you talk to key knowledge holders, many of them actually focused on the strategic foresight that she had, that she actually observe Turongo and made sure he was the right fit for her before she revealed herself, before she revealed who she was.

And so, there are a whole lot of nuances I think in the tellings of the story that haven't necessarily been captured. I have to say, a lot of the accounts were either written for example, one is in a school journal, one was for the Treaty of Waitangi settlement, so it was literally about trying to identify key places for settlement purposes. There hasn't been these full accounts of her whole journey and about her. It's usually about her as the mother of Raukawa or her as the partner of Turongo and hence why I think this kind of research and telling, what we can only interpret as part of her story through us is so important.

Q. Those written accounts, how far back do they date, are they 19th century or 20th century or?

A. They're not, they're not far, far back written accounts. So, they are interpretations, more contemporary – I shouldn't say more contemporary – kind of 1930s, post-1930s, more contemporary accounts that I'd seen. Although, there are snippets in a number of kind of manuscripts that exist, but again those are – as I said, we're left with kind of pockets of kōrero to try and sift through and a lot of that kōrero came through in the Raukawa Settlement Trust history documents as they were doing research for the Treaty Settlement through the minutes books and Native Land Court records.

10 Q. I'm interested in this notion of romanticising some of these stories, one of the other witnesses is talking about Hinemoa and Tutanekai which seems to have undergone a similar process. Do you think that's – is that a Pākehā overlay coming in and doing that kind of romantic notion of Māori maidens and warrior chiefs or does that pre-date that do you think?

15 A. I definitely think that the Māori maiden, warrior chief is a Pākehā notion of how our wahine were, in actually fact, all of the whānau that we saw along the way spoke about just the – this is the word they used – the epic and magic, epic and magic were the two kupu that came up in relation to Māhinaarangi and her journey and there was a real acknowledgement from all of them about her strategic power, about her insights and her foresight for her descendants in terms of where she went and the whāriki that she laid for all of us.

25 There was a very different telling of her as a leader, in and of her own right, quite separate from her father or Turongo that we heard in the oral accounts. I think I'm not against romanticising our ancestors stories because actually they get our little ones really excited, and so it's not so much – we tend to romanticise them because we've only got these little pockets and we think, 'Aren't they amazing?' and they are amazing, but I think we also need to acknowledge the work that they did, the work that went into making place, the strategy, the diplomacy, she walked through and stayed with many, many, many different hapū and iwi and to do that in a way that was peaceful required a sense of diplomacy and she would have left Kahotea purposefully at the time in her pregnancy that would

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have enabled her to do that and she would have been really well looked after along the way.

5 And so, I think it's around pulling forward, not denying our tamariki of the beauty of those stories because they are story and they are amazing and we deserve beautiful love stories as well as the hard stories that we tend to get presented with. But it's about also acknowledging the fullness of our ancestors, the fullness – the heartache she must have felt leaving her home to set up a new home, you know at that point in time, quite a distance from there. So, for me it's about reclaiming the multiplicity of stories and the fullness of who these tupuna were because it enables us to be more full, it enables us not to think or have to walk this 380k walk, you know, in a beautiful way like Māhinaarangi would have done. There were some ugly points in that points in that journey, there were some hard points in that journey. We made mistakes and that's okay because we know that there were points along the way that she probably would have felt too.

15 Q. Thank you. Just has a matter of curiosity, the Pākehā farmers that you had talked to I assumed before you went on to their land, were they perceptive and interested and do you think you might have shifted their perceptions as well?

20 A. The ones who gave us access, we already had a pre-existing relationship with either through one of the kaumātua who was local and would visit those sites. The ones who didn't give us access obviously were not, were not open to it. I don't know if open is probably the right word. They acknowledged that those places exist and that we're not going away and so I think they take the path of least resistance by enabling us to access those sites. What this has taught us though is that, again, you can't walk pass the puna where she bathed Raukawa and see it trampled and not now have a responsibility to think about restoration of that site.

25 30 It's not enough for just seven us to have gone to those places. They should be accessible for all of our whānau, they should be accessible for new māmās with their babies to go and do the tohi ritual there. And so,

for us, all this has done is kind of uncovered more and more challenges and opportunities to be able to restore those physical places because how do we have a relationship with Māhinaarangi and her mana and tapu if we allow those places to be desecrated, if we allow them to be able completely erased. It's a relationship only in words and that's not fair, that's not a fair legacy for us to leave these ones, that they are only relationships in words. We deserve a tangible, physical relationship to those places as well.

Q. Thank you very much, that was very, very interesting, thank you.

10 **(11:30) DR RUAKERE HOND TO DR NAOMI SIMMONDS:**

Q. Tēnā koe e te pou kōrero, e te mareikura, me ngā kōrero whakarauora i a Māhinarangi ki te ao me ngā kōrero mōna me āna mahi, tēnā koe. I must say, in reading your brief, it was nowhere near as impactful as your standing and the images you've presented, it's added a whole other level of understanding to hear it from you and to hear the depth of thought that you've given to this, that only comes from 380 kilometres of walking maybe and many other kilometres perhaps of leading up to that journey.

There's many things that I would like to explore however the main things is really around the nature of Māhinarangi and I was really interested in the way in which stories, kōrero had been retained by iwi outside of Raukawa and Tūhoe, Ngāti Awa, Tauranga Moana and those places that you've travelled. It's curiosity for me, curiosity about which way they connected. Was it more to Kahungunu or were there things that – was it to Kahungunu? Was it primarily to Raukawa or was it depending on – because we know that when we draw connections with each other, it is through those key figures and every time we meet, we make those connections and to me, it's important to see Māhinarangi in that kōrero as opposed to a connection directly with Raukawa that might have come through Raukawa and Turongo?

A. Āe, kia ora. Koinā te ātaahuatanga o whakapapa and I have to acknowledge Paraone Gloyne was our pou tikanga who came with us on the hīkoi. We were so tired, we were so tired, every day we averaged

around 30 kilometres a day of walking and we would walk from marae to marae or from marae to kura, wherever we were staying and we would go straight from our hīkoi into a pōhiri and we would go into the pōhiri and we had our support crew and they would kind of support us in that and then we would hākari.

Then we would wānanga with the whānau and what this has taught me is the importance of collective understandings and collective holdings of knowledge because as the lead researcher for want of a better word, I was so tired I could not hold onto the wealth of kōrero that was coming through and we captured it through audio recording but I still go back and go 'I have not recollection of that conversation' and we were fortunate to have Paraone and Anaru Begbie, the girls' father with us, who retained a whole lot of that whakapapa kōrero. We went to some places where they had literally printed whakapapa table to give us and different ones that they had known from different places.

When we Te Kūhā Marae in Tūhoe, we walked through the front doors and Raukawa was one of the poupou on the tangata whenua side and so we collectively unpacked what that meant all together. So, the whānau would share their stories and then we'd share a little bit about what we were doing and what Māhinarangi was doing and then would collectively unpack. Tērā pea, that's why Raukawa is sitting in that chiefly position on the wall there and we were fortunate that Paraone had the whakapapa knowledge to be able to tuitui Māhinarangi with the places that we went and all of her hononga to nearly every waka that there is, he was able to do that on our behalf and so for me, each place gave us a little bit more information about her and who she was.

On the east coast, was predominantly about her and her relationship. When we crossed over from the Kaimai's, we were home in Raukawa territory, so it was all about Raukawa, it was all about us and all about that side and the connection heading right over to Kawhia ways as well so predominantly on the west side, the mana whenua were talking about

her hononga to Porourangi, Rongomaiwahine, Kahungunu but also up into Tūhoe, into Waikaremoana and out to Whakatāne and Te Mānuka Tūtahi.

5 But, that to me was the beauty of the hīkoi, everyone took a piece of that
 kōrero with us, we all got different things and when we left every morning
 for our hīkoi, Paraone and our support crew would stay with mana
 whenua and they would share more at that point or they would take them
 to different places at that point so again it's now about having that wealth
 10 of information and making sense of it and pulling it together out of the
 people that were part of that hīkoi and that to me, is important. It's not just
 sitting in one individual researcher who's now going to write a book,
 supposed to right a book or at some point pull that together again as this
 kind of single truth that becomes a collective knowing about who she was
 15 and where she went.

Q. Tino tika rawa atu ērā kōrero katoa me te mīharo ki ngā whēako i runga i
 tērā huarahi. In the images of you scaling or coming down or scaling a
 very steep slope and then seeing grass paddocks and then thinking that
 most of the trip would have been thick bush, difficult terrain, we also heard
 20 from other key witnesses or people delivering briefs that spoke about the
 risks that were associated. There were certain places that you couldn't go
 with the risk that there would have been potential enemies in those areas.

I suppose, for me, hearing your kōrero about the importance of getting to
 25 Kaimai, getting to Mamaku Range's to be able to give birth there in the
 rohe and the importance of that and how beautiful it is that you have those
 two bodies of knowledge to be able to join together how important it is
 that she gave birth in that area that Raukawa was born in his whenua and
 his whenua was laid there, I was wondering whether those place names,
 30 for me, they become quite key reference points for birthing in general.
 Have you thought about how those names such as Te Rere i Oturu can
 become more prominent in the mahi – ngā mahi whakawhānau pēpē, ngā
 mahi māia, ngā mahi a ngā wāhine me te tiaki i ngā tamariki i te wā e
 pēpē ana.

A. Āe and we were really fortunate along the way to go to – you know, reclaiming on this hīkoi, we were taken to different uruuru whenua so these are significant places for tangata whenua that are kind of, we called them the passport. You know, the place you go and get your passport stamped and so for us, the safety of our journey through those difficult places was ensuring that we enabled and allowed time for mana whenua to take us to those specific places and to engage in the tikanga around those places so that we could move freely.

10 And then when we got to Kaimai Mamaku's, there are no tracks to most of those places so we were escorted, we had a beautiful koroua Warren Gurdy who had worked for the Department of Conservation for over 50 years who guided us with no tracks and so that part of the hīkoi was the part that was most similar to her journey where we went through and he had ground truth a whole lot of the survey maps to find those places so some of those places are inaccessible.

20 You just wouldn't be able to find them if you didn't have him or someone like him so there's an element of thinking about access to places, physically restoring access to places or thinking about what that might look like to enable, again, not just the seven of us to have that experience but a number of others. Being part of the ohu for Raukawa Charitable Trust and the development of their hapū ora programme, part of that has been around reclaiming these knowledges as part of a hapū ora programme.

25 So it's not just a kaupapa Māori ante-natal education programme, it's actually around Raukawa mātauranga as it sits in the whenua. We've been restricted because of COVID to actually be able to go, physically have those wānanga a-kanohi but the intention is that we would take those hapū māmā to accessible places for them along that Kaimai-Mamaku journey and then finish up with a tohi at the base of Rangiatea. So there's work in progress to kind of reclaim those specific places and the meanings that they hold. And then again, acknowledging

Paraone has rewritten or has written a Raukawa oriori called He Onge Āku E, which also talks about those places and has gifted that to whānau, Raukawa whānau to be able to sing to their pēpī.

5 So, in kind of reclaiming the hīkoi and in doing the hīkoi it's helped again, unlock is probably the word I would use, unlock opportunities to then engage those and think about what those mean in a real practical sense for hapū and birthing māmā.

JUDGE REEVES:

10 Ko tēnei te wā kapu tī so we're going to have to stop now as the keeper of the clock. So, I am sure that there are going to be some questions we are going to want to give you in writing. While you have been talking, I have thought about three other questions I want to ask. So, we do have other speakers. We don't have time to continue for now. So he mihi rawa atu ki a koe mō ō kōrero mīharo
15 ki a mātou i te ata nei. Kia ora.

HEARING ADJOURNS: 11.42 AM

HEARING RESUMES: 12.07 PM

JUDGE REEVES:

20 Tēnā tātou. Kua tīmata ināianeī. Kei a koe, Ms Sykes. **Greetings. We begin again.**

MS SYKES CALLS

Ma'am, with pleasure I have again to bring back before the Tribunal Professor Leonie Pihama, she presented in our first week of hearings at
25 Waitangi. She has prepared a brief of evidence which is document #A148 with appellations (a), (b) and (c) which is to be placed on the record. We filed rather belatedly this morning a PowerPoint presentation which will form the basis of her viva voce evidence today and I seek leave to have that placed on the record and at a future time an appellation number be given for that document. With the
30 Tribunal's leave, Professor Pihama will guide us through the PowerPoint

presentation. I am not very technical. I am feeling absolutely bereft here without my juniors who I think have done this on purpose to me so that I can feel helpless – okay. So, on that basis can I please hand it over to Professor Pihama, kia ora.

5 **(12:08) PROFESSOR LEONIE PIHAMA: (#A148)**

Tēnā tātou. Tuatahi, mihi tēnei ki te haukāinga nā koutou mātou i whakatau i te ata nei, nā koutou mātou i manaaki i tēnei rā tonu, nō reira tēnei te mihi atu ki a koutou o tēnei marae o Ngā Hau e Whā. **Greeting everybody. First, wish to acknowledge the home people that received us this morning and who**
10 **are looking after us today. To the people of this marae of Ngā Hau e Whā.**

Me hoki aku mahara ki a Hohua Tutengaehe. I a au i mutu taku tuhingaroa, i whiwhi au i te karahipi Hohua Tutengaehe mai i te Health Research Council. Nō reira kei te tino mōhio ahau, tino mārama ahau te nui o te mahi nā tērā
15 koroua i whakarite, i whakahaere i runga i tēnei whenua o Kāi Tahu, engari mō tātou katoa i roto i te hauora me te mātauranga. Nō reira, mihi kau atu tēnei ki a ia me āna mahi. **I go back to Hohua Tutengaehe. Back to the writing of my thesis, and I received that from the Health Research Council, the scholarship Hohua Tutengaehe. And I do acknowledge the amount of**
20 **work that that koroua Hohua did in the past in this area in relation to hauora, to health, and to mātauranga, education.**

Ka hoki ki te hunga ora, koutou o te marae nei, koutou o Kāi Tahu. Ka maumahara hoki ahau i here mai te Kāwanatanga o tātou tūpuna i konei ki
25 Lyttleton i mua i te haerenga ki Ōtautahi. Nō reira, mihi kau ana tēnei mokopuna o te maunga Tītōhea ki Kāi Tahu me ngā iwi o tēnei o Te Waipounamu i tiaki i ō tātou tūpuna i taua wā. **Having referred to those who have passed, to those who are here present, us of the living, greetings. Those of this area, acknowledgments from a descendant of Taranaki Mountain whose**
30 **ancestors were looked after by people here in Littleton and close by.**

Huri noa i te whare, ki te Kaiwhakawā, ki te Taraipiunara, tēnei te mihi ake ki a koutou katoa e huihui mai nei mō tēnei kaupapa, arā ko te Mana wahine. Ki ngā

kaikerēme, ngā whānau, ngā hapū, ngā iwi, ngā kaimahi katoa, tēnā koutou, tēnā tātou. **To the people that are here, claimants, lawyers, working people, greetings.**

5 Ko wai tēnei e noho ana? Tētahi reo o te maunga tītōhea me te awa o Waikato, nō Te Ātiawa, Taranaki iwi, Waikato-Tainui. Ko Ngāti Mahanga, Ngā Māhanga-a-Tairi, ko Ngāti Rāhiri ngā hapū, ā, ko Leonie Pihama tōku ingoa. **I am from Taranaki, Te Ātiawa and Waikato-Tainui. Ngāti Mahanga, Ngāti Rahiri, those are my subtribes. Leonie Pihama is my name.**

10

So, I was asked this morning to speak to, a little bit to the place of takatāpui, within te ao Māori. Also, the impact of colonisation in terms of the way in which we understand our identities as Māori more broadly and as takatāpui specifically.

15

In the affidavit I put in, I really want to just to erase some terminology with the Tribunal and I actually want to premise this with something that Carl Mika has written about and some of the work we've done with him, the report of which you have the *Honour Project*, where he talks about the fact that we have to have a term 'takatāpui' is in itself an indication of the impact of colonisation. It is in itself an indication of the impact of us having to bring forward terminology to validate and affirm our existence with te ao Māori.

20

And similarly the word 'two spirit' which is a term often used in wider indigenous communities within turtle island has been spoken about as a term that was really one – was brought forward in 1990 in Winnipeg in a gathering of LGBTQI indigenous and native people. It was a term, really it was brought forward to, as Corrina Walters says, to indicate the connectedness to community, to have an indigenous term, albeit in English, but an indigenous term that was layered with indigenous understandings that indicated the connectedness to community, and for us that is to whānau, hapū and iwi.

30

So, I'm talking about the sexuality and sexual orientation. There are new relatively more contemporary utilisations of terms in a lot of the work around

sexual reproductive health in particular, which is something that people like Dr Alison Green has been really instrumental in, and in terms of definitions of takatāpui, people like Elizabeth Kerekere and in particular Professor Ngahuia Te Awekotuku.

5

But terms like 'hōkakatanga', 'aronga hōkaka', 'taeratanga', aronga taera', are terms that are being utilised to talk about sexuality and sexual orientation. And these terms, in many ways, don't really say anything about sexuality or sexual orientation specifically, but they refer to the kare-ā-roto (the feelings) or the āhuatanga (the characteristics) around relationships. And so, when we look at the definitions around terms like 'hōkaka', we're talking about terms that are about to desire, to want, to wish for, to yearn for, to aspire to.

10

And when we think about Keri Opai's kōrero in the last Tūāpapa hearing and the way in which he really emphasised that within te reo Māori, sometimes it's talked about in particular ways, not necessarily in a direct way, but it can be in a conceptual way, it can be in a metaphorical way to understand the relational way of being that was happening in a context.

15

So, hōkaka and hōkakatanga have become a term particularly in the area of sexual and reproductive health that people have been used for sexuality and sexual orientation. And hōkaka as the term relates to, in the pātaka kupu, when you look at the term 'hōkaka', they relate, the authors of that dictionary, relate that to the term 'hiahia'. So, again, it's still hiahia, it's that yearning, it's that desiring that comes with the notion of hōkakatanga.

20

In many ways, the terminology that we've needed to utilise and drawn on in these contexts is really aligned to a kind of colonial obsession with the siloing of knowledge and the siloing of ways of being and the siloing of relationships.

30

So, in health discourse you have sexuality and sexual reproductive health as something quite separate as an entity inside the health and medical discourse. So, in many ways these terms are kind of aligning to being able to speak to that in that context whether or not we actually needed to that for ourselves is debatable.

- So, oranga, oranga atu, to turn to, sexual orientation, 'hōkaka', 'hōkakatanga', 'taera' and in Te Aka, they talk about 'taera' as having a particular kind of sexualise, or sexual desire. So, it's not just hiahia or yearning or desire, they
- 5 refer to it in terms of sexual attraction, in terms of sexual desire. When we think about that particular term and 'aronga taera' as sexual orientation, these pretty much are the terms that you see within the sexual and reproductive health discourse for Māori based on desire, based on yearning, based on wanting.
- 10 We do know that desiring something and having a sexual desire of something is quite different and we know that from our own experience, and we know that from how we think and feel and the kare-a-roto that come up and bubble up within us, within these contexts.
- 15 Takatāpui. Takatāpui was really from my understanding turned more predominately in the 90s and Ngahuia Te Awekotuku write quite a bit about which is why I put the mana wahine volumes into the Tribunal because within there there's a range of writings around mana wahine, but there's some specific writings from Professor Te Awekotuku that I think are really relevant given her
- 20 expertise in the field and her knowledge particularly of, and I heard in the last questioning around Tutanekai and Hinemoa and her understanding of that story and the relationship of the term and the use of the term Takatāpui in relation to Tiki. I'm actually not here and I really don't want to answer questions related to Tutanekai and Hinemoa, ehara au nō Te Arawa. **I'm not from Rotorua,**
- 25 **Te Arawa people.** I'm really here to speak to the way in which like Ngahuia and others from Te Arawa have spoken to the use of the term takatāpui in their writing in the way in which the term takatāpui has come to be related to Māori LGBTIQ+ communities in particular.
- 30 So, within our own mahi in the Honour project which is a project done over three years with Professor Green and others, Professor Mika and others. We looked at the term takatāpui and its component parts. Now, I know within te reo Māori we can't break up every kupu Māori but there are some that we clearly can, there are some where the use of particular terms can be conceptualised both

separately and together in their understanding and takatāpui is one of those. When we look at the term tāpui and we look at the definition of that term, there's both this notion of being reserved and set aside which we know is often seen in kōrero around the whenua, and tuku whenua, and those kinds of kōrero. But
 5 also in terms of takatāpui as a close friend, particular in relation to the notion of hoa tāpui. The term 'tuka' can be a term that we can utilise to talk about a group of people. So, a very close intimate grouping of people in terms of the term Takatāpui.

10 Now again, we are reliant on people like William's Dictionaries and others, to look at such terms and they do carry their own colonial understandings and misunderstandings throughout that dictionary which is probably why we're seeing an increasing development of our own pātaka kupu, around the motu. But William's defines takatāpui as 'Going about in company, familiar, intimate'
 15 and takatāpui as 'Intimate company of the same sex'.

So, in the 90s, building through the 80s and 90s and I do want to acknowledge Ngā Tamatoa, Te Roopū Reo Māori and last week in terms of te wiki o te reo Māori and the mana wahine with the 'I am Hana' development and celebration
 20 and memory of that work by Hana in Taranaki last week. Because it was in the context of that time that these kinds of changes happened and Ngahuaia was, you know, someone that was instrumental in Ngā Tamatoa as well, instrumental in fighting on multiple, in multiple sites, at multiple fronts including around sexuality.

25 So, we begin to see takatāpui as a term really evolve and become utilised within the Māori LGBTQI+ community from the 90s onwards. As a term by which to draw a cultural identity in terms of sexuality and sexual orientation.

30 There are other terms that people use in terms of Rainbow Community, translations of those, Hapori Āniwaniwa, those kinds of terminologies but what we know is that the western terms for our understanding of ourselves are severely inadequate in terms of coming to know our relationships.

So, where a lot of Māori will use terms like 'Gay' and within the survey it showed that 'Gay', 'Queer', 'Transgender', 'Queen', 'Bisexual', 'Asexual', 'Intersex', all of those terms. What we find is that those terms don't provide with the cultural connectedness, as I said at the beginning around the use of the term two spirit,
 5 that connects us to our whānau, hapū, iwi. So, they kind of search for a term, a kupu Māori that would relate specifically to Takatāpui as a connectedness also to whakapapa with something that was a part of the revitalisation movement of the 80s into the 90s.

10 So, the definition of takatāpui as an intimate friend of the same sex and we look at the word by Ngahuia which is in the mana wahine readings and others, and Elizabeth Kerekere, as something that is considered to be all encompassing of all takatāpui and all Māori LGBTQI rather than the siloing off or the separation off lesbian to gay and queer for transgender. That we have those identities that
 15 are part of us but takatāpui – when we did the community round – so we did a whole range of community hui with takatāpui before we started doing the survey and what became very clear to us was that people wanted us to have the multiple definitions and people would self-identify and that takatāpui needed to be one and that they didn't want us to put in Takatāpui Tane, Takatāpui wahine,
 20 they wanted takatāpui as a collective identification and so that is what we went with and I think that is the way in which it is often used.

I do want to say that not everyone draws on the term takatāpui, it really is a self-identification choice that people make. What it does is it gives us a
 25 collective positionality. Not only within the world, but actually more importantly within our own whānau, hapū and iwi.

One of the biggest outcomes I think for Māori in the survey other than knowing that people were highly discriminated more than anyone else, other than
 30 knowing that virtually everyone talked about suicidal ideation either of their own or someone else, that impacted discrimination, that impacted the health impact, the oppressive impact, but people also talked about these incredible joys of being able to come together under terms like this, to be able to collective within their whānau and speak about takatāpui within a way that related to things

Māori, but probably the biggest finding was, for me, for wellbeing was that people who had whānau members who are affirmed their sexual identify within whānau, felt that they had strengths to deal with any other oppression that happened outside that door.

5

So, as long as they have someone in their whānau that had their back, as long as had someone within their whānau, and whānau was determined in many ways primarily a-whakapapa but also kaupapa whānau, that whatever they hit in their doctor surgery or other places they could deal with if they knew that their whānau had them. That has a lot of implications in terms of this Tribunal because I think, as we said in the very first hearing, a significant impact of colonisation as being the diminishing, the demeaning, the active destruction of whānau relationships and that is a – in the nuclearization of whānau and therefore the nuclearization of whānau brings the heteronormativity of relationships to the fore and I want to talk a little bit about that later but a dominant heteronormativity or the making of normal heterosexuality over any other form of sexuality within a nuclear family domesticated model has a significant impact on Māori, on mana wahine and on takatāpui, and the layers of what happens through that.

20

So, in both Ngahuia and Elizabeth's work, and we've documented some of it in the Project report, takatāpui is a term drawn from pūrākau. It has come in, particularly from the pūrākau related to Tūtānekai and Hinemoa. It is being reclaimed and is being reclaimed both as a term and as a kind of understanding in contemporary ways as a way of speaking back to colonial understandings of colonisation and the importation of homophobia, of racism, of transphobia, of misogyny, of sexism and of classism. Because there are a whole range of issues around class that impact on your access to health and in wellbeing, particularly for takatāpui and the transgender community. The ability to access care here has huge class implications on top of all of these things.

30

And then Professor Clive Aspin who has also written quite prolifically around the kaupapa talks about takatāpui also being derive as – coming from traditional understandings through that pūrākau. So, it is a term that is being utilised very

widely and by I think over 60% of participants who self-identified in the Project work itself and in the interviews utilised the term takatāpui alongside other terms.

- 5 Often we have – there was a range of terms that people use in terms of both gender and sex and often they are confused and mixed up as if they’re the same thing. Sex and gender are not the same thing. Biological sex is a particular biological attribution to a human being. Gender is a social construction of how we understand that biology. So, they are not the same thing. And so we have diversity within our communities across both sexual identity and gender identity.

10 In the writings around takatāpui in terms of Tūtānekai and Tiki, and particularly the phrase “taku hoa takatāpui” is evident within the writing. There are also references in *Ngā Mōteatea* of which one was related to takatāpui, and a number of others that I’ve indicated within the brief. But the term itself is definitely a term that comes from our tūpuna, it is pre-colonial, it is being utilised within a particular way of reclamation of sexual identity.

20 In terms of colonisation, there’s a rafter writing around the colonial washing, the white washing of Māori sexuality and sexual expression, not only in terms of takatāpui but generally in terms of gender relationships. The way in which many translations have occurred in terms of gender relationships have been conceptualised through a Western often nuclear gendered heteronormative way of being.

25 Waiata have been in *Ngā Mōteatea* and there’s comment in the various references to *Ngā Mōteatea* from other writings how waiata, how mōteatea in translation were ‘cleaned up’ and were cleaned up very deliberately because of the way in which colonial ideologies considered, thought about and expressed sexuality.

Clive Aspin talks about the denial of the existence of homosexuality as a part of an ongoing suppression of any way or any form of sexuality that is non

heterosexual and that occurs throughout documentation. Keri Opai, in his evidence in the last Tūāpapa hearing, talked about the gender-neutral status of te reo Māori and that also raised issues, in my view, around the colonisation of te reo Māori. And the work that Ani Mikaere has submitted to the Tribunal

5 around the colonisation of tikanga and the way in which colonial understandings have been embedded in how we translate and how we conceptualise and how we think and how we understand and how we practice both tikanga and kawa in terms of gendered ways of being. That colonial gendered ideologies have severely impacted on ourselves, our sexuality and our relationships.

10

The issue around te reo Māori translation was raised by Ngata in one of the introductions to *Ngā Mōteatea: Part 1*, where he emphasised the English translations “are not the substitute for the original Māori”. He also highlighted the problematic that’s associated with mōteatea originally recorded by Pākehā.

15

So, there’s a whole decolonising process that he was speaking to around the way in which translations and version of our histories and stories have been recorded, which is something that Naomi and many others in the Tribunal have raised.

20

Often, in translation around sexuality, they were translated in ways that became more palatable and more acceptable to both a colonising assimilating and a Christianising doctrine. So, the Christianisation of context, the Christianisation of translation and the views that came with both general, economic and material and ideological colonisation when it’s aligned with a Christianising intent,

25 means that translations were often done through that lens.

And Carl Mika, in a forthcoming publication, he talks about that for Māori to separate the orienting human self away from his or her material ground of existence is a dangerous and colonising undertaking. So, we have to really

30 rethink all of these concepts within a whakaaro Māori. Me hoki ki ngā whakaaro Māori, which I think in Naomi’s discussion of Māhinaarangi was a really good example of that. The naming, the context, the understanding of the naming, the understanding of the context, the walking of the context.

What is clear is that sexual and gender diversity has always existed within te ao Māori. What is clear is that within te ao Māori there have been a range of sexual and gender expressions mai rā anō. This is not a new thing.

- 5 Takatāpui, or in many colonial terms ‘being homosexual’, was not imported by the colonisers, and that is a mythology that many of our people through a Christian and colonising doctrine have come to believe. There is no evidence of that. There is enough discussion within our own ways of knowing ourselves to indicate that sexual and gender diversity has always been present, has
10 always been accepted, that our way of being has been often more dependent on roles and expectations and obligations of those roles than it has been on your gender or sexual expression or identity.

And in this one from Clive Aspin, he speaks about another way in which –
15 another example in terms of translation, and he writes:

*Sex between men and women was celebrated in traditional haka, waiata and chants. Some also referred to homosexual love. An example is a lament composed for a young man
20 named Papaka Te Naeroa, who died in battle. It describes him as ‘Ko te tama i aitia e tērā wahine e tērā tangata.’ (A youth who was sexual with that woman, with that man). The original term ‘aitia’ was later replaced with the term ‘awhitia’, meaning ‘hugged’ or ‘embraced.’ when it was incorporated into Ngā
25 mōteatea.*

And we often see the term ‘ai’ when it’s used in different mōteatea or waiata being translated as turning towards without any indication and actually it’s a particular kind of turning towards and so the cleaning up and the Christianising
30 and the colonising intent of the way it was translated happened means that there’s been a huge shift in our understanding of ourselves and our own sexualities. Ngahuia Te Awekotuku further highlighted graphic descriptions of sexual joy exist in waiata koroua and mōteatea which are still performed today

including explicit references to non-heterosexual sexual relations. She refers to the same mōteatea and then she states, 'this was in an effort to clean up the lament by translation in the late 1800's.

5 Tangaroa Paora in a more recent thesis around looking at the terms related to takatāpui, it also refers to that particular line in that mōteatea as an example of colonial meddling. Western concepts and terminology such as sex gender, gay or lesbian, have also been a part of a shift away from varying sexuality is an integral part of judicial cultures so the way in which Western terminology within
10 the – some refer to the rainbow community or the LGBTQA+ community is again, often a siloing of our identities in a particular cultural way. Even the term rainbow community which I think is a beautiful description for diversity but it is a description of diversity. It has always been a description of diversity.

15 So, it is one that is applicable and used within the LGBTQI community but it does extend and go beyond that and if we look into nationally, the rainbow flag has had a lot of colours added to it. Particular with movements such as Black Lives Matter and other indigenous movements where you'll now see rainbow flags that have brown and black stripes added to them as an expression of the
20 multiple ethnic and cultural diversities of that particular community. So, colonial ideologies themselves around gender and around sex more broadly in embed heteronormativity within our communities and within this country.

The broader, wider structures of gender understandings will place
25 heteronormativity alongside racism, alongside classism and alongside sexism and therefore they create more ongoing layers of oppression and structures and beliefs and practices that impact upon wahine Māori. Heteronormativity alongside homophobia, transphobia and racism work to deny the diversity of sexuality within te ao Māori through the gendering of language, beliefs,
30 practices and relationships and I do want to raise a couple of terms as examples of that and they've become terms that I've almost begun to use unproblematically in the translation of te reo Māori. Terms like marriage, terms like wife, terms like husband.

When we translate 'ka moe a mea, ki a mea', we say they married them but actually, they slept with them. The outcome of that moe, whether it was publicly recognised as a relationship of substance was significant but the term marriage itself, as we know from the fights around marriage equality and the Civil Union Bill has a whole range of underpinning moralistic, capitalistic, homophobic, heteronormative, Christian belief systems. So this is not to say anything, I mean this is not that I don't affirm the work done by people like Louisa Wall and others with the Civil Union Bill and the Marriage Equality Bill because for me they are fundamentally recognition of equity and equality in an existing very flawed system to try and make that work for takatāpui but those terms themselves, actually not our terms. They are actually not our terms. To translate hoa wahine as wife, hoa tāne as husband, is fundamentally flawed in my view, as is the term marriage. Unless someone wrote in a contemporary way 'mārena'.

The are terms that we've become so used to translating in particular ways that they just become more and more embedded in our psyche and our understanding. And the moralistic ways in which colonial heteronormativity have impacted is not just in terms of takatāpui, it's on every expression of every relationship that we have with each other. The tuakana-teina **the senior junior** relationship, the tungāne-tamāhine **the brother-sister** relationship, the kuia-koroua **the grandparents** relationship, the mokopuna-kuia **grandparent-grandchildren** relationship, all of these relationships are actually impacted by colonial ideologies. So, they're grounded in that understanding.

What happens, in my view as takatāpui, is that it brings another layer of oppressive beliefs, systems and practices that we have to deal with both within the system, but also within – when it's embedded within our own whānau.

When Naomi was talking about the birthing processes that have been severely interrupted and the medical discourse, because a lot of the discourse that dominates around takatāpui is medical discourse and particularly for our whanaunga in terms of being transgender. It's often dominated by a colonial, Western medical discourse. And I know, you know, that Heather will probably speak and Byron will probably speak a little bit more to this, but when things

are siloed and they are restricted to a medical discourse, it denies all of the other possibilities, which is what Naomi was speaking to in her birthing experience. What I know is that in my birthing experience of my eldest children, at national women's is that we became the kind of ones to look at, because it was a lesbian with twins. And that wasn't that long ago.

But yes, if you come from Ngā Māhanga-a-Tairi, Ngāti Māhanga, well you've got a high chance of having māhanga. In te ao Māori, that is understood. Whether you're lesbian or not has no relevance to that whakapapa strength that comes. But many stories in some of the work done with Sheryl Smith and Paul Reynolds around fertility for Māori that the takatāpui that were interviewed had many stories of birthing, marginalisation of being questioned around who the real mother was, and quite blatantly in very public spaces, having parental rights denied in those public spaces because you weren't on the birth certificate that you could not be on. Those types of things.

So, there's a whole range of not only systemic – not only personal issues, but we continue to have a whole range of systemic issues that haven't been resolved by the Marriage Equality Bill. The Adoption Act has not been resolved in terms of the inability of takatāpui to adopt has not been resolved. There remain issues for many who want to do formal whāngai, which is currently in a publication – there's a new Whāngai publication by Ani and others from Raukawa. There are a whole range of ways in which those systemic relationships – those systemic ways of being in legislation continue to impact as well as the kind of personal and the cultural ways of being.

Nō reira tēnā koutou. I'll leave it there. I'm not going to talk about the report and stuff. Stay there. Kei te pai?

JUDGE REEVES:

Tēnā koe, Leonie.

**(12:44) PROFESSOR LINDA TUHIWAI SMITH TO PROFESSOR LEONIE
PIHAMA:**

Q. Tēnā koe, Leonie. Thank you. It was really good that you sort of spelled out the terms and where those terms came from. Really appreciated that.
5 But my question really is, I think you started to address it at the end and you make a comment in the conclusion. So, I guess my question is what does this mean for the term 'mana wahine' and how then does these terms fit then with the term 'mana wahine' and then the claim Mana wahine? If that makes sense?

10 A. Yes, that does make sense. In terms of being takatāpui within the concept of mana wahine, I think there are a number of things. One is that in the kind of Crown's denial and suppression of mana wahine per say as a generic context, there are groups of people we've seen within the claim inside of that grouping, inside of that collective of mana wahine that also
15 have other things that are happening over and above the kind of racism, colonialism, capitalism kind stuff. So, I mean, one is takatāpui. I think the other is disability (wāhine hauā).

20 There are a whole range of – I think that there are a whole range of groupings within the wider concept of mana wahine. And if we're thinking about mana wahine in terms of gender and in terms of the way in which gender has been impacted, then what we're saying is that inside of that collective organisation, there have been a whole range of further colonial oppressions that impact. So, if takatāpui are not acknowledged in terms
25 of mana, in terms of mana wahine, in terms of the context of mana wahine, then in my view that impacts on the entire argument within the Tribunal, because it impacts on the fundamental essence of colonial understandings of sexuality and sexual relationships.

30 Yes. Within whānau, when we talk about mana wahine within whānau and the recognition of that within whānau and what we need to do to reclaim and to revitalise and to uplift mana wahine within whānau, hapū and iwi, inside of that is uplifting of all relationships, of all forms of relationships, of all forms of expression within those relationships, which

is, for me, in terms of takatāpui, when we look at what has happened around colonialism and the impact of that, there's been a separation of certain wāhine from other wāhine. There's been a dislocation of certain wāhine as being less acceptable, less palatable in the collective of wāhine. Even the term 'wāhine' itself, as we've heard in previous discussions, has become generalised to mean women as a generic term.

But there are many forms and states of being 'wahine'. It says it in the name, te wā o hine. It says it in the name. There are many expressions. So, I think there's been this concept – and we see it within – when people in the kōrero said, "if my whānau have me, I can deal with anything. My greatest strength is actually within my own whānau." So the fragmentation of that collective being of whānau and the fragmentation of wāhine and the fragmentation of those understandings has a severe impact on peoples' ability to move in te ao Māori let alone in this other ao or other ao's.

I think that there's been – people have referred to takatāpui within the Tribunal as having particular roles within whānau, as having a particular way of being as an expression of the gender diversity of our tūpuna, as an expression of sexual diversity of our tūpuna, as an expression of roles not necessarily being gender bound or biologically sex bound. People have referred to it in passing. And so I think it needs a lot more in-depth discussion within the claim itself.

Q. Thank You. That was the guts of my questions, but I do have another question and you'll be familiar with the book by Berys Heuer on Māori women and I think in the very first paragraph of that book, you know, basically makes the statement that it's all about sex, I guess, you know, the way we understand our culture is all about – that we were a culture obsessed with sex if I give a modern interpretation of that. And then proceeded to bag us based on secondary – all secondary sources but I was just kind of wondering, yes, your response to that, to what extent our reo, as you've talked about Reedy also has this rich and huge vocabulary

and understanding not only of gender but of sex, sexuality and the role that played in our work.

- A. Yes, I am familiar with the Berys Heuer book and it's flawed from the first sentence. She was also, you know, kind of a scholarly genealogy comes from Best, she was one of Best's students. But we do know that actually we can see it in waiata aroha, we can see it in mōteatea, we can see it in terms like 'hōkaka' and yearning and 'Taera', we can see it in those terms, we can see it in many other kupu and concepts, that sexuality was a part of everyday life for our tupuna, for our people. Sexual expression and sexuality is a part of everyday being. We can see that. We see it now with amazing speakers and kaikaranga when they bring in particular terms that everyone knows is related to the relationships.

So, the relationships, notions of sexuality, of sexual diversity, of sexual expressions have been severely dulled down and dumbed down since colonisation because of the Christianising intent, because of nuclearization intent, a domestication intent that was layered on our people and we know that from the very beginning, the very first point of attack within colonialism was not the iwi, it was the whānau and it came through all of the systems, the attack on the whānau.

If you can disintegrate whānau relationships all of the other structures that it was built on will begin to disintegrate. So, you didn't start with a greatest natural grouping as the Crown calls it, you started with the fundamental pillar, the pou, the substance that underpinned it. And so, the way in which – when colonisers came here, we've heard talk around the doctrine of discovery, we've taught her talk of all of those intentions. What they brought with them was a particular thinking and belief system around how relationships could be, and the key part of relationships is sexuality and sexual expression and gender that is fundamental to all relationships that we have.

And so, if we have a place where a colonising forces want to begin to disintegrate and be quite destructive to indigenous communities, it's

actually at that level of relationships and so the way in which they describe us as flirtation, there's a whole range of words. You know, Māori women were seen to be ready and available and to any white man that came to their shores, no matter what. And there's documentation in some of the early work around Māori men being considered available to any white man who came to their shores.

So, it's in that kind of construction that we see that everything that we talked about, the way in which we related around sexuality were seen to be heathen, barbaric, uncivilised, all of those terms that they used and it had to be stomped out quite quickly because you can't have that happening in a context where the economic system is determined in a capitalist framework on a nuclear family model where the family are you workers. So, all of that around sexuality meant that that had to be quickly targeted and it was targeted very, very quickly to the extent, the thing when we are thinking about, the way in which it embeds itself within our own understanding so insidiously is often – when we hear stories of our own maunga or our whetu that are being personified.

You know, when we hear us recalling our own stories within te reo Māori you go, 'yes, I get that' and then all of a sudden someone does this translation of Hineraumati is going back to her husband Te Rā, that seems to be weird to me, you know. So, it quickly becomes heteronormative where we talk about our maunga including my own, you know, before Taranaki moved to where the maunga sits now, but you read stories, and you read children stories and they are saying, 'and the men mountains fought over the women mountain and she sat back watching them,' yes, that kind of stuff. It's like – that's actually a colonial relational way of being, that's actually not our relational way of being.

And so I'm not saying – I do have a part of me that says, 'Why do we constantly genderize a personification of our atua and our tupuna in ways that align to a colonial thinking. Yes, there are iwi and we know that we do personify but it doesn't mean that they have to carry all the gendered

attributes that colonisation have told us, come with being a women or being a man. Why can't maunga just be maunga and have their disagreements? Why is it that the men have to fight over a women to have a disagreement? I mean, that's very simplistic but it is something that really kind of swirls around in my head a lot but not necessarily when I hear the reo Māori version but when I hear the translated version.

There are a lot of Pākehā writers that write our stories now in that way and our children are being feed that in English in terms of relationships. So, I think it's a very, you know, it's very broad, but yes colonial sexuality is not reflective of our understanding of ourselves or how we express ourselves in our relationships.

Q. Thank you, that's all from me.

JUDGE REEVES:

Ko tēnei wā kai anō, so we are going to just pause the session, I know we have some more time with you after lunch break Dr Pihama so we will have more questions for you following the lunch break. But for now we're going to take our break until 1:20, okay.

HEARING ADJOURNS: 12.57 PM

HEARING RESUMES: 1.27 PM

JUDGE REEVES:

Ka haere tonu ināianei. Ko Ruakere. **We will continue with Ruakere and his line of question.**

(13:28) DR RUAKERE HOND TO PROFESSOR LEONIE PIHAMA:

Q. Tēnā koe e te whanaunga. Ngā Māhanga-a-Tairi tāua i roto i te whare ki Te Waipounamu, engari ko ō kōrero, mīharo ana. E hiahia ana kia mihi mō te hāngai, mō te hōhonu, otirā te tiketike o ōu whakaaro. **Thank you my relative for your presentation. The width and breadth of your evidence is exemplary.** Leonie, I think everyone will appreciate how

important the evidence is that you've given. The way in which it continues on with the line of reasoning and the thinking that Keri Opai shared. The thing that – there's a few things there that I'd like to talk about. The most important thing is, is the way in which you've been able to describe the social constructs that become fossilised in language and sometimes the absence of language.

You've made it clear the absence of language also indicates those constructs. And within your brief you didn't talk about the nuclear families so much but, and I really enjoyed reading the *Honour Project* and that was really good as further background. And today you have talked about that – you've spent a lot more time talking about the heteronormative approach within families and I was wondering whether you could talk about the way in which maybe the colonisation maybe didn't think about bringing in the disempowerment of women and that within families. It was inherent within the structures that were already in place and that the nuclear families were based around the maintenance of power of men and the disempowerment of women and the expectation that that would be continued and put onto whānau Māori.

And knowing also that once you have a wider community, it's very difficult for men to have that sort of power when we're talking about a large community working together because it is more inclusive and inappropriate behaviour is picked up on a lot more than in the privacy in **(inaudible 13:30:10)**. Can you talk about that a little bit more, the role of that nuclear family and colonisation?

A. I talked a little bit about it in the first Tūāpapa hearing, but when colonisation came with it, it implanted all of its ideological structures and belief systems in order to facilitate a wider disposition of Māori. Ideologically whenua, all of those were inherently tied together. So, when we're thinking about the kind of colonial impact here coming post, you know, 400 years in Turtle Island and other countries, post- a few thousands years as a doctrine of discovery, the industrialisation. Because the context of gender coming here came from an industrial background,

the kind of industrial revelation background which saw a shift from collectives in Europe to a nuclear family model, which is fundamentally a catalyst model of reproduction of labour.

5 So, that was really embedded quite fully internationally before it even came here. And so, a lot of the other discourses around gender affirmed, promoted and embedded that. So, the nuclearization processes a domestication process. But it's actually about the domestication of indigenous people when they came here. And we see it – if we look at the
10 Native Schools documentation from the very beginning, from the very first school in Rangihaua nearly – over 200 years ago – we see that throughout there, there was a process of individualisation of identity. There was a process of removal. Albeit not the same forced removal that we saw in residential schooling, but definitely the initial establishment of
15 boarding schools was a form of disconnect from community.

We see a reshaping of a nuclear model as opposed to an extended model which did all the things that you referred to, Ruakere, around the privatisation of the space, around the domestication of the space. So, the
20 nuclear family is fundamentally a model of the reproduction of labour if you took a class analysis of it. The reproduction of labour and capitalism went hand in hand with colonisation and Christianisation and they all affirmed each other. The thing I mentioned in my earlier discussion in the first hearing, we have this methodology of the separation of the state in
25 the church, but actually they were one in the same. We can just take that from Marsden's first talk, you know, they were one in the same. And, in a process of colonisation they affirmed each other in the disintegration of extended models.

30 So, whānau, if we look at Native Schools, the individualism – and yes, I'll quote one of Linda's writings, "Native schooling was a trojan horse put into Māori communities for a particular purpose. To remodel relationships, to shift and remodel individual ways of being, which we now know as neoliberalism, to shift and remodel gendered relationships which we now

see the impact of in this claim. So, it's a constant process. And even when we're talking about whānau, we still to do this battle in a system level and the Ministry for Children is a prime and most recent example of the way in which they talk about whānau, but they really mean family. And we've

5 been arguing against translating whānau as family for a very long time because family is a nuclear model that has particular roles and relationships embedded in it in ideologies, and if we can't shift the system from using that on our people, we're never going to get the kinds of outcomes for whānau that we want.

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So, the re-collectivising process I think that we're doing with papakāinga, I think papakāinga is a fundamental prevention and intervention in many of the things that are happening in Ngaropi's space in family violence. I think a question was asked of Ngaropi I think from Judge Reeves around

15 what kind of things could be done while at a housing level, the making available, the resources that are required for whānau, hapū and iwi to re-institute papakāinga in its true form as a collective housing process, that is a family violence intervention, it's not just a housing intervention. That is a mana wahine intervention and so it's kind of – I guess the kind of – I

20 don't know what you call them – but the remedies from this Tribunal, have to be much more broad than putting some money somewhere for Māori women to know ourselves.

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There have to be those other layers of interventions that bring back a whānau capacity to be whānau in healthy, well ways and the nuclear family model continues to disrupt that. It's been talked about by many authors as a primary fragmentation model that where we were dispossessed from our whenua, gender and nuclear family models have dispossessed ourselves from each other in our relationships and we know

30 relationships are the key, they always have been or we wouldn't be so whakapapa based.

Q. Thank you for highlighting again the primacy of that approach, that method that was used as colonisation and the expect it seems like the central method that was used or the model that was used for colonisation.

A. Can I just say, I just, when you were talking Ruakere, just reminded me of even things like the Native Land Court and I don't know that people have given evidence on this, the way in which the Native Land Court has been known to have reconstructed whakapapa by who was in the room at the time, who have particular interest at the time, the way in which a whakapapa of wahine was removed, the way in which this gendered notion that you pass your land on to the oldest son, has become embedded and you know the pōhiri and that reference to, if they had a Queen for some long and they've had many Queens and they had one at the signing of the Te Tiriti o Waitangi, that should in itself should be an indication, that even they believed in the status of women.

But I think there are many layers so now we have this kind of fragmentation of the whenua through these shares but we also have a fragmentation, dispossession of wahine from the whenua where perhaps historically and a couple of people talked – the land was passed through the wahine line then all of a sudden someone had this idea it has to go to the eldest son and that line has – that wahine line and the whenua has been dispossessed. I think it's so multiple the way in which it impacts.

Q. Kia ora mai. Just one more, its actually probably a more of a statement but you might want to comment further how important it is, your description of the complexity of finding the right language, of the right terminology and how important that is for us in the inquiry that we've got, that we find language that is appropriate and the – you've made a really strong point and I think it's going to be very difficult for us to use language in other ways or use the terminology that is disempowering.

We need to think really carefully around that language that is inclusive but at the same time understanding that a single word such as 'Takatāpui' can be all encompassing and understanding also that the Rainbow community and I think from what you've described, is another construct and another environment, has a different whakapapa. So, e mihi ana ki a koe ki tērā.

A. I want to add one thing around the languaging, and that is in te ao Māori, we don't have a term for heterosexual either. And so, the fact that we've had to bring forward this term is because of the context that we are now in, because of the marginalisation and the denial of the existence of takatāpui within te ao Māori. When I first moved to Tāmaki and met up with other takatāpui and realised actually that was a part of who I was, there were other terms that were being used in the 80s, 'wahine mo ngā wahine' was one, 'wahine moe wahine', 'tane moe tane' were other terms that people would use to describe themselves in the context where you had to.

But fundamentally, when we were asked who we were, I'd say, "Nō Taranaki ahau." You know, and that's the connectedness of what takatāpui I think brings as a term. It reminds us actually we're one of our – we're our, we're Māori first and foremost, and for many, that is where the sanctuary, as we saw in the report, that's often where the sanctuary is. If that sanctuary is not there within our own, then all those other issues come to play even more predominately, like self-harm, like suicidal ideation, like suicide, become more predominate and prevalent if you don't have that sanctuary. So, whānau is a sanctuary, it is a healing space, given, you know, the right environment is there.

But as Carl Mika did indicate and has always indicated in his work, the fact that we have to bring forward particular terms to affirm and validate ourselves, but actually we know within te ao Māori we didn't actually have to do that prior to this context.

Q. Mihi ana ki a koe. Tēnā koe.

A. Kia ora.

(13:41) JUDGE REEVES TO PROFESSOR LEONIE PIHAMA:

Q. Tēnā koe Leonie. I've got a couple of questions for you but firstly just a comment to say thank you for the explanation around 'two spirit', because I've seen that term when I had – came across it when I was reading the Canadian report on the missing and murdered indigenous women and

girls, so it was good to understand how that relates to takatāpui. Now, a question, you've given some examples in your brief of pūrākau, mōteatea concerning specifically Tūtānekai, Tiki, there was one for Te Hiwi, there was the example for Papaka Te Naeroa, and it seemed to me that those are all describing male experiences. So, my question is whether there are accounts of female experiences that have been identified or uncovered? And if not, you know, what does that tell us?

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A. I haven't seen any in terms of the documentation, which doesn't mean there aren't any, yes, and it's something we can look at maybe for the next broader hearings in terms of the work. What does it tell us? I think it tells us that often in – I mean I think there are a whole lot of mōteatea that refer to relationships where we don't necessarily know who the relationship is, and so they may be telling us, we just don't know, and only those people of that rohe or that hapū or iwi will know.

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But I think that it's – because we didn't have a term, we didn't need a term. What was important was the relationships rather than the form of relationship or the type of relationship. And so, when the type or form of relationship is not the key focus, it's actually the people, the tupuna that are the key focus. And so we have to look at those mōteatea or waiata aroha around particular tūpuna and their relationships and who they had those relationships with. There are many mōteatea where people, particular women are referred to as with their poi moving around the motu, but they don't say who they move to or where or the individual.

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So, I think that that's probably an area of a lot of work to be done in that. But I think the key is sexuality was not the defining factor of our tūpuna. It's only become that because it's been dismissed and marginalised and oppressed in this context. The relationships, your roles, your accountabilities and your actions are what defined you as a person, not your sexuality. So, I'm not surprised that there aren't any. Also, a lot of women's work and stories have not been documented as we know from earlier hearings that the narrative of Māori women haven't been document and they certainly haven't been documented by us. And so, we

shouldn't be surprised that there's a whole lot missing around our tūpuna wāhine.

5 Q. Well, I mean, it's my assumption knowing that wāhine Māori are such prolific composers of all forms that those examples must be or those accounts must be there. But anyway, thank you for that response. Now, my question, I have another question and I acknowledge the comments you've made around siloing and the necessity for naming things which is a consequence of where we find ourselves now. But I guess for the purposes of the exercise that we are engaged in, we've heard a lot of evidence in this inquiry about the centrality of whakapapa and I am just interested just in terms of how the centrality of whakapapa interacts with sexuality and different sexualities. Was – I mean I think I can anticipate the answer to this but I'll ask the question anyway. Was sexuality or differing sexualities an organising principle in pre-colonial Māori life at all as compared to what we've heard about whakapapa?

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15 A. Well I think it's part of whakapapa. Yes, it's part of whakapapa. Also that your sexuality doesn't define your place and role within your whānau, hapū and iwi. Your actions define your place and role, your whakapapa defines your place and role just as that defines mana. That we were all born with mana and our actions and our practices in our lifetime can see that mana wane or, you know, rise in different context. So, I mean, sexuality is part of whakapapa.

20
25 I mean, it's not just being takatāpui that is a sexual orientation, it's just all part of whakapapa. You know, I have six children. I've been takatāpui knowingly since I was 11 years' old. So, there's been – you know, and whakapapa is also about whāngai, as we know, and I think Naomi's discussion around the varying forms of which we raise tamariki and mokopuna as whāngai, whether we birth them or not really is not a determining factor, even within whakapapa. So, yes. Our sexuality is clearly a part of who we are. It doesn't define our whakapapa relationships. I think part of the issue is that it's become something it has and I think that's a colonising view and approach that's disrupted the broader whanaungatanga and relational way of being that we have.

Q. There may be more questions that come to you in writing. Kia ora.

A. Ka pai. Kia ora. Tēnā koutou.

WAIATA TAUTOKO

MS SYKES:

5 Ma'am, our next witness is joining us through AVL and I spoke to him, that's why I was a little bit late. So, he's just come back from his prize giving so I am hoping he is on the screen. Byron?

DR BYRON RANGIWAI:

Kia ora.

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MS SYKES CALLS

There he is. Taihoa ake, Byron. Kei te kōrero au i mua i te whakatau ō kōrero. Ma'am, there's a brief of evidence that's been prepared and filed with the Tribunal, it's document Wai 2700, appellation #A060, and what is proposed this
15 afternoon is Dr Rangiwai will speak to that document for approximately 20-30 minutes and take questions if that's an appropriate way to deal with this? He does have another commitment that he may have to go to that later in the afternoon. That's all I'm aware of. So, ko te tuatahi, Byron, me mihi whakatau i a koe i mua i a tātou. Kia ora. **I just wish to welcome you Byron.**

20 **(13:50) DR BYRON RANGIWAI: (#A146)**

Kia ora. Tēnā tātou katoa. I'm just going to share screen if that's okay.

MS SYKES:

Can't happen Byron, you have to send the link to Te Ringahuaia and then we will pass it on to the Tribunal.

25 **DR BYRON RANGIWAI: (CONTINUES)**

No, that's okay. So, Tēnā tātou. It's an honour to be here to participate and to have followed Dr Pihama this afternoon. So, my brief of evidence that was provided was about pre-colonial Māori sexuality and gender fluidity and I

suspect that many of the things that I will elaborate on this afternoon have already been, possibly have already been covered but what I will be doing is summarising the sorts of things that I talked about in the brief of evidence and hopefully I will be able to provide a bit more contextualisation around those with regard to my own experiences.

So, we know that sexuality and gender play critical roles in Māori society as Dr Pihama just spoke about, you know, the relational connections that we have through whakapapa are critical to the way that Māori society operates. In pre-colonial times Māori were sex positive and gender fluidity was accepted as normal.

Sexuality was enjoyed in various forms including homosexuality, although words like homosexuality are of course very English and are loaded in that sense as well, but for the purposes of this kōrero we use the terms like homosexuality.

Sexual prowess was prized and celebrated and I'm sure that we all have kōrero within our various illustrious whakapapa that talks about the prowess and the ability to produce whakapapa that a lot of our amazing tupuna had.

There are examples of bisexuality that can be found in George Grey's papers. These possibly may have already been mentioned, but in his 1853 text, *Ko ngā mōteatea me ngā Hakirara o ngā Māori* there's a kōrero in there that says, "Ko te tama i aitia i tērā wahine, e tērā tangata." "A youth who were sexual with that woman, with that man."

When I've looked at that text and thought about what it could mean, I've tried to rationalise in my head that, you know, maybe it was mistake, or maybe the kōrero had been influenced from somewhere else. But when I see that particular kōrero it gives me – what's the word? – it affirms for me that people like me are okay, that we don't have to hate ourselves, we don't have to continually feel like we have to justify our existence which is part of the problem about the way in which genders and sexuality has been altered through colonisation.

It's a triggering thing, I mean, all of the young gay people, takatāpui people that I know of, they all suffer terribly and I'm talking about Māori and Pacific here and others, but they also suffer terribly with their mental health and it's, as
 5 Dr Pihama's large research project on the topic states, there certainly is a lot of mental distress out there among our people and they shouldn't have to feel that way, our community should be opened to them and, you know, a tikanga based approached should be used to embrace us all, I think.

10 Also, gender fluidity can be also found in Grey's text, the very same text in a kōrero that says, "Ehara koe i te tāne, he puhi koe nāku, e ipo ki te moenga."
 "You are not a man but a maiden who belongs to me, beloved in the bed."

I mean, to me that comment speaks for itself. It shows that in this particular
 15 case the idea that a person, you know, could be – sort of take on both masculine and feminine traits and be loved by someone else or have a relationship with someone else is affirming to me and inspirational and it gives me great hope and comfort to know that there are these fragments, very small but very significant fragments in our whakapapa and in the literature.

20 Another example was that of Joseph Banks who accompanied Captain Cook. So, in Beaglehole's book, *The Endeavour Journals of Joseph Banks, 1768-1771*, Joseph Banks makes note of, and it's quite a well-known story among those who read about takatāpui, being all things takatāpui in the literature, but
 25 Joseph Banks noted, made notes about Māori sexuality and gender diversity at the time that he visited Aotearoa, and he referred specifically to an encounter with a person who on the one hand appeared female but was in fact biologically male upon checking, the person was biologically male, not female but presented as female.

30 So, that is again another affirming statement that makes me think about the trans, many trans people that are my friends and that would love to – you know, would love to feel totally accepted in society and there's so much pain in their lives and it's really heart breaking because many of us do have those feelings

and yes I think a tikanga approach that as Dr Pihama said before, an approach that accepts people and the mahi that we do and that accepts the relationships and whakapapa that we have would help people like me, would help takatāpui people to feel completely at one and evolved with our communities.

5

Other examples of pre-colonial Māori sexuality and gender diversity can be found, or more so sexuality can be found among some of the writings of the missionaries. So, Thomas Kendall for example, described Māori society as sexually free. William Yate engaged in sexual acts with young Māori males, not too sure what all the kaupapa was around that but some of those males that had been involved with him openly expressed affection for him and it doesn't appear that they were in anyway ashamed of the fact that they had connected with him in those ways, but they – yes. Judith Binny is quite clear about how they openly expressed affection for Yate.

10

And another example comes from Reverend Richard Davis who noted that homosexuality existed among Māori and included relationships that were a kin to marriage. Now, I really enjoy what he's saying but I'm yet to really dig a little deeper into what Richard Davis observed and try to find out a bit more about it.

15

One of the images that I shared in the brief of evidence was of an 18th Century papahou that's stored currently at the British Museum – It'd be great if we could get it back – and it depicts on the front of it and probably in other parts, and I just want to state straight up that I'm not an art expert unlike Emeritus Professor Ngahuia Te Awekotuku who viewed these sorts of artefacts on her travels and in her studies. But what I do understand about it from reading what the literature says about it, but even just from looking at the image itself is that what can be seen is a central figure who is engaging what appears to be sexually with two other different people. A male and a female by the looks of it.

20

I have this image professionally printed and hanging on my wall in my apartment just kind of over there by the kitchen, and I love it, and it gives me so much joy to see that in the 18th Century, you know, these things were there and were real and were carved into carvings. And it gives me so much affirmation to know

that it's okay that our people, you know, have variations and that the sorts of gender categories that we're stuck with at the moment are important and that there was diversity and fluidity in some of that. That's what I can see, I think.

MS SYKES TO DR BYRON RANGIWAI:

- 5 Q. Can you pause there, Byron. This is paragraph 34 of your brief. Could that image be brought up so that people on the screen could see it? Byron, is that the one you're referring to, the one on the left bottom hand of the page or is it the top right?

WITNESS REFERRED TO IMAGE, #A146, PARA 34

- 10 A. They're both the same image, but the one that's zoomed in might be a little more dramatic with the zoom in. I've shared it on Facebook before and I got a bit of a warning, a Facebook warning for images, questionable images, but yes. It's a powerful image. And I mean, I showed this to someone who, you know, does quite a bit of work in amongst Māori
15 communities and they thought it was modern because it's such a, yes, it's an interesting image. But it's certainly not a modern image, it is a piece of carving, a papahou from the 18th Century, and it just, yes. Everybody who sees it, when I explain it them when they come over to my home, they just, their eyes light up because it's just all there. All the things that people
20 have been fighting for was there the whole time.

- Q. Is there anything else you want to say about the image before you move on?

- A. No, but what I would say is that there are apparently a number of these types of artifacts spread around the world. I don't believe many of them
25 exist here, but again I'm not an expert in this particular field on art and artifacts.

DR BYRON RANGIWAI: (CONTINUES #A146, PARA 36)

- Which leads us to Colonisation. Of course, Pākehā conventions negatively impacted on Māori sexuality and genders, and of course Christianity, as was so
30 eloquently explained beforehand, you know, Christianity, capitalism, colonisation are all interlinked in that way and Christianity clearly altered Māori understandings of sexuality and gender. Yes.

And also, you know, the hardest thing to take as well is that amongst all the things that colonisation has done, the way that it's reformed and changed gender and it had specific impacts on Māori women, but it also introduced
5 horrible things like homophobia to Aotearoa. And homophobia comes from a 19th Century British context and yet it's flourished in many ways in Aotearoa, and unfortunately, in my experience anyway and this possibly is the experience of others and the literature certainly shows that it might be the experience of quite a number of others, homophobia can be found in Māori communities, and
10 that certainly was my experience as well.

So, it is essential I think for Māori to reclaim our pre-colonial understandings of sexuality and gender and to, you know, just like the process of decolonisation happens in waves and layers throughout all the different varied aspects of all of
15 our lives, you know, takatāpui people in particular. Ideas about homophobia and our own gender fluidity and sexuality. You know, these pre-colonial understandings need to be researched even further, because there's very little on the topic, but they need to be researched even further and our pre-colonial understandings privileged.

20

Yes, so homophobia, as I was saying, comes from a 19th Century British context from British attitudes that were obviously influenced by the church. Homophobia does exist in Māori communities and I've experienced it first-hand. I don't think – I mean, I think homophobia in Māori communities, it must have a terrible affect
25 on people. For me in particular, and I have nothing against the communities that I belong to because I know that they're, or now I know, that they're victims themselves of colonisation and so they, you know, the sort of lateral violence that some of us may have experienced in our communities. You know, we can understand now why those things might have happened. But it doesn't make it
30 any easier for people in those sorts of communities to exist there. And I think too that's why you see a lot of young Māori takatāpui people come to places like Auckland where they can, you know, express their rainbow-tanga and do all the things that they want to do and dress how they want to do and exist and celebrate themselves in the city.

Homophobia's been shown to be extraordinarily harmful to Māori youth who are sexually or gender diverse. So, you know, the awful impacts of homophobia on our rangatahi, I mean, this is the sort of thing that needs to be addressed, yes, 5 needs to be addressed in all its different forms to protect rangatahi who are takatāpui. Homophobia certainly contributes to severe mental distress such as self-harming, suicide, suicidal ideation, and it's both devastating and destructive, and the last thing any of us want for any of our uri, any of our relations is for them to feel this way at all. They shouldn't need to feel this way 10 on their own whenua. They should be able to express themselves and be who they are.

And what's really heartening to know is to see young people, very young people like Pere Wihongi and those types who are just doing it, just living it, and it's so 15 great to see and I wish I could be like them in many ways. But you know, I'm still pretty closeted in many ways which makes me a little bit nervous talking about it on here, but at the same time, you know, I'm making a stand as well that actually I am worthy of being heard and I am worthy of living a life and of being part of a community and I shouldn't have to feel so ashamed all the time.

20

So, the word takatāpui is a wonderful word and I'm sure it's been explained to you but, you know, it was individual rediscovered and reimagined and perhaps by Professor Emeritus Ngahuia Te Awekotuku and Lee Smith.

25 Takatāpui is a word that, you know, I've really started to embrace more and more in recent times and you know I love the way that people in the 80s and that were able to use the word and find some sort of belonging in the word even though in the literature, Associate Professor Cole Mika talks about that Māori didn't need terms like that, didn't need to have terms to distinguish sexuality and gender fluidity and things. But, having said that we're in a context now 30 where we do need to have words like that to give us an identify, to give us an umbrella, to give us a place to land, a place of security and takatāpui is that word at this time. And even though I've talked to some people who were more of the opinion that the meaning was possibly more aligned to just being a close

friend. I mean, the benefits of using, of reclaiming this word and using it in its current context are immeasurable I think because, like I said before, it's given so many people a place and an understanding of themselves that's affirming, that's positive, that gives them hope and allows them to understand themselves in a Māori context.

Takatāpui is a widely used term defined in contemporary context as Māori of the LGBTQIA+ Rainbow community and there's Dr Pihama's work and there's another person last name Green but sorry I've forgotten the first name, it talks about mana – as well as Elizabeth Kerekere as well, they talk about takatāpui people and their mana and you know, we have mana just like other people have mana and the good works that we try to do in our lives for others whether they be small or big, other sorts of things that should be celebrated about, that we can make contributions and we do make contributions and we should be accepted unconditionally as part of the whānau, hapū and iwi.

As I mentioned before, there is very little on this topic other than work that you've probably already privy to, but there's certainly is a need for more research into this area, about the pre-colonial sides of things, but also the way in which things might be moving in the future in terms of sexuality and gender of Māori and also, you know, using a tikanga based approach, I think, would help many takatāpui people to ensure that they have a sense of belonging in their communities.

I don't think I mentioned it in the paper, in the brief of evidence sorry, but I am and have been married to an Indian man and we've been together since 2018, and you know similar to him, but it's probably even worse for him actually. He can't be open about who he is. In pre-colonial India, there certainly was some sorts of different sexualities in genders and examples of these can be found in some of the Vedic texts, like the scriptural text. You can even see some ancient temples where, sort of, non-heteronormative sexual acts are being displayed on temples, carved into temples.

But like me, for him, his sexuality identity has been impacted by the British raj and the laws that were brought in in India, and so that legacy of colonisation for him still impacts him and at the same time I'm going through my own kind of battle as well. And so, even though we're two different people from two very different lands, we're both been affected terribly by colonisation in similar sorts of ways.

Yes, I think that's all I have to say, thank you.

JUDGE REEVES:

10 Tēnā koe Dr Rangiwai. This is Judge Reeves. We will have some pātai for you now.

(14:16) KIM NGARIMU TO DR BYRON RANGIWAI:

Q. Tēnā koe Dr Rangiwai, Kim Ngarimu tēnei. So, in your brief of evidence, like it was really clear that there was acceptance of gender diversity and sexual fluidity in pre-colonial times, you know, that that was quite clear to see in your evidence and that it was actually celebrated through mōteatea and through that, you know, the lovely papahou that you showed us, that it wasn't hidden way. And so I guess, what I just want to ask you is to your mind what does that acceptance and celebration mean for this kaupapa of mana wahine? How do these things all connect together?

A. Tēnā koe. Thank you for that difficult question. I think the way that – issues that takatāpui face, you know, takatāpui are also women and then – I think that the issue that takatāpui face stem from colonisation and stem from the reframing of gender for Māori society through the processes of colonisation and that the way in which takatāpui and the mana wahine arguments converge is where, I mean connect is around the way in which gender has been changed, ideas about gender have been changed. Because the way in which gender has been changed has affected Māori women and it certainly as affected takatāpui. So, the way I see it is that, you know, takatāpui as another affected party can come behind the mana wahine arguments and support them because just like them we've

been affected by Christianity, by colonisation. Yes, I feel like I could write about that but I'm struggling to think through the answer at the moment.

Q. Kei te pai. I might have another question for you after my colleagues, I'll just see where they go. Kia ora.

5 A. Kia ora.

(14:19) DR ROBYN ANDERSON TO DR BYRON RANGIWAI:

Q. Tēnā koe Dr Rangiwai, it's Robyn Anderson here.

A. Tēnā koe.

10 Q. Tēnā koe. In a couple of places within your brief of evidence, you've emphasised the importance of takatāpui identity and whakapapa and I just wondered whether you could expand on that notion for us a little more.

15 A. I think the point I was trying to make was that takatāpui have whakapapa like everyone else does in Māori society and that we can recognise. You know, every Māori person is born with mana and I think the point I was trying to make was that a person's sexuality shouldn't determine the sorts of – shouldn't diminish at all their whakapapa or their relationships in Māori society and there are plenty of examples where takatāpui people are tremendous leaders in their communities and do amazing
20 transformative things.

25 But then there are also lots who may not be as, you know, well there are a lot who suffer in their own communities or suffer, have lives where they endure a lot of suffering through oppressive practices. So, I think my point about whakapapa was just, you know, affirming that a person's whakapapa is enough to have dignity and mana and that we can engage in work that helps our communities and that we can have good healthy relationships with our whānau and community. Sorry, I can't hear.

30 Q. That's my fault. I'm just complimenting you on your brief of evidence and making me anyhow think about things in a different way and a new way so thank you very much.

(14:22) PROFESSOR LINDA TUHIWAI SMITH TO DR BYRON RANGIWAI:

Q. Tēnā koe, good to see you.

A. Tēnā koe Professor.

Q. So, I just want to kind of pull together I think one of, firstly heard from
 5 Dr Pihama earlier and then from you and then I guess putting my own
 work in there as well, is that we know that colonialism and colonisation
 constituted new categories of people, new categories of social
 relationships. So, for example, in the Latin American context, mestiza,
 mestizo, who are like half-casts, and you know in India they created these
 10 classes of people who were half-casts of a particular kind. But what I am
 hearing from you and what I've heard previously from Leonie so you can
 tell me if I'm wrong, is that colonialism that also constituted these new
 categories of sexuality and gender for which we had no language. They
 existed in our own cultural context but didn't need an explanation and
 15 didn't need a vocabulary –

A. Yes.

Q. – is that correct?

A. Yes.

Q. So, going on from that then, the creation of these categories that then,
 20 the takatāpui communities had to respond to within a language, had to
 create a language, is that language like a form of resistance to those
 categories or a form of simply naming in order to be seen and heard in
 the sort of colonial, colonised kind of paradigms? I don't know if that
 makes sense but are these terms, do they have a particular function of
 25 resistance I guess is what I'm asking?

A. Yes. I think it does. I think it's both of those things you mentioned. I think
 it's definitely both of those things that on the one it's a form of resistance
 and on the other hand it's a definite naming and also giving and using a
 name and a word that is sort of provides a bit of a korowai if I can use that
 30 metaphor for the takatāpui community because without that term we use
 just words like gay or queer and those words don't really, they don't have
 a whakapapa that we readily connect to, I don't think.

Q. Thank you. I'm just going on my learning journey. I'll hand it over to
 someone else.

A. Tēnā koe Professor.

(14:25) DR RUAKERE HOND TO DR BYRON RANGIWAI:

Q. Tēnā koe e te Tākuta, Tākuta Rangiwai. Ko Ruakere tēnei e tuku pātai ana ki a koe. **Thank you Dr Rangiwai. I'm Ruakere Hond. I have the following questions for you.**

5

A. Tēnā koe Doctor.

Q. Thank you for your kōrero, the insight from a personal and lived experiences is really helpful and some of the questions that I had earlier have been answered, have been asked already. I was wondering, your experience around being ostracized from the church, we've talked about the role of church in formalising certain gender roles or expectations and the impact it's had on people's lives and in particular our society, Māori society.

10

15

I was wondering, you said that you became involved with the Mihingare and I was wondering whether you have thought about in your experience with Mihingare whether there has been a change that's taken place, whether there was originally a situation where there was very strong negative views towards takatāpui and that has changed for some reason?

20

I'm just hoping that you've had some insights from your experience or the kōrero that you've had with different people and I was wondering whether there's some that could help us with some of our kōrero.

A. Yes, kia ora Dr, thank you for that. I think the – as some of you may or may not know, the Anglican Church and I'm not an Anglican Church historian so I can't give you all the dates and things but at present the Anglican Church is divided – well, not divided but formed as pre-tikanga, tikanga Pākehā, tikanga Māori and tikanga Pasifika.

25

30

So, in the Māori arm of the church there is definitely, I think, an acceptance of people who are takatāpui because the Māori church focuses on whakapapa, focuses on whakapapa, it focuses on tikanga and it focuses on being Christian in a Māori way. I know that probably sounds quite, might sound a little strange to some but it is – I mean, I know of

5 although I won't give names at this point but I do know of a person who could only really be described as trans in Pākehā vocab who was ordained in the church, in the Mihingare church because the – you know, and that probably won't happen in the main line Anglican Church in New Zealand.

10 I'm yet to see the ordination of a trans person in the main line church in Aotearoa. There are many factions at play in the broader Anglican communion in the US and in England and places like that but those details are way too complicated for my little peanut. But, yes, I feel – well, actually I know through my engagement with Mihingare ministers, very good Māori Mihingare ministers that takatāpui isn't a problem for us as Māori.

15 The problem comes when they have to sort of – there's the political part that happens and I'm not an expert in that, but there's a political part in the church that can sometimes impact negatively on takatāpui, but I believe that the Mihingare, and actually all of the Māori church that I know of including the Presbyterian Māori Church and others that have a very Māori focus because they do focus on whakapapa and tikanga and mana and what people contribute, they're less concerned about who they're with or what they're doing and more concerned about people being there to contribute because unfortunately the church is also in a dying state so they need everybody to come.

25 Q. Tēnā koe. I was wondering that exact same thing, whether tikanga, Māori community and being recognised within the church automatically brings a more cohesive or conducive environment for takatāpui to be recognised or to be accepted into those communities.

A. Āe, kia ora.

Q. Te āhua nei, he pērā te ia o tō kōrero. Ngā mihi ki a koe.

30 A. Tēnā koe.

(14:31) JUDGE REEVES TO DR BYRON RANGIWAI:

Q. Tēnā koe anō Dr Rangiwai, this is Judge Reeves. I mean, I have a whakapapa in the Mihingare Church so I am very interested to hear those

5 comments, I have no pātai for you about that though. However I do have a pātai for you in relation to paragraph 32 of your brief of evidence and I ask somewhat of a similar question of Dr Pihama just previously and in that paragraph you were referring to Professor Te Awekotuku having found evidence of takatāpui evidence in historical Māori narratives and in mōteatea et cetera and whakairo.

10 So, my question to Dr Pihama was, it seemed to me from looking at the examples and also it's my observation in terms of the examples that you've given as well that those appear to be largely written by males about male experience and whether or not you are aware whether Dr Awekotuku, I mean I know that that paragraph is two jumps away from you but referring to Dr Kerekere's reference to Dr Te Awekotuku's mahi. Whether you yourself are aware of the uncovering of any narratives in relation to female experience.

15 A. Tēnā koe Ma'am, thank you for that question. I am not aware of any female examples although – I have forgotten what I was going to say but I am not aware of any examples like that – now I remember what I was going to say. Dr Elizabeth Kerekere, she does talk in her thesis about it is her belief that ideas, like takatāpui or people that were sexually diverse or gender diverse, that some of those things may have been hidden to protect them, that's one point that she does make and that would make quite a bit of sense because you even hear from people like my kuia who died in 2017, you know, they used to want to hide some things to protect them.

25 Hide names, whakapapa names, hide kōrero and how good that idea was at the time, I'm not sure. But, that's the way sorts of thinking that she had and she was born in 1940 so I think that some people from that generation may have thought to hide or to conceal some of those sorts of things but to answer your question Ma'am, no, I have not seen any examples myself.

30 Q. And I was very interested to hear your kōrero about the papa hou and the pictures that you had there of us and again in that paragraph 32 there is reference to finding evidence of takatāpui existence in historical Māori

narratives including in whakairo so do you have any other examples that you are aware of takatāpui narratives and whakairo other than the one that you brought specifically to our attention?

5 A. Unfortunately Ma'am, no I don't. But again, Dr Kerekere mentions in her thesis, I think she talks about – and I'm just going by memory here, maybe some particular whakairo in her area where she's from. I think she might mention that there is some whakairo where that's expressed.

Q. Thank you Dr Rangiwai, I am just going to check with Kim Ngarimu.

(14:35) KIM NGARIMU TO DR BYRON RANGIWAI:

10 Q. I do, it's something I'm puzzling over so I don't know how much of a pātai it's going to be. So, I just want to go back to where we left off and I was asking you about how gender fluid is he and gender and sexual fluidity and diversity connects to mana wahine and your closing comment was that takatāpui are an affected party and can come behind the mana wahine arguments.

15

I just want to pick up on some things that Dr Pihama talked about and she said sex is different from gender which is different from sexuality and so I guess I want to take my question of you a bit further and just ask, do you think mana wahine should be connecting on a biological sex basis or do you think that we should be connecting to those, regardless of their biological sex, identify or connect with te taha wahine.

20

A. That's a big question.

Q. And if you don't feel comfortable answering that right now, if you want to think on it, that's fine. Someone would have caught it so we can pop it in writing if you just want to think that one through a little bit.

25

A. Yes whaea, I would like to think that through.

Q. I don't blame you because I'm still thinking through about how to ask it properly. Hoi anō, thank you.

30 A. Kia ora.

(14:37) ANNETTE SYKES TO DR BYRON RANGIWAI:

Q. Ma'am, I have a question. I sort of asked Dr Pihama this too but are you familiar with any other Māori terms than takatāpui to describe members of the LGBTQTIA community and the terms that I am suggesting you might be aware of are ira rere, ira wahine, ira tāne, ira kē. Are you aware of those terms?

A. Kia ora, yes. I have heard of some of them, I don't know them that well. Another term that I remember, one of the koroua from Waiohau suggesting was a good one to use for me was probably moe tāne or tāne moe tāne so yes I am aware of some of the other sorts of terms but takatāpui term is the one I'm most familiar with.

Q. And in light of the fact in your evidence in response to one of the questions, you referred to te rainbow-tanga, tērā, what do you think of labelling of rainbow communities with Pākehā terminology?

A. Yes, I think that the language, it gets very tricky. It can get very tricky with – our terms can get misappropriated and misused and misunderstood quite easily by those who don't know any better or even those who do know better like Dr Pihama's example of the word whānau and the way it's often just thought of by many people as merely family. I think similarly with words like takatāpui or any words from the Māori world, there is a risk of those words being used in ways that perhaps they weren't intended for, and yes, that's what I was thinking.

Q. Kia ora. I have no further questions, but thank you, and are you sitting in front of your meeting house at Waiohau or is that a photo of your meeting house at Waiohau?

A. Yes, it's a photo of the meeting house at Waiohau from about the 60s, and I completely forgot that this photo was my background from the last time I used Zoom. Because in my teaching at the moment I've been using Teams a lot more. But anyway, this particular photograph was taken by Sir Hirini Moko Mead and it's a part of a collection that they have at the University of Auckland, some of his photos of marae in the area. So, I love this photo.

Q. And I just want to say, that brings us full circle because I first met you in that meeting house when you were a young student at

Te Whare Wānanga o Awanuiārangī researching of the origins of Te Kooti's moemoeā mō Ngāti Haka-Patuheuheu **Te Kooti's aspirations for Ngāti Haka**. So, I'd just like to say thank you on behalf of our team for your assistance in giving evidence at such short notice. Kia ora.

5 A. Kia ora. Kia ora.

MS SYKES ADDRESSES JUDGE REEVES – SETUP POWERPOINT PRESENTATION (14:41:31)

MS SYKES CALLS

10 Ko te tuatahi, e te māreikura, te apakura, tēnā koe. Kia mōhio tātou katoa ko wai koe, nō hea koe, he aha i pēnā ai i tae mai koe ki te whakanui i te kaupapa e pā ana ki tēnei ngā kōrero e pā ana ki ngā tāngata pērā i a koe i mau mai i ngā mana whakaheke mai i ngā atua tae noa ki tō whānau, ki a koe hoki. Kia ora. **Just initially, could you please introduce yourself and why this**

15 **subject of inquiry is significant to you and people similar to you, those who descend of gods.**

(14:44) OBRANA TE HIRARANGI MAATA-TE-WHAREMATAA (HIRA) HUATA: (#A149)

REFERS TO BRIEF OF EVIDENCE #A149

20 *“Ko te aumārie waikanaetanga kāpunipuni o te wairua tangata wairua atua eee”.*

Hoki wairua mai rā ngā mate huhua e tangi hotu nei te waiaroha a aa, ngā hekenga roimata, ngā hupē e rurutua ee.

Mai Te Pō ki Te Ao Mārama... Ki te karahuihuinga o te hunga ora

25 *Karanga mai rā, karanga mai rā*

Karanga mai rā Ngāi Tahu Anika Taakitimu waka e

Mai Te Aorangi ki Te Matau a Māui ki Te Aoraki ki Te Waipounamu ee

Karanga mai rā, karanga mai rā

Karanga mai rā ki Te Kete Tuawhā o Te Whakapakari o Te Kōhanga Reo

30 *Haere mai ki Te Kete o Ngā Tikanga o Te Ao Māori e*

*Ko Te Reo Pari Kārangaranga o te whenua
nō Papatūānuku, nō Hineahuone, nō Hinetitama*

Karanga Te Pō, Karanga Te Ao

Wairea, Wairea, Wairea i runga i tū ake nei! Wairea i raro e takoto nei!

5 *Wairea Te Mauri Tū, Te Mauri Rere, Te Mauri Tau, Te Mau Ora,
Wairea, Wairea.*

NGĀ TIKANGA O TE AO MĀORI

Ko Te Amorangi ki mua Ko te hāpai ō ki muri

10 *Te tūturutanga mahi pono o Te Māori Mana Motuhake”*

Whēriko te tapu ee

Haere I tua, haere I waho, haere e te wai kōpatapata e rere nei ee

Ka hoki mai te wai mahuru

Korou noa, korou ora.

15 *Tahine wairātahi mauri ora ki Te Rangi*

Tahine wairatahi mauri ora ki Te Whenua

Tēnā koutou tēnā koutou tēnā koutou katoa

E ko au ko Obrana Te Hilarangi Maata-Te-Wharemataa Huata,

Nanny Hira – Whaea Hira – Tuhi Apakura – Puhi Mareikura. Tēnā tātou katoa.

20 **[This is a combination of karanga and pao. Relevance to the many domains of the living, of the past, of the dead, and acknowledging the presence of all in the proceedings and for everybody to be protected in what we are engaging in over the next two days.]**

25 *Mana Atua, Mana Tangata, Mana Whenua, Mana Wahine, Mana Tahine,
Mana Aotūroa. He mātanga Mana Reo me Ngā Tikanga o Ngāti Kahungunu.*

Ngāti Kahungunu ki Te Wairoa, Ngāti Kahungunu ki Heretaunga,

Ngāti Kahungunu ki te Wairarapa. He Kaiako Whakapakari mō Ngā Kōhanga

Reo o Ngāti Kahungunu.

30 *Mana Whenua – Ko taku mahi hoki nei mō te Kaunihira o Hastings. Ana ko te
kaupapa rā tērā nei he mahi o te Waiaroha. He mahi whakapapa tēnā nei e*

pā ana nā ki wā tātou nei hononga atu nei ki ō tātou nei wai.

Nō Mangaroa marae. Mangaroa ki Te Rangi – Mangaroa ki Te Whenua

[That's just a summary – as she's explaining that now, just a summary of her roles.]

5 Now, I am a lecturer for the Whakapakari o Ngā Kōhanga Reo o Ngāti Kahungunu. I am from Mangaroa Marae.

I am Tahine. Testament of Te Atua. I say that because in when I decided to transgender, that is what my mother said, “you are a testament of God.” That, I will never, ever forget. At especially a time when I was discriminated against.
10 My mother held strong to me.

E kore koe te timatanga e kore koe te whakamutunga – You're not the first and you're not the last. These were told to me by my nanny. My nanny Lovie Hena nō Te Wairoa.
15

Kia ora whānau, kia ora e te iwi. For me to stand in front of you to actually deal with a kaupapa, dealing with mana wahine, and then having to stand in front of people who may look at me, who may judge me, this has been my life. And so, it's been a journey also for myself and my own discovery.
20

I whakatipu ahau ki te kōrero mai tōku reo. I tipu mai ahau ki ngā tikanga o te ao Māori. Ana ko ngā reo rua kei roto i tōku whānau. **I was raised with the language and the practices of our people on both sides of my family.**

25 So, I was really pleased, ana kei te mōhio mai tōku reo. To practice the tikanga and live the tikanga and live the kawa o Tākitimu marae, o Tākitimu.

Ko tōku orokohanga mai. Ko te mātāpuna o Te Ao Māori, ko te mātāpuna o Te Taha Wairua Nō Io Te Wairua. **My coming forth.**
30

This is the kaupapa that the kōhanga reo has to study. The origins of your wairua. And I want this whare here to know that the origins of my wairua comes from Io Te Matua Kore. And let's start there, let's get away all discriminations and let's go straight to the atua.

Nō Te Kore. Nō lo Nui, nō lo Roa, nō lo Te Mataaho, nō lo Matua, nō lo Taketake, nō lo Waananga, nō lo Tikitiki i Te Rangi, lo Te Toi o Ngā Rangi. “lo Waiora, lo Wainui, lo Wairoa, lo Waiaroha, lo Waiahuru, lo Te Wairua”.

5 Ko tōku wairua nō lo Matua Kore, nō lo Matua Te Rikoriko.

From Te Kore through all of the different deities [or 16 identified just then]. I descend from them.

10 According to my kaumātua Te Okanga Kahutapere Huata, the wairua comes from Te Aumārie (the tranquil), Te Waikanaetanga (from the peace). That’s where everything comes from.

Te Kore Tuatahi, Te Kore Tuarua, Te Kore Tuatoru, Te Kore Tuawhā,
15 Te Kore Tuarima, Te Kore Tuaono, Te Kore Tuawhitu, Te Kore Tuaiwa,
Te Kore Tuangahuru. Mai Te Kore Nui, Te Kore Roa, Te Kore Para,
Te Kore Rawea, Te Kore Whiwhia, Te Kore Tāmaua. Koirā te Kotahitanga o Te Kore. Ka puta a Ao, ka puta a Pō. **[She’s reciting the several variations of Te Kore. Says from lo Matua Kore begat Te Pō and Te Ao.]**

20

Ko lo Matua ia Te Rikoriko. So we have whakapapa books back home. One is called the Kawa o Ngāti Kahungunu. In that book it talks about ka noho a lo i Te Rikoriko. So, we see two genders appearing in our book. Koirā tāku nei e whakaputa atu nei ki a tātou. **This is what I have to present to us.** We think

25

God is man. Some people think God is woman. We are the manifestation of God. Ko lo Te Matua Kore. **The manifestation of lo Matua Kore.** So, before we start talking about discrimination, let’s get that out of the way please, because i ahu mai tātou nō te atua. And if we’re going to start questioning my gender, then we start questioning te atua. Koirā te mea nui. **That’s the main**

30

thing.

Ko lo Matua I a Te Rikoriko, ka puta ko Te Ao, ko Te Pō. Inā hoki i tāna ko ngā pūmanawa e waru i puta ake nei mai i a lo Te Matua Kore, i a lo Matawai. Ana koirā Te Ngākau Pai, Te Ngākau Māhaki, Te Harikoa, Te Manako, Te Manaaki,

Te Pono, Te Manawanui, Te Aroha. **From Io Matua i a Te Rikoriko begat Te Ao and Te Pō. And from them these four qualities as deities that follow, 1-8.**

5 Kauga e wareware tātou. Me kaha ngā pūmanawa nei nō tō tātou nei matua a Io Te Matua Kore. Me whai tātou i ēnei pūmanawa. Mā tātou e whai atu i ēnei mātāpono. **So, these come from Io Matua and these are principles that we should carry and follow ourselves.** So, when I'm teaching in kōhanga reo, we need to be totally aroha. That's what surrounds the tamaiti. Te aroha.

10

When Aunty Rose Pere was part of the designing for the Kōhanga Reo she reminds us that we are in balance, our A, our I, and our O. Te āio that exists within all of us. These are the teachings that we need to be teaching our children, that these are the teachings that we need to be teaching Aotearoa.

15

See, it's easy. Go back to the Kōhanga Reo, te orokohanga mai o te tino rangatiratanga. **This is where our distinctiveness derives from, from our atua.**

So, within the whakapapa that I place:

20

Ko Io Matua Kore – and with those equals signs – Te Whaea Rikoriko, it makes it kind of easy for us to see how genderisation becomes. And then ka puta mai a Hine Pō, a Hine Ao. The sisters. Ka puta mai a Ranginui, a Papatūānuku, ana ka puta mai Te Ao Mārama. **Which came forth to Ranginui who married**

25

Papatūānuku and then Te Ao Mārama, the world of light.

Io Matua Kore = Te Whaea Rikoriko

Pō Ranginui = Papatūānuku Ao

Te Ao Mārama

30

So, we see the transformation from Io Te Matua Kore, and the values and the tikanga that we need to be practicing on earth, ki runga nei o Papatūānuku, ā, ki waenga nui i a Ranginui. **This is what should be practicing, everything between Papatūānuku earth mother and Ranginui the sky father.**

He atua, he tipua, he apakura, he whatukura, he māreikura, he poutiriao, ana kua puta mai. **All being very special deities that we should respect.**

5 So, I'm taking my journey mai i te Kore ki te Pō, and we will get to Te Ao Mārama.

Ko te wairua nō Te Atua, nāna nei ngā mea katoa. Ko Te Aroha, ko te wai te aroha. **Wairua comes from the atua, like everything else.**

10

Ana ko te mea Tuawhitu.

Ko Ranginui rāua ko Papatūānuku i Te Hānui, i Te Hāroa, i Te Hāwai, i Te Hāora, i Te Hauora, i Te Pō, i a Poko-Hārua-i-Te-Pō, i Te Pōnui, Te Pōroa, Te Pō Uriuri, Te Pō Nakonako, te Pō Tangotango, Te Pō Whekeri,
15 Te Pō Whetūmā, Te Pō Kāhiwahiwa, Te Pō Kānapanapa, Te Pō Kāuru, Te Pō Kakarouiri, Te Pō Tiwhatiwha, Te Pō ē i. **[Recitation of the descent of different Pō (darkness).]**

Te Pō Kutikuti Kakarouiri was the darkness of intense romance. The Night of
20 Love and Romance It is here where Ranginui copulated over the naked body of Papatūānuku. Many tipua ascended from her into the Pō. During this pō, during this period many atua were conceived and born in a pō Kakarouiri.

Some were binary, some were female, some were male.
25 Apakura – Māreikura – Whatukura. See, the apakura, they maintain the balance, they uphold the heavens, they uphold earth. That's our duty.

Ko te haematua nō Ranginui i ruiruia ki runga nei o Papatūānuku i te pō, ana pūtaka nā Tipua-ā-Nuku, nā Tipua-ā-Rangi, mai Te Hema-uha me
30 Te Hema-toa. **[Nil.]**

So, I'm going to talk on that. So, with Ranginui and Papatūānuku they begat Tāne, and we will go into those kōreros of Tāne. We've had many debates as kaiako working in Kōhanga Reo and Kura Kaupapa as we try work out the

curriculum that we need to be educating our own people. So, many debates have happened with us within the education system in terms of the atua. Tāne, although he is seen as male, the tree is both female and male elements. The tree produces the flower, the flower produces the seed. Within that flower, so is the Hema-toa. So, within one component we have both male and female and we know very well – ki roto i ō tātou whakapapa i ahu mai tātou nō Tāne. **[Hema-toa is the statement, the male fertilising organ of a flowering plant.]**

E kī ana tāku nei kaumatua a Ngari Huka, ana ko ngā wāhine tokoono a Ranginui, pēnei i a Pokohārua-Te-Pō, Hekeheke-i-Papa, Hotupapa, Māukuuku, Tauwharekiokio, Papatūānuku. **[Reciting the six women of Ranginui: Pokohārua-Te-Pō, Hekeheke-i-Papa, Hotupapa, Māukuuku, Tauwharekiokio, Papatūānuku.]**

I'm placing these here for the purposes of just understanding the relationships of how many of our tīpuna had many wives. And so marriage wasn't just constricted to just one wife or one husband.

MS SYKES ADDRESSES WITNESS (15:01:28)

HEARING ADJOURNS: 3.02 PM

20 HEARING RESUMES: 3.23 PM

(15:23) HIRA HUATA: (CONTINUES #A149)

Kia ora tātou. Ko tēnei wāhanga nei ko te orokohanga mai o te tikanga nei o te whanaungatanga. **Greetings again, this section here is on the origins of relationships.** As part of my mahi being a lecturer for our kaiako within kohanga reo is to teach the concepts of whanaungatanga and so from this whakapapa here, we look at Io Matua Kore, Ia te Whaea Rikoriko i whānau mai te whānau ara matua. And we start off with Tama-nui-te-Rā, Whiro Te Tipua, Meremere ko Tāwera hoki, a Papatūānuku, a Matawhero, a Kōpunui, a Pareārau, a Whareana, a Mahutonga, a Tamaiwaho and so the ara matua is

the pathway that all these planets and the stars and the moons, they follow. From the east to the west, these are our planets of the ara matua.

5 Back in the 1980s we were bringing out all of this kōrero about the stars and the planets and I will focus towards Meremere and Tāwera. At times Meremere is Meremere-tū-ahi, in the ahi she is female. When it becomes Te Ata, the star of the ata then some say becomes male. I then go over to Pareārau, the other planet, we have Papatūānuku of course but I go to Pareārau and she was known as Te Karahika Tīweka, she was flirtatious and she would dilly dally with
10 the other one, was Pareārau. So she was then adorned with the greenery over her head.

I wanted to close this whakapapa here just to show you that, really, the impact of this thing called transgenderism. Within the Māori world there was no such
15 thing as transgenderism however when we see our whakapapa, we look and we see that in some of our stories, Meremere-tū-ahi, in the evening he wahine, in the morning, he tāne. So, these things we have to take into consideration when we're talking about the universe.

20 Io created all of the heavenly realms, the universe and the myriad of galaxies. Ranginui and Papatūānuku were created in the nights of Whekoki, of the intense nights and of the Maru-Aitu of the wet nights, the great expansive night. The eternal everlasting night. The warm night. The starry night. The dark green night. The flashing night The embracing night. The dark night. The intense night.
25 The black night. The bright dark night. The romantic night. The lovemaking night. The blessing night. The Holy night. These nights were scattered to the different realms that surround the house of Hono-i-Wairua. In my whakapapa, Whakaahu is the star above Kahurānaki that is also the star that stands above Te Hono-i-Wairua. Where the spirits gather in the pō.

30

This is where Hine-nui-te-pō takes our wairua and she transcends our wairua into the heavenly nights. The female element of te pō gave rise to the menstruation of the moon nights of te Marama-i-whanake, te Marama-i-roa, te Marama-i-whiro, te Marama-i-whakaata, te Marama-i-waharoa, te Marama

Atua, te Marama Mutuwhenua. And all these nights were coinciding with the nights of Pō-Taru-Aitu, te Pō-Whatu-Ao, te Pō-Whiro, te Pō-Parauriuri, te Pō-Turu and te Pō Whekeri. These moons in these nights impact on the female flow of Hinemoana and her tides.

5

Ko Rona te whaea o te marama, ā, nōna te rangatiratanga o te tai, hēoi i whakatauria ngā atua ki ngā wāhanga o te tau, arā, ngā paki o te tau, o te marama, o te pō, o te rā. Ka timata te tau hou Māori i te marama o Aonui. Tēnei te marama kia tahungia Te Ahi Kāea. Nikaa te pipiri o te tangata kia manakohia, 10 kia wānanga. Ka hōngo nui te tangata kia wānanga i Te Aho Turuturu, arā te hōnonga o Te Rangi ki Te Whenua, Te Ara Matua, Te Tātai Arorangi, Ngā Whetū, Te Hau, Te Wai, Te Ua, Te Huka, Te Ahi. Tēneki te wā kia aro ki te mauri o te whenua, o te wā o Hine Takurua. Ko Tamanui Te Rā e tere ana tōna haerenga ki tōna rua, ā, he pō roa ake mō te wānanga o ngā aho o Te Iho 15 Matua. **Rona was the mother moon, she governed the tides. It was also associated with governing the seasons, activities of the month, of the night, of the day. The start of the Māori new year begins in this marama called Aonui, that's when the fire is lit.**

20 Ka timata te hokinga mai o Te Rā ā ka māhuru haere te ao ka timata ngā wai kia pere atu ki te moana mai ngā maunga koia Taperewai. Kua papa kōhaitia te ngāhere ā-Kina te tai. Ka hara mai te Tahī o Koanga, Te Puawaitanga, Puawai, ko Puanga te whetū ka puta Puawānanga, koia te Tatau Uru Tahī ki Te Tatau Uru Ora o Hine Raumati te tipuranga o te whenua, o ngā raurākau, o 25 ngā otaota. Nikaa te tipuranga o Te Akaakanui ā matomato te tipu o ngā hua kai. Ko Rēhua Kaitātea i tātea te rangi me te whenua i moe i a Hine Ruhi mana kaitiaki o ngā hua kai o Hine Raumati. Poutū a Tamanui Te Rā tōna ihiihi, tōna wera kia pūtokitoki te whenua kia taea ake ki te tīkākā muturangi. Koirā te wā ka haere a Tamanui Te Rā ki tōna rua, ā, ka Uru Whenua ngā atua. **[He's just 30 explaining different things that occur in this period of the new year under the influence of the moon, the connections between Rangi, sky father and the earth in relation to astronomy, the stars, the wind, the rain and so on.]**

This is an expression of our Atua during the whole year and how the Atua have a strong impact, those female Atua and those male Atua during our times in the year. The graph there shows the moon. So, I've placed the names of our Atua within the maramataka. We are impacted by the marama and her parts. Rona, she impacts on us mana wahine, she impacts on your wahine flower, she also impacts on the male energy. As you see the graph where it shows the light gets bigger, we go to Rakaunui. Rakaunui, the full moon. For us in Mahia, koirā te Maramahatea. Nā Rongomaiwahine tēnā tikanga, te Maramahatea, the full moon so we know that we follow that full moon and in Ngāti Kahungunu we follow the Rakaunui – the Maramahatea full, the Rakaunui and I will express the kōrero of that. **Rongomaiwahine has that practice of the full moon.**

So this is at the time of pro-creation, if I'm going to one of these lists of Atua and that's the beginning of the production of the egg and so between Atua towards Rakaunui, those are the nights good for pro-creation. So we get to the Rakaunui and he tāne, it's symbolic that name, the male energy is high, the female energy is high, is right for pro-creation, āe.

He rākau tapu nā Tutaua ki a Uenuku. Kei roto nei i ā tātou haka anā te kōrero mai o ēnei Atuatanga o tātou, he rākau tapu. Mehemea nā kua tipu mai koe ki roto i te wānanga o Tāne, anā, koirā te rākau, anā te raho. He mea nui nā ki te tangata, he mea nui tēnā mō te tāne kia ai. **It's in this famous haka, these qualities of Atua. The great rākau assists with pro-creation. [Just explaining on the practice of pro-creation, the importance it is to male]**

So, when we look at the maramataka, the Atua that exist within the maramataka, as we get to the end of the maramataka, we come to Atua such as Tangaroa, we get to Atua Rongo, we get to Atua Tāne. He mea nui tēnā mā tātou kia whai i o tātou Atuatanga. **It's quite a significant pathway for us to follow, the significance of our Atua.** The Atua within you, the Atua within me. In this diagram, he apakura, he whatukura, he mareikura. We have lots of kōrero within the Kauae Runga about the apakura's that maintain the heavenly realms.

The white shows the 12 heavens and on both sides we have placed there the names of some of those apakura's. So I want to go to Te Rangi Tāuru-nui and I want to introduce the patupaiarehe and the tūrehu. When you're delaing in te ao Māori, you need to deal with it in the proper and we go back to where we
 5 come from, our origins. I come from the tūrehu, I come from the patupaiarehe, I come from Ponaturi, I come from Poutiriao. My father was very sacred about the tūrehu, he would make us place the fire, little fire at the windows of our whare to stop the patupaiarehe from coming in and getting us. One of our tikanga that is practiced in our pā are now the whare's leave their lights on all
 10 night and that's to keep away the tūrehu and the patupaiarehe, we come from them.

When I was young, I was also told I am patupaiarehe by my kaumatua. I knew I was different and these were some of the things that would give answers for
 15 my existence and for the purposes of this, the mana wahine, I decided, well I will just place in some of those female mareikura.

The next are all the Atua tāne so there are 70 male Atua nō Ranginui me Papatūānuku that had been identified within the Kauae Runga but they'd also
 20 been identified within my own whānau whakapapa, these Atua and the domains that they were. As you will see in the whakapapa, some of those domains are those atua attributing to the female genitalia.

So, there are 70 atua and many of them supported and helped and aided the
 25 creation of Hineahuone.

And number 20, I'm looking at **NGĀ KETE O TE WĀNANGA.**

Kei te mōhio tātou nei kua ara ake a Tāne ki te whiwhi mai i ngā kete wānanga: Te Kete Aronui, Te Kete Tuatea, ā, Te Kete Tuauri.

30

In here I've placed the karakia of Tāne's ascension to the heavens. And it was Tāne that was chosen, kia whiwhi mai rā i ngā kete. **And it was Tāne who was selected to acquire those baskets.** And as I said earlier on, Tāne elements where – is rākau. He actually holds both genders.

So, if we're looking at the origins of transgenderism, we may need to go back to Tāne. These were debates that we would debate as lecturers. I will mention one of my good friends, a Debbie Kupenga, who we would debate overnight many of these tikanga, especially of Ngāti Porou and Ngāti Kahungunu. So, it was important for us to start really looking at our Atuatanga kei roto i a tātou **to explore atuaness within ourselves.**

Paragraph 24 was a wānanga with myself and my cousin Ngamoni Huata of Tūhourangi, and she would say those male gods, they practiced homosexuality. So, i roto i tēnā kōrero, ana kei te kōrero tātou i runga anō i te ure tārewa. **So, in respect to that – [Nil.]**

This is before the atua found wahine. So, e ai ki a Ngamoni Huata, "I ai te ure tārewa i te ure tārewa." **So, according to Ngamoni Huata, "Males have sex with males."** So, this is very challenging for even men to have to come to terms with some of the issues, because it was Tūmatauenga, nāna i patu **Tūmatauenga was very angry.** After the separation, he was angry, and the gene of Tūmatauenga entered all the gods. Ka whawhai i a Tāwhirimātea, ka whawhai i a Tangaroa. **He fought with Tāwhirimātea – the god of wind, the god of seas.** That whawhai came from Tūmatauenga. **That fighting spirit came from Tūmatauenga.**

So, I am going now then to Tāne. After the fight, Tāne wanted to create and the gods wanted to find the female element, te uha. **[Uha – female element.]** So, nāna a Tāne i haere ki te whenua a Kurawaka. And it was there where he shaped female from earth. He atua. Those elements that helped shape Hineahuone, they were aided by the male gods.

One of those other atua that aided in that creation of humanity was Tiki, the Tiki that we see, wearing. Tiki is very important with us in the Kōhanga Reo too. Symbolises the humanity. So, they're all the female elements. Te whare tangata, the fallopian tube – all of those were given names.

So, we're going over to this whakapapa.

Ko Io Matua i kōwhiria a Tāne ngā kete wānanga kia whiwhia kia rawea kia oi!
 Tū Te Mauri a Tāne Mahuta, Tāne Matua, Tāne Te Waiora, Tāne Te Hauora,
 5 Tāne Torokaha, Tāne Uehā, Tāne Te Wānanga, Tāne Whakahapū,
 Tānenuiārangi. Nāhana a Tāne i ahuahū mai i a Hine mai Te One o Kurawaka
 koia ko Hine-ahu-one te ahuahū o te kōiwi, te ūpoko, te tinana, ngā ringaringa,
 ngā waewae, te tuara, te aroaro, ngā kikokiko, ngā uaua, ngā toto, te hinu. Ko
 te manawa ora ko ngā pukapuka, ko ngā takihi, ko te ate. **Io Matua determined**
 10 **that Tāne would be the one to acquire the baskets of knowledge. And Tāne**
fashioned from the clay, the red sands of Kurawaka, Hineahuone, Hine of
the sand, of the bones, head, body, hands, legs, back, front, flesh, the
muscles, the blood, the fat. Elements of the living, the lungs, pancreas
and the liver.

15

Ko Maru apa i Te Ihonga nō Te Ihorangi te waiora, te waiaroha, te waimāori ki
 roto i a Hineahuone. Toroa atu a Tiki-āhua, a Tiki-nui, a Tiki-roa e Tāne te ihiihi,
 te ahuahū, kia toro te uaua, kia toro te akaaka nui, Te Akaaka Taikaha a Tiki e
 Tānematua. I ahuahua e Karihi ka hahana te puapua, Ka hahana te werewere,
 20 ka hahana te katitohe. Ka hahana a Mauhī a Maunene i Te Whare Tangata o
 Hineahuone. He tapu te whakairangatangata. “Kei reira te uha e puhi ana, e
 tuku ana, he tapu hoki te uha he iho tangata hoki”. **[Nil.]**

Tūmatauenga wasn't present in the creation of Hineahuone.

25

Mai Tāne ka moe i a Hineahuone ka puta a Hinetītama, a Hinetauira, a
 Hineteuira, a Mihimihirangi, a Hineweherangi, a Hinekapua, a Hine Wairito.
 Ana, ko Tāne-matua ka moe i a Hinetītama. So, we see the practice of incest.
 Nā Tāne-matua ka moe i a Hinetītama, ka puta a Hinerauwhārangi,, a
 30 Hineteahorangi, a Hinerauangiangi, a Hinemanuhiri, a Murirangawhenua. **The**
union of Tāne-matua to Hinetīmata came forth Hinerauwhārangi,
Hineteahorangi, Hinerauangiangi, Hinemanuhiri and Murirangawhenua.

My whakapapa comes down from Murirangawhenua. **I descend from Murirangawhenua.**

5 So, within that whakapapa, I am going to be starting to bring my whakapapa from Tāne coming down to eventually myself.

10 One of the things that is very interesting is my brother he's tohunga whakapapa within Ngāti Kahungunu. He also reminds me that when you don't procreate, your stories don't necessarily tuku iho. So, for many who may have been practicing sex with the same sex, due to not procreating, some of those stories have become lost in history.

He Atua He Tangata He Atua He Tipua He Atua He Tangata Ho!

15 That's what my aunty Rose, she would put it out there. He Atua. He Tangata. He aha te mea nui o te ao? He tangata, he tangata.

So, **(inaudible 15:51:59)**, taku mana tangata, taku whakapapa:

20 Tānenuiārangi, Hineahuone, Hineahuarangi, Hinetītama, Murirangawhenua, Hina Taranga, Tangaroa-i-te-Rupetu, Māui Mua – Māui Roto – Māui Pae – Māui Taha – Māui Tikitiki-ā-Taranga. Papatīraumāewa, Tīwakawaka, Taranui, Tararoa, Ranginui, Rangiroa, Ngāi Wharekiki, Ngāi Wharekaka, Ngāi Roki, Ngāi Reka, Ngāi Peha, Ngāi Taketake, Ngāi Te Hurumanu, Toi-Kairākau,
25 Rauru, Whātonga, Hotuwaipara, Tahatiti, Uenuku, Ruatapu, Rākeiora, Tamakitehau, Tamakiterā, Tamakitemātangi, Tama-ki-reireia-mai Hawaiki, Te Kahu Arero, Pito, Rere, Tangi, Maika, Toto. **[It's a recitation of whakapapa from Papatīraumāewa through to Toto.]**

30 I want to get to my illustrious tipuna Toto. Ka moe a Toto i a Tamatea Arikinui. In our Kahungunu tikanga, in our Kahungunu traditions he wahine a Toto. Heoi anō rā, tēnā koe taku whanaunga nō Aotea waka, he rerekē tēnā kōrero. **In our traditions, Toto was a female. Aotea waka has a different explanation, Toto was male.**

So, Toto ka moe i a Tamatea ariki nui and ka puta mai tōku tipuna a Rongokako. **Toto married Tamatea Arikinui and begat Rongokako.** Ka puta mai hoki te tipuna a Rongorongo.

5

It was Toto who gifted the waka (**inaudible 15:54:01**) to Turi who married Rongorongo and that waka became Aotea. In Aotea traditions she was seen as a male, engari ko ngā tuhituhi kōrero he matua ki roto i ngā kōrero. Ko Toto te matua, the parent. She had strong mana on the island of Ra'iātea. She was powerful with Toto. She married the ariki nui of Rarotonga.

10

I want to address these things because it's the mana that certain woman had, the strength of a man, the kaha to stand. Many of our woman had the kaha to fight but we will get to that whakapapa.

15

My tipuna Rongokako, he came over on the Tākitimu waka and he was raised in a wananga in Wairarapa and he had a competition between him and Paoa for the mana of the great rangatira of Te Tai Tokerau, Muriwhenua. From then came Tamatea Pōkaiwhenua who married Iwipupu-Te-Kura, my Tarapaikea side. And from there came Kahungunu and he had eight wives, eight known wives. He was gorgeous, he was handsome and all the wahine, and I wouldn't be surprised for some boys would have been inspired by his raho nui. This kōrero were taught in a fuller, but we'll get to some of those words later on.

20

Rongomaiwahine, mana wahine, no Te Mahia mai Tawhiti. The saying that Kahungunu's raho was too big for Hinepuariari. They were puhi, he puhi wahine rāua. Nāna hoki a Rongomaiwahine, na kia haere mai ka whakaponu, in other words she was the only one that could take him.

25

So from Kahungunu – I'm bringing now my whakapapa from Kahukuranui, from the first line from Kahukuranui to Hinemanuhiri, to my tipuna Makoro who married Hine Te Ata and from there they – the makutu was placed on the descendants of Hine Te Ata, that any first born males will be killed. So, my tīpunas decided to disguise his son and named him Kotore. Ka hume tana raho

30

ki muri, so it was tucked back when they came to check the child. Kotore was raised as a girl to later in life reclaimed his mana as Ngāi Tane for those reasons of saving us.

5 I go down to the next whakapapa line. From Kotore and came Hinepehinga and from there came Te Maaha and then Te Otāne who was one of Kahungunu's greatest warriors, fighting warriors. His contemporary at that time was Towai. So, from Te Otāne came his daughter Tamahaerewhenua. Tama. No woman takes on names like Tama unless they are prepared to stand as a tama. She
10 married Hinerara who was born male.

Transgenderism doesn't just stick to homosexuality. There are many Māori to this very day who are transgender who have married women. I'll mention the beautiful Sharell from Taranaki, Dion from Te Arawa. These sisters of mine that
15 married and have children. Their legacy will continue to live on. And so I go back to what my tuakana said, "because of procreation your legacy remains. But if you don't, then how is your story continued?".

The ai, sex, i mua i te taenga mai o tauwi ki Aotearoa **before the arrival of**
20 **Pākehā**, ko te ai te ai, sex was sex. Ehara i te mea kino. Ehara he mea kino mō te tāna, ana kia raweke i te tāne, ana kia whāwhā te tāne. Kāre he kino mō te wahine e raweke i te wahine. **It wasn't something considered to be bad. It wasn't bad for a male to have sex with a male, wasn't bad for a woman to have sex with a woman, nor was it bad or unacceptable for a young boy to do that to a girl or young boy, or for a young boy, young girl even to be**
25 **given to rangatira to have sex.**

So, before the arrival of tauwi ki Aotearoa, sex was not seen as a bad thing. It was common for men and women to have several partners. As I said,
30 Kahungunu had eight wives. It was also common for boys and girls to become sex toys for rangatira, both men and women. Incest was also practiced. Sometimes it wasn't frowned upon. Homosexuality nor transgenderism was an issue of importance. Sex had two outcomes: one for procreation of humanity

and the other for the enjoyment. But there was no penalty for the enjoyment of sex.

5 With the arrival of Cook coming to Aotearoa, one of his men paid to have sex with one of the natives and was given young boys. Cook had also witnessed 'Mahu'. Now, Mahu was the terminology used for gay and transgender. An ancient terminology in Hawaii and in Tahiti. That word still exists today.

10 The arrival of European brought the arrival of alcohol, bars, prostitutes, and Māori girls and boys participated in the sex trade. Wāhine, tama, whakawahine were also prostituting for the gun. The term 'Tima' was a terminology used for prostitutes who worked on the boats. The word Tima was taken from the word steamer. So, we learned that there were wāhine who were known as Tima. There were also transgender that would work those boats too, especially right
15 up north. I was fortunate that some of my friends have actually gone and researched that history. Te Mana Aroha is one of my friends that had researched her whakapapa where her tipuna was one of those Tima.

20 One of my late sisters Stephanie Pihama would speak about the old time Tima. In a modern context, our people would still work the boats. So, some of them would go on Japanese boats, and the terminology 'Okana' would come out for those that were referred to as transgender. So, if you were 'Ona', that was symbolic for the wāhine. For the purposes of those transgender, he 'Okana'.

25 I want to also start taking a look at some of the kupu. In some of these kupu they raise the issues within sexuality. So, "Te ure tū o Kahungunu, te ure whakaparati". I'm going to brash here, but this is what my uncle would say, "I'm a splash of the cock", and that's te ure whakaparati. I come from that rangatira. Te ure whakapākōkō (the ure that's going to be knocking at that door), ki te tara
30 o te whare.

Now, those kōreros come from my tipuna Kahukuranui. The other words like 'Kaiwhiore'. So, we would learn these terminologies as being takatāpui, tahine, to go down. So, you saw that carving of that raho in the mouth, ana ko tērā te

kupu tahito, Kaiwhiore. **That's the old traditional name, to go down or incest.** Tētahi o o mātou nā, Kūngōngote, to deep throat. **[The terminology commented regarding ure, different states of the penis, its erections, being promiscuous, hard, knocking on the door of the female genitalia, the vagina. She says Kaiwhiore incest, Kūngōngote creating pleasure from going down.]**

These terminologies like Karahika, Taramea. So, Karahika, whether you are flirtatious, you are sexual. Taramea, he mana tēnā. So, that's a terminology that was also used for someone who might be considered seen as going with too many men.

With ai – you heard the word ai. “Ai, ai, ai, ai, ai, ai”, for masturbation. Nā, kia tahi, tahi, tahi. Wēnā momo kupu. **[Those sorts of words are very graphic about the action of procreation or the act of sex.]** If we're researching our orokohanga, let's do it properly. Let's not get caught in the colonisation and actually start understanding these terminologies, these kīwaha that are mai rā anō.

Within the transgender world, we're bringing these words alive. They're very important to us. I think they're important to every human.

So, i te taenga mai o tauwiwi ki Aotearoa, **when Pākehā arrived in New Zealand** – I'm looking at now the impact of the hāhis when the hāhi came to Aotearoa. In my whakapapa, my tīpunas took on the Mihingare. So, the introduction of the Hāhī to Māori had a huge impact to the discrimination against, and I put there “gay and transgender”. So, those words actually didn't exist in that time. ‘Homosexual’ was the words. And so, this discrimination, and I will raise it as discrimination, is embodied in the doctrines that the churches teach. These doctrines were imposed on us and we took them on.

So, as the church was introduced into my whānau, Te Aute College was one of those colleges that was built to Christianise my tīpunas. So, ko te whakatauākī at Te Aute College, it was ‘Whakatangata kia kaha’. **[It's a proverb of a**

school.] ‘Quit ye like men be strong’. My tipuna Tamihana Huata, he was ordained as Minister, he went to St Stephens. His son was sent to Te Aute College, my great grandfather Hemi Huata, and my grandfather then went to Te Aute College. And that was the teaching, ‘Quit ye like men be strong’.

5

There was no time for someone to be sissy at a school that produces men. I went to that school, I was beaten for being feminine to the point I ended up in hospital four times for being sissy. My mum and dad finally pulled me out, they thought it was just too much and then I ended up attending Hastings Boys High School where there was no Māori taught. There I joined the international school, Christian Fellowship, where I became ex-communicated. So, we grew up in a time where I was discriminated against. I was accused of being a homosexual and I hadn’t had sex.

10

15

I also want to introduce here my late cousin because he was also very feminine and he was sexually molested by the priests, he was Catholic. So, if we are really needing to deal with some of these abusers, sorry whānau but the stories have to come out. The abuse, when you place someone like myself in a situation where education won’t accept you, this has been a huge problem for many transgender children. They finish school, they will just leave school at 13.

20

Mai rā anō, he kōtiro tōku au, tōku ia. I au e tamariki ana, i tarawahia ngā ture so I was actually visited by the ture i ahau e tamariki ana. As a child, I thought I was a girl, I really thought I was a girl. All the desires and emotions to be hine, like my mother, Hinemihi. I had an early awareness of my own mana Atua. Effeminate, creative, loved things pretty and decorative. I would play with the tūrehu, skipping and going into my own space. Dancing around and connecting to my own inner spirit, Hine. I would dress up in girls clothes and it wasn’t until I went to primary school that it was actually raised and brought to my attention that I was a boy, it wasn’t necessarily raised when I was a child in my home. It wasn’t until I went to school and this actually distraught me big time.

25

30

Going to school I had long hair and because I went to school it was cut off, all my hair was cut and I felt ugly. My Māoritanga was being taken off me, me being

Māori, my makawe, having to be colonised into the system. Why do you have to cut my hair off? So these things were imposed on us, I got to be like that man but I don't want to be like that man. So, when these things become imposed onto you as a gender, it becomes violent, that imposition. The
5 beatings, the undermining, it's easier to go in your closet, it's easier to hide.

I was sexually abused as a young boy, I was told you go into the boys so I go into the boys and I get sexually – that was interesting, actually, as a child because you're guilt but in some warped sense, I felt like a girl. In my pā,
10 Bridge Pā, they've always been queens. My grandmother had a sissy brother who was a queen. Aunty Snowy ended up marrying my aunty Lil and they had 14 children. There'd been many queens in my pā, on my fathers side there were my aunty and they called him aunty, aunty Toni who fought in World War II and she was known to be a strong fighting sissy how my uncles turned. She died in
15 battle. We still remember her and we still acknowledge her in her contribution to World War II.

There's something there that I've thrown in there and it's called 'Within the French royalty'. So, if we're looking at the origins of this word 'queen', it came
20 from within the French Royalty, I think it was King Louis, I'm not sure, but he would dress up in full dragalia and he would run these fantastic balls and so this terminology of queen actually came from that period of the 1600's so if we're looking at the origins of sexuality and transgenderism and homosexuality, it was here way before Pākehā came, it's part of humans DNA.

25

So, queen, sissy, sissy boy, hine hē, whakawahine, tahine, tare, mete, they're all terms of endearment to people like myself so we don't have problems saying 'hi sissy'.

JUDGE REEVES:

30 Ms Sykes, aroha mai whaea. I think we are moving largely beyond our scope for tūāpapa and I guess whereas the written brief, some of those matters were more peripheral that we've now been on this for quite some time and I feel like, probably we could use the time now to – we've read the brief, we've been

through the material so I think we would like to use the time left to us now to have some dialogue with you, some pātai.

ANNETTE SYKES:

Pātai, kei te pai. Mena he kōrero whakamutunga.

5 HIRA HUATA:

But you've read it, eh? Kua pānuitia mai te kōrero.

ANNETTE SYKES:

Tū koe hei whakaarohia mō ngā pātai, ka pai.

(16:23) KIM NGARIMU TO HIRA HUATA:

10 Q. Tēnā koe. Firstly, I just wanted to really thank you for your evidence, it's a very detailed discussion on Atua and whakapapa and on the planets and stars so I wanted to thank you for that. It's probably one of the most detailed that we've had. There's just one thing I did want to pick up with you and that's practices of the God's versus practices of tangata, of

15 people. So, one thing that you spoke of was that incest was practiced and not frowned upon on the one hand but then I just wonder how you relate that back to Tāne and Hinetitama so could you just talk about that a little bit, those – maybe, sort of, tensions between God's and man.

A. Actually, I should even reframe that too, because there's a certain amount

20 of hara, I don't know how to say it in English, hara that was thing for Hinetitama and so we know that that wasn't a good thing. However, there was many practices of incest prior to Pākehā coming to Ngāti Kahungunu and some of my own tīpunas helped royal houses of Te Whatuiapiti and to a point where a brother and sister married to maintain that royalty in

25 my whakapapa. Later on that become frowned upon.

Q. So, like back in those times when the brother and sister that you just spoke of –

A. Yes.

Q. – So, that practice of incest, I take it from what you are saying because it

30 was to maintain royal lines, there was no compromising of their mana.

A. I'm just trying to understand the pātai.

Q. Well, so if it wasn't frowned upon, that brother and sister –

A. No, no, no, there wasn't any frowning upon – no.

5 Q. – marry because it was for royal lines. So, that didn't impact on their mana as individuals?

A. No, it didn't impact on their mana.

Q. Okay, but later on like when it started to become frowned upon?

A. Later on.

Q. Okay.

10 A. So, when the Mormon Hāhi came to Bridge Pā then those, all of those things were stopped and they were frowned upon.

Q. So, we've got the one situation with Tane and Hinetitama but then what I think your saying is for people there was a period when, you know, when incest may have been practiced for certain reasons and that didn't impact
15 on people's mana but then with the introduction of, I think you just said the Mormon Hāhi, that that kind of – we all backed off from that.

A. Yes. So, we would be educated that when – even my generation and my parents generation that they were not to go with their cousins, although they don't.

20 Q. Kia ora, thank you.

(16:28) DR ROBYN ANDERSON TO HIRA HUATA:

Q. Kia ora Hira, my name's Robyn Anderson. I was interested in your discussion of the ship prostitution because I'm a 19th century history so that peaked my interest and it's sort of amusing, I mean I'm musing not
25 amusing. There seemed two – it must have been so confusing because you've got people coming in on ships ready to pay for sex and having a good time and yet you've got the missionaries coming in and bringing their attitudes about body shame and sex as being shameful. The transformation of attitudes within Māori society, how long do you think
30 that took? Was it a matter of decades or do you think there's always been strain within Māori thinking that's been quite different in terms of sex than in Pākehā society? Do you have any views on that?

MS SYKES:

Mēnā kei te hiahia kia whakamāoritia te pātai, Te Māiora hei awhina. Kei te pai te tērā?

DR ROBYN ANDERSON TO HIRA HUATA: (CONTINUES)

5 A. I don't understand the – can you say the question again?

Q. I was – it's me thinking aloud partly that you look at the very beginning of the 19th century and you've got two, almost contrary things coming on that are affecting Māori attitudes and Māori attitude to sex. One, sailors coming in, having a good time and paying and then you've got
10 missionaries coming in and having completely different attitudes and I just wondered whether you had any view on that.

A. Yes, I understand now. So, the ships came into Aotearoa from 1769 and so there were many sailors that came to Mahia with their rum and I suppose to other places as well and so the missionaries weren't here first.
15 Many of our people were trading with Pākehā from 1769 onwards, there's evidence of many ships coming to Aotearoa then.

Now, for many of our tipuna, it was making that connection with those people and it was trade. So, a rangatira, they would allow their daughters
20 to trade with tauiwi, yes. When the missionaries came, they came to try and stop all of that. It was the European that introduced the prostitution to Māori and the churches were out to, I suppose, colonise us. In one sense, when you're having to work for, and this is just reality, with forks and knives, needing pots and pans, dresses, materials, food, pork, these
25 things were the trade. In Māori, we're open to that trade and so part of that trade was gardening and some of that trade was prostitution so from a Pākehā point of view, the churches have been against prostitution from the beginning so I'm sure it was quite clear for us as Māori that if you're trading.

30 Q. We've heard two contrary views in the process of those hearings about prostitution on the ships, one, that it was commodification of women and sex and the other one that it was entrepreneurial and contributing to the

community. So, you would take the latter view, would you? The second view or can they be **(inaudible 16:33:33)**.

A. What was the first one?

Q. Commodification of women and sex.

5 A. What's that? Turning women into...

Q. Objects, I guess. Or turning sex – I've expanded the doubt in this situation but turning sex into something that's a trade good commodity.

A. Yeah, like I said, sex is sex, eh?

Q. All right. Well, thank you very much for your evidence and...

10 A. I kind of think, I am just trying to wonder if we're talking about the slave trade of sex because there was a slave trade of sex so women were there for those purposes. My tipuna went through that, she was made a slave and she was taken to Auckland. I actually mentioned her journey there, my tipuna Maata, she was taken from here, sold on the open market and
15 from Waikato she was on a ship, they took her to Auckland and she was sold to a missionary, thank God, where she became actually a missionary on K Road, my own tipuna Maata. We've actually restored her mana, coming back.

20 So, there was the slave trade which was abusive to many of our women and many of our people that went through that these are the 1820's, from 1816 to 1820 my tipuna went through that and she was taken from Heretaunga to Auckland. So, there was that part of that but then there was also those wahine that had mana and by having sex with these men,
25 would contribute to the wellbeing of their families, of their whānau, their hapū. So, there were two – yes, I agree with that.

Q. Thank you, those are all my questions.

(16:37) JUDGE REEVES TO HIRA HUATA:

30 Q. I have a comment which is like an add on to Robyn's question and I think the difference between the evidence that we have received from different sources on this issue is all about the agency of the women involved. So, for instance, we had some evidence, I think from Ngāti Manu at the last hearing in Te Tai Tokerau about very early contact with settlers and they

described the activity of the women in selling sex services entrepreneurially but I think we've also had descriptions of men offering up women from their whānau and that seemed to be where women did not have any agency or limited agency involved so I am just sort of adding that comment to Robyn's question so what you've told us definitely lines up with those two different categories.

A. I do want to reiterate that boys were also part of that trade as well.

Q. Kia ora.

(16:37) PROFESSOR LINDA TUHIWAI SMITH TO HIRA HUATA:

10 Q. Tēnā koe e Hira, ko Linda Smith tēnei.

A. Kia ora.

Q. So thank you for your submission. I really enjoyed seeing all the names of all the apakura and the wahine Atua was really cool and your mother sounds like she was awesome to have told you what you said she told you, that you were a child of the Atua and I think if we enforced the point that we heard earlier that if you're growing up in a whānau context where you're loved and respected, then you can navigate in the end what the sort of hostility of that external world that you experience when you're at school.

20

So I just want to acknowledge your parents and your mum and your whānau for creating a strong, strong person but I was intrigued because I've seen you be a kaikaranga in Ngāti Kahungunu and you mention that towards the end of your brief and I am just wondering if you wanted to share how that process happened where you became a kaikaranga, whether you have anyone who goes 'who are you to do it?' or challenges you in any way or did you just go 'okay'.

25

A. So I think I was only about 22 and I just happened to turn up to one of the marae where my aunties were all sitting and they said 'Girl, you need to go karanga those people on', so I karanga those people on. The mana actually comes from your marae so it's from your own whānau, from your own marae and I'm a marae person, I've always lived on the marae, I've always practiced my kawa, my tikanga, my reo hard out, hard out. And

30

yes, it was just one of those things that just organically happened. I wasn't raised to do karanga, I was actually raised to do whaikōrero, to carry out my koroua's, Tokanga Kahutapere Huata, he was my mentor. But yes, I just organically became a Kaikaranga and I'm still a Kaikaranga today.

- 5 Q. Thank you. The other – we must be getting late in the afternoon, I'm starting to forget my question. You gave us some very clear examples of the transformations of gender from wāhine to tāne when you were doing the whakapapa and the elements of this sort of transformation and I thought it was really – I mean in a way it would be really good to pull some
10 of those out because they I think talk to that story about transgender in a very kind of natural way and it seems you just mentioned it in passing almost, you didn't mention that these elements or Atua had a female side and then they had a male side but then I think you gave us quite a few examples as you went through your brief and I just thought it would be
15 really good to pull those together to show these transformations.

I mean I think our kōrero have a lot of stories about change and about elements and about – well you know even a wharenuī has a different dimension, a taha wāhine and a taha tāne or whatever. So that might be
20 extra homework for you in terms of that those examples may be teasing, pulling them out a bit more and just saying “they're here, this one, this one, this one.” Does that sound too hard to do?

- A. I understand. Yes. I didn't actually have long to write my kōrero, there's actually a lot more that I could of written in there but yes, I was just given
25 the time and I just whipped this up really. But you're right that transformation and even those reo that we're talking about in terms of trans – well if we're even looking at the word “transgender”, it didn't actually evolve until the 1980s, that word didn't exist. Prior to that we were called either cross-dressers or transvestites, or transexual. So even the
30 word “transgender” and even when we heard the word “gay” is a – is really a modern context that we've all adopted.

So in terms of the terminologies, making those transgenering, sometimes you are called “hine-hī”. You were called “hine”. If you were a

5 boy you were called “hine”. If you were a butch dyke I supposed if that’s the terminology these days, excuse me for that and that’s no discrimination against that I’m just – then you were “tāne” or “tama” and so I use that example of my tipuna just to raise the fact that when you’re transgending you will take on the word “hine”.

10 And it’s not a problem for someone like myself who is born very feminine to actually want to be called “hine”. And so I’m just saying that the terminologies “hine” and “tāne” were those terminologies applied to people like myself. And so the introduction of a new word and I – there was a group of us that introduced it, it was the word “tāhine” and the word “tāhine” came from a collective of us just recently within the last – 2006 when there was a group of specifically when we’re looking at the Hui Takatāpui.

15 So for the hui Tākatapui when it was being evolved during that time, that was about human rights, that was about a group of people coming together fighting against the laws that had jailed us, that imposed on us. And so these words had to come forward like the word “takatāpui” to re-vigour our rights but when we’re looking at a male boy transgending to a girl “hine”. For a young girl transgending to a tāne, “tama”. And so that’s why I gave those.

25 One of the other ones his – Hinerara, also had another brother who was called “hine”, Hineturi, so there was two of them in the family. In some cases you might find whānaus might have four transgender sisters in one family with two gay sisters. So it’s not unfamiliar within Māori, it’s the decolonising really that we have to be going through to really understand my Atuatanga, , my mana Atua.

30 Q. Kia ora.

A. Kia ora.

Q. Thank you very much, those are all my questions.

(16:46) DR RUAKERE HOND TO HIRA HUATA:

5 **Q.** Tēnā koe Hira me ō kōrero. He pono tēnei kōrero i ngā whārangi tekau i te tīmatanga kua patapata tāku pīnati nei i te ngana kia ata mōhio kei hea tēnei whakapapa, tēnei hononga... **Thank you Hira and your presentation today. I'll be honest, the first ten pages in your evidence, the number of genealogies that were presented, you have a lot of thought too.** ...me te nui anō o ngā ingoa āhua rite ki ngā ingoa o roto i te kainga i Taranaki. Nō reira e mihi ana ki ērā kōrero katoa kua whakatakotohia e koe.

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He nuinga o ngā kōrero kua puta i te rangi nei mō ngā kupu e whakamahi ana, takatāpui ana mihi ana ki a koe e whakamārama he aha te whakapapa o te kupu “tāhine”, he pai tonu kia mārama ki tērā. Kua kite i ētahi atu e ngana ana kia kī “ira” huri “ira” huhua, ngā momo ira katoa.

15 **Me thinking during the course of the day is about the use of the word takatāpui and I appreciated the different explanations throughout the day and then there are other words used playing on the root word “ira” for gene and having words that follow that qualify the type of expression that’s desired.**

20

Engari i te tīmatanga i kōrero – i te kōrero koe mō te puhi “māreikura” me te tuhi “apakura”. E hiahia ana au kia mōhio mehemea he hōhonu kē atu i tērā whakaaro tūturu nei o ngā tupuna e pā ana ki ngā apakura, he tohu tera mō tēnei āhukatanga o te tāhine, o te –

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A. Kia ora. Āe, kia ora mō tēnā. I runga noa i tēnā kaupapa nei o te “apakura” ana ko te “tuhi-apakura”, ana ko te “puhi māreikura”, i tēnei wā koera nāu a mātou nei mokopuna e kite mai i ahau pēnā “he atakura koe”. Nāu i whakaako mai nei i a tātou. Ko tō mātou titiro atu ki a koe he puhi māreikura. Kāore he hua tāku, mō tāku wā ōna ko tāku hiahia ana kia mahi mai rānei i te – i te mahi o te – āe, whāngai i o tātou nei mokopuna ki te kōrero mai i o tātou reo me ō tātou tikanga. Ko ērā te mea nei mōku nei i roto i tōku ao. Heoi anō mā mātou mā o aku nei irāmutu me aku nei mokopuna ko tō rātou nei kite mai i ahau, pērā ngā tohu āhua nei a whaea he “tuhi-atakura” he puhi-māreikura” i runga noa i tēnā. He hōnore nui

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tēnei mōku, mōku hoki. Heoi anō ki te whakaaro nui tēnei i ahau nei mō tēnā kaupapa nei a te “māreikura” ana me te “whatukura” me te “apakura”

On the expression “apakura” “māreikura” “whatukura”, this point of time, this is one way that we can use with our children of the

5 **kōhanga to use those words for our tamariki, for our children. And this is what I desire that we use these words with our children in these times. I think it’s the use of these words that are more uplifting like “apakura” “whatukura” “māreikura”, “tuhi-māreikura”. I think that was a way in which to acknowledge our children and people.**

10

E rua ngā māramatanga nei mō te “apakura”, nērā he mea tangihanga tērā ana ka tangi mai tātou mō rātou mā mātou hokinga ka kawē mai rā i tēnā tikanga ana kei roto i a tātou. Āe, tangi mō rātou kua mate i ngā wā katoa, i ngā wā katoa he apakura. Mō mātou o Ngāti Kahungunu, i

15 whakatū mātou te hui takatāpui ki te kāinga, anā, ko tō mātou hiahia nei kia whakaingoa mai rā he aha tā mātou nei rōpū. Anā, te **(Māori 16:50:22)** mai o mātou nā, ko tērā anō tō mātou whiwhinga, he apakura. Nō te mea ko tērā te binary o ngā Atua. Ko te kotahitanga nei o te Atuatanga. **There’s two sort of definitions for the use of “apakura”,**

20 **one being to cry and to mourn and to grieve. For us of Ngāti Kahungunu, we held a hui of takatāpui where we discussed a name for our group and it was described as apakura meaning binary.**

20

Q. Tēnā koe me ērā whakamārama. Ko te mea nei, e pai ana ki au. Ko ētahi o ngā kupu pēnei, takatāpui, ira, huhua, aha rānei e whakamārama ana

25 pēhea te tū o te tangata, nē? Me ōna whakaaro engari ko te puhi mareikura, te tuhi apakura, he momo mihi whakarangatira i te tangata i ahu mai i ētahi kōrero tino tawhito e whakatairanga i te mana o te tangata i roto anō i ēnei āhuetanga e kōrerohia nei e tātou, te tāhinetanga me kī. Nō reira, mihi ana ki a koe nā te mea kāore au i whakaaro atu ki ērā momo

30 mihi e tika ana kia utaina atu ki runga i te takatāpui. He pātai anō, kapi katoa taku pepa nei i ngā momo pātai nā te roa o te kōrero kāore i whai wā, ko tētahi o ngā kōrero, he pātai noa iho nei. I a koe i kuhu ki te kohanga reo, nē, mahi ana i te whakapakari. He pātai noa iho nei tēnei, i roto i te kaupapa o te Kohanga Reo, nā runga i te mea e tiaki ana, e

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manaaki ana i ngā pēpē, i ngā tamariki, he huarahi tērā kia tino kite i tēnei ira nei, tēnei takatāpui nei i a koe, tēnei wahinetanga i roto i a koe. Koirā te take ka piri koe ki tērā kaupapa, nā te mea, pēnā he whaea koe ki ēnei anō, ngā tamariki. He whakaaro ōu ki tērā? **The use of the words I**

5 **heard today, takatāpui, ira, the ira, huhua or the many types of genes people may have to explain the way they are is very similar to the use of the expressions tuhi mareikura, whatukura, words that are uplifting of people, can see the same premise being made for takatāpui and other words beginning with ira. In regards to the**
10 **Kohanga Reo Movement and what you've described for us today, you believe that this is an important parcel of knowledge to give to our children. As a mother, would you agree with that?**

A. Āe. Kaua e wareware – oh, anei he taurira. Ko tētahi māmā, i haere mai ki au, tangi ana te pāpā, tangi ana te māmā, ko tō rāua nei pōhēhē. He
15 whakawahine te mokopuna, **here's an example, I do agree with that. One mother came to me, both the mother and father were crying perhaps mistakenly. Their grandchildren may be different, he wants to be a girl,** they were very concerned that their baby wants to be a girl and he's screaming 'I don't want to put those boy kākahu on' so they
20 come see me. So why put that kākahu on him for? He don't like it. Simple as that, really. 'I don't like that kākahu' so why put it on them? What you're doing is you're placing your own ideologies on what a man should be and what a girl should be, kei te hē tēnā, kei te hē. I roto i te kohanga reo, ka mea mai tātou me pōkai mai te tamaiti i te aroha. Me mōhio pū katoa mai
25 rā te tamaiti, āe. Ki te hia te tamaiti ki te takaro whutupōro, āe, tautoko mai te mokopuna ki te whana pōro so ki te hia te tamaiti ki te takaro i te tare, well, what's wrong with that? **That's very incorrect. In the kohanga reo, you surround a child with love and nurture them accordingly. You see they want to play rugby, let them go. If another child wants to play with a doll, that's allgood.** And these are things I
30 sort of think well really the discrimination isn't the child, it's the people that want to close their own values of i roto i te kōhanga reo ko tō tātou hiahia nērā kia whakaora te mokopuna, kua pēhi te mokopuna. Ko ērā tāku mō te kōhanga reo. **So in our kōhanga reo we want to be uplifting for the**

grandchildren, for our mokopuna, not imposing our own values on them.

Q. Pai tonu ana kia noho ngā momo pēnei i a koe ki roto i te kōhanga reo i te wā tamariki tonu ana a tātou – o tātou whakapapa. E rua anō ngā pātai and kāore au e mōhio pēhea te roa o ngā whakautu engari ko tētahi o ngā mea uaua ki a au, tērā pea ki ētahi o te tēpu i a koe kōrero ana mō te kai whiore, te ngau whiore, nē? Ko tētahi wāhanga e kōrero ana koe i pērā ngā whānau ki ngā tamariki ana e momo rawekeweke, aha rānei morimori nei engari i kōrero anō koe mō te whakamā o Hinetītama nē, i te mahi o Tāne. I kōrero anō koe mō tētahi karangarua nāu i rawekehia e te pirihi, nē? Nē, and te ia ō kōrero kāore i pai i tērā momo raweke, nē? **It's very good to hear your perspective of that. I have two questions to ask. just a couple of things when you made reference to kai whiore, the incest and the story of Hinetītama and her father, Tāne, and then also your reference to the priest who committed incest with a young boy. Those two examples, I'm just trying to make clear what they meant.**

A. Āe.

Q. Nō reira me pēhea – kei hea tērā momo whakaaro kei roto i te tikanga mehemea whakaaro ōu ka pai he whakatau i tāku ngākau i roto i ngā kōrero kua takoto i a koe.

A. Āe rā. You know it's kind of like when I was sexually molested. At one point it's wrong, at another point I'm finding it interesting and I think it's that – ko ērā te āhukatanga nei o te – āe, o te tangata. **So perhaps the distinctiveness of sex, that experience.** If you're not ashamed of yourself then it's okay. Ko āku tipuna tērā anō ki a au kia taha tū they weren't ashamed of their union. **My own ancestors were not ashamed.** So I'm just putting it that it was okay from that brother and sister union comes me.

30

So there's – there has been good that has come out of certain relationships. I think if you address the abusers and that's where you're looking at Hinetītama actually addressing it. She left Tāne, she went to

the underworld and she became a Goddess, she becomes absolutely stunning, she takes my wairua and she transcends that to the heavens.

5 So there is wonder that has come from Hinetītama in that so there's kind of a yes – he mea raruraru, heoi anō nā te putanga a Hine-nui-te-Pō. **There is some conflict but in the creation of Hine-nui-te-Pō.** Some people might see her as bad, we don't, we see Hine-nui-te-Pō just like how Aunty Rose said, she's stardust, she scatters our wairua in the heavenly realms. From adversity does come things great.

10 Q. Ehara i te mea māku e kī āe kāo rānei, ko ō kōrero tonu, nā, pai tonu kia puta, heoi anō ko te mea nui nei kua rongō ā-taringa i tō waha tonu, anā, pai tonu kia kite he pērā te whakatakoto o te kaupapa ki a koe. **It's not for me to agree or disagree, the main thing is to hear your perspective and your view that you share with us. Thank you.**

15 Ko te mea whakamutunga nei i kōrero koe – ko te kupu ki a mātou he whare ngaro – whare ngaro, anā, kua kore he uri puta i te tangata nē? **Lastly, you made reference to a whare ngaro where they have no – cannot bear children or have no issue.**

20 A. Mmm, āe.

Q. Ki ngā tāhine, ka piri tāne, moe tāne, kāore whai uri pea i tērā moenga, he taumahatanga ka utaina e ō whanaunga nei ki a kōrua me te kī kāore i te puta he uri pea i a kōrua. He whakaaro noa iho nei i runga i te mea tētahi o ngā kōrero ko te moe o te wahine ki te tāne, he whakaputa uri.

25 Kia moe tāne ki te tāne, e hia nei tērā? Nō reira, he aha ō whakaaro ki tērā taimahatanga? **So in the case of male and female not being able to bear, is there a heavenliness – heaviness...**

A. He nui o ngā take i roto i a tātou nei whakapapa, nē rā. Te tini o ngāi tāne nā, kāore he uri, te tino wahine kāore he uri. Nē rā, ko te whai uri te tino rangatiratanga. Ki a mātou, anā, koirā anō hoki tāku nei e puru atu ki roto tēnei kōrero. Ko te whāngai, ko te whāngai o te tangata. He nui o ngā tāhine nei i whāngai mai rā i ngā tamariki, i ngā mokopuna. Pēnei ki au, i whāngai i au i āku nei irāmutu. Te katoa o āku nei irāmutu kua whāngai i ahau, mā rātou e kōrero mai tā rātou reo me te poipoi nei wāku nei – koirā

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tōku ake pīkaunga ki tōku mana motuhake o te whanaungatanga, kia awahi tonu mai. Mā rātou mā e kawē mai tōku – te maumaharatanga mōku, te tūmanako. Hēoi anō, he nui o ngā tāngata Māori kihai he whakapapa, he uri whakapapa. **There’s a lot of matters around that, men don’t have the ability to have children (inaudible 17:00:48) women and you whāngai, you adopt, you look after other peoples children. Very similar to myself, I was raised by others, nurtured by others. It’s something that I hold onto, being looked after by others.** And my brother, he actually explains that which I think is really interesting that if you don’t have someone to continue your legacy, then the story becomes lost. That’s where he does explain within the whakapapa that that has happened and it’s a search for our tipuna stories. So, I placed all our tipuna there because it reminds me to go research them all the time and find out who they are and that’s something that we all need to be doing.

15 Q. Tēnā koe, koirā ōku whakaaro i te wā i whakaaro atu ki tērā. He nui te mahi taurima, te mahi whāngai pēnei i a koe i roto i te kohanga reo, mahi nui hoki kia tutuki tonu i tēnei mea te aroha ki te tangata, ki ngā tamariki e tipu ake ana. Tēnā koe me ō kōrero hāngai pū tonu, hāngai **(Māori 17:02:45)** puta mai i te ngākau, tēnā koe. **That was perhaps the purpose of my question and I suppose aspects of caring and nurturing and your involvement in kohanga reo, the love for people, surrounding our people with aroha. Thank you very much for the directness of your kōrero and your passion for your evidence today.**

A. Kia ora.

25 **JUDGE REEVES:**

He mihi ki a koe, whaea Hira, mō o kōrero whakamarama i a mātou i te ahiahi nei. Pai tonu te kōrero, anei te whakamutunga o te rā ināiane. **Thank you, Ma’am, Hira, for the presentation today.**

HIRA HUATA:

30 Can I just say one thing, I think it was last year the Prime Minister, she apologised to all those gay men that were arrested and placed in jail. The impact of the Homosexual Bill had a huge damaging impact on many

transgender. We were pushed in that same category and many of my sisters were arrested, like myself, for being transgender. Many of them have died in the police cells and for us, there hasn't been an apology, to us tāhine who under that ture, we became heavily discriminated. More discriminated than gay men
 5 because as young boys, we were attacked all the time and so it's kind of like, for me, where is our right here in Aotearoa.

So, I just needed to say that, there has not been an apology to all those transgender that have committed suicide in the cells or that were beaten in the
 10 cells by police and died. Those stories, they need to really come forward. I wish that more of my sisters will bring out those stories because we haven't been apologised for the abuses that we've had to endure.

WAIATA TAUTOKO

DR RUAKERE HOND

15 Kāti anō, ki au nei he mutunga pai tērā. Me pēhea e eke ki runga ake i tērā taumata kua puta ake i a koe e Hira. Me te mōhio tonu, tika ana kia whakakapi tō tātou rā i konei. Koirā anō pea te whakakapinga. I runga anō i te reo karanga, i runga i ngā karakia, i runga i ngā whakapapa, i roto i ngā kōrero, tuhi mareikura, ērā kōrero katoa, kua puta ki te whare, kua iri ki te tāhū o te whare,
 20 tēnā koe. **[Nil.]**

Tēnā koutou katoa. E tuku ana i ngā kōrero i puta i a koe Annette i te ata nei me te kī kāore i tika te āhua o ngā mihi i te pae, kei te pai anō tērā, kei te tika engari i puta i a koutou anō hoki tērā. Taonga anō tēnei ki te tū ki te pae, taonga
 25 anō te tū ki te tēpū, he taonga anō kua tū ki te kaupapa o te whare. Anā, i puta te kōrero mō Aroha Reriti-Croft nei, i puta te kōrero mō Hana Te Hemara, i puta anō te kōrero a Irihapeti Ramsden i te takiwā nei, me tīmata anō te whakahuahua, kāore he mutunga. Engari anō, a tama wahine kua eke ki runga ki ngā taumata hei arataki i te iwi i roto i te reo, i roto i te tikanga, i roto i te
 30 hauora. Otirā, Wahine Toko i te Ora, koirā ka eke ki runga. Nō reira, kāore au te hiahia karakia nei, kua oti kē ki au nei. Mehemea e whakaae mai koutou ki tērā, ā, tīhei mauri ora i reira. **[Nil.]**

Ko ō kōrero e Hira, anā, kua whai mana tō tātou rā. Te hōhonutanga, te whānuitanga, te tiketiketanga o ngā kupu kua kōpani i a koe, tēnā koe, otira, tēnā tātou katoa e te whare. He rā anō āpōpō, ka hikina anō tēnei mea a
5 karakia, a kōrero, engari tēnā tātou. **[Nil.]**

HEARING ADJOURNS: 5.08 PM

HEARING RESUMES ON WEDNESDAY 21 SEPTEMBER 2022 AT 09.01 AM**KARAKIA TĪMATANGA****WAIATA TAUTOKO (MĀ TE MARIE)****(09:05) JUDGE REEVES: (MIHI)**

5 Tēnā tātou. He mihi atu ki a koutou mō ō whakaritenga o te rā nei, tēnā koutou. Nau mai haere mai ki a koutou kua tae mai i tēnei rā, nau mai haere mai ki tēnei nohonga o te uiuinga Mana Wāhine. Tēnā koutou katoa. **Good morning everybody. Thank you for starting our day with prayer. To everybody who has assembled, welcome to the hearing of Mana Wahine.**

10

Good morning everybody, welcome to Day 2. I'm just going to take care of a few housekeeping issues before we move on with our witnesses for the day. So, first of all I'm going to ask our lawyers, do we have any new appearances to be entered.

15 (09:06) MS JANET MASON: (APPEARANCE)

Tēnā koe your Honour, and tēnā koe panel. Counsel's name is Mason and I appear for Wai 1940 in this inquiry and a number of other Wai numbers generally, thank you.

JUDGE REEVES:

20 Tēnā koe Ms Mason.

(09:07) MR TE MAIORA RUREHE: (APPEARANCE)

25 Tēnā koutou, me taku aroha, tae tōmuri mai ahau inanahi i te korenga o taku waka rererangi i puta atu i te rā o te Mane, nō reira i tae mai ahau inanahi. Kua haere noa mai ahau ki te tautoko i taku tumu me ētahi o ngā kaituku kōrero. Kia ora koutou. **Good morning. My sincere apologies for my late arrival yesterday but my flight was cancelled but I am pleased to be here today and I'm here to support the day's proceedings.**

JUDGE REEVES:

Tēnā koe.

HOUSEKEEPING – TIMETABLING (09:07:42 – 09:08:20)**JUDGE REEVES:**

5 Now, I just want to address the issue of the receipt by the Tribunal of English translations of te reo Māori briefs and we, as counsel will be aware, we are rolling out a new process for this, that process being that when briefs are filed in te reo Māori previously we required claimants counsel to provide us with a translations in English of that brief. Now, of course we all know that parties who
10 file their briefs in English weren't required to file translations into Māori of those briefs. Anyway, the process that we have been following of late is that when a brief is received in te reo Māori, that we will ask claimants whether they wish or are able to provide us with a translation, if not, then the Tribunal procures that translation through the interpreters that we have available to us.

15

Now, unfortunately the translation that we had asked for, for this morning's witnesses have only been made available to us this morning so we have not had the opportunity to those of who are not able to fully appreciate the briefs that are in te reo Māori, have not had the opportunity to read that translation.

20

So, I have had a conversation with my panel members and with Tina Winiata who is our translator, she has engaged with those briefs in te reo. So, what I would ask this morning is that evidence in te reo - there's an opportunity for that to be given in a fully fashion in te reo as you wish and that would be translated
25 to us simultaneously.

I am not asking that evidence be given in English, that is not the appropriate course of action here. And that is also the case with the two other briefs that have portions in te reo as well.

30

Mr Keepa's evidence and also Te Rua Wallace's evidence as well, so, we will be receiving the benefit of a simultaneous translation, but I just wanted to let

counsel know that that is the situation. We are working to try and improve that process all the time, but the reality is that this point in time, we do not have a large pool of people available to do that mahi for us, and they have many demands on their time and skills. So, that is the update on that and the cause
5 of the action that I am proposing to deal with it.

The last matter is that I am aware that there are some evidence, scheduled for this afternoon, and I think Ms Mason's, these are your witnesses, and I just wanted to clarify with you whether or not there are portions of that evidence
10 which we should regard as confidential and whether closed session is required.

MS MASON:

Your Honour, those witnesses have decided that the portions that they have filed in their written briefs, the confidential portions, they will not present today, so they don't need closed sessions for that. So, they will stick to the portions of
15 their brief, which is the majority of their briefs that have been filed in an open way.

JUDGE REEVES:

Okay, thank you Ms Mason for that clarification. All right, so those are the matters that I had. Are there any matters that counsel wishes to raise before
20 we begin?

MR RUREHE ADDRESSES JUDGE REEVES – LEAVE SOUGHT AND GRANTED (09:13:04)

JUDGE REEVES:

Any other matters? Okay kei te pai, tēnei te wā tīmata.
25

MR RUREHE CALLS

Kia ora anō tātou. Ko taku waimarie, ko tō mātou waimarie kua whakaae mai te tokorua nei a Christine Harvey rāua tahi ko Rangi Kipa ki te tuku kōrero ki a koutou ki a tātou i roto i ēnei kōkiritanga. Kua tae mai te tokomaha ki te tautoko
30 ake i a rātou. Kua tae mai te kōrero ko tō rātou nā ingoa ko

Te Rōpū Mana Wāhine o Te Waipounamu. Nō reira ka tuku ki a rāua te roanga ake o ngā kōrero e ruku. Heoi anō hei whakamōhio noa ki a koutou. **Good morning, it is my pleasure to introduce Christine and Rangi Kipa to provide brief of evidence this morning. There are many here today to**
 5 **come to support them. We are also known as the Mana Wahine of Te Waipounamu. They will give the full explanation of their evidence, and I will leave that to them.**

The appellation is #A147 on the Record of Inquiry and as I understand it,
 10 Mr Kipa is only available until 10.30, but Ms Harvey will begin the kōrero, ka tuku ki a ia. Nō reira tēnā kōrua, kia ora.

(09:14) CHRISTINE HARVEY: (#A147)

Tēnā koutou, ka whakanuia i ēnei kaupapa katoa. Ka nui te mihi ki a koutou katoa. Ki a koe e Whāea, nāu i tuwhera nei i tēnei rangi nō reira tēnā rawa atu
 15 koe, ki a koe, tō karakia tuwhera. **Good morning, I present this forum today, greetings to everybody assembled. To you Aunty who opened our proceedings this morning, for our prayer, karakia this morning.**

Ka tīmata au te whāki atu ki a koutou ko wai tēnei. I tipu ake au kei raro i ngā
 20 iringa o Kahukura nei, Te Waipounamu ki te taha o tōku taua. Ko Moriori, Waitaha, Ngāti Mutunga, Uiui te taha o tōku koroua, Te Āti Awa, Ngāi Tahu, Ngāti Toa Rangatira hoki ōku iwi. Nō reira koinā tāku. **I'll start with who I am. I grew up in Cashmere here in Christchurch. On my grandmother's side, I'm Moriori, Chathams, Ngāti Mutunga. On my grandfather's side I'm from**
 25 **Te Āti Awa and Ngāi Tahu, and also Ngāti Toa Rangatira, it's who I am.**

He ringa uhi, he ringa tāmoko tēnei. I mahi au i roto i Aotearoa whānui mō he
 wā roa ki te whakapiki i te mana o te wahine, ki te whakapiki i te mana o te
 kauae moko, a, kāre he mea ki tua o tērā tohu tō te mana o te wahine ki a au
 30 nei, tērā pea ki a tātou katoa. He tohu hei whai oranga, he tohu piki ake te mana motuhake tō te wahine, nā te mea nō Niwareka tērā momo whakapapa. Āe, tae noa tērā whakapapa te mana o te wahine mai i te whare tangata, nō tātou katoa te ira tangata i te ira wahine. E ōrite tō mātou nei āhua ki a Papatūānuku,

Hinetītama, ngā atua wahine katoa tēnei ao. Nō reira he nui ake ngā āhuetanga o ērā atua e tīmata ai, hei papa pea mō ngā āhuetanga o te toi katoa, āe. **I am a Māori tattoo artist. My work carries me all over New Zealand to elevate this art for women and for women artists. There's nothing greater than that for a woman. A symbol of reverence and to be uplifting of the mana of women. The treasure itself was my ancestress Niwareka. It's come from the distinctiveness of the woman being – having a worm and being a whare of humanity. There were many contributions that have been made in the origins of the art of moko.**

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I tipu ake au i roto i te tāone nui nei o Ōtautahi. I taua wā, kāre au kite i te kauae e hīkoi haere ana. Kei roto i ngā whārangi kē o ngā pukapuka. Koirā te wā e kimi ai i tērā momo āhuetanga. E whakaaro ana ahau, he aha te tikanga o tēnei, tēnei mea, tēnei taonga ātaahua rawa atu i te wā e tamaiti ana. Kāre au i kite i te āhuetanga e ora ai, e hīkoi ana i roto i Te Waipounamu, tae noa ki te wā e tūtaki pea i a Rangi e mahi ana i Ōtepoti, i ngā '90s. **I grew up in the city of Christchurch. While I was growing up, I did not see any moko in my time, it was merely in books, which I saw that. And I was driven to find out what this treasure was all about. I didn't see the treasure amongst the communities here in the South Island and then i met Rangi in Dunedin doing moko in the '90s.**

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Āe, kei te hiahia au ki te kōrero e pā ana ki te pēhitanga o tērā taonga. Ki au nei, nā te Tohunga Suppression Act 1907 te momo i tino aukati ai tērā āhuetanga kia kore ai e mahi, kia kore ai e tuku tērā momo āhuetanga me te kaha pēhi ai te taha wahine ki te mahi i āna mahi ki wī, ki wā, mahi pērā ki te tāne. He tino pēhitanga, tāmitanga ki a mātou kia waiho i a mātou ki raro. I te wā i tīmata au ki te mahi tāmoko, he nui ake ngā tāngata i pātai mai ki au, “He aha ai i mahi koe; he wahine, kāre e taea?” And i te kī au, “Oh, ka taea. He ringa, karu, ka taea.” So, he whakaaro Pākehā tērā ki au nā te tāmitanga, te pēhitanga o ō mātou whakaaro kia noho pērā i te Pākehā. Āe, ahakoa tērā, ka whawhai tonu ahau, ka parahia i tērā huarahi kia whai hua. **I wanted to talk specifically about the oppression of the treasure, and it was the deliberate law, the Tohunga Suppression Act 1907. I put this taonga, put this**

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treasure into – just about full loss. The Act of making us feel inferior. There were many, when I started being a tāmoko artist, asked several times, “Why are you doing this, a woman? And I was quite perplexed by the question, and that was a very colonised view, but I have eyes, I have ears, I have a hand, I can do this. And despite that perspective, I was determined to pursue learning the art.

Ētehi wā ko te Hapori Māori kē e whakaaro ana kia pērā. Ināianei tonu ka pā kaha mai tērā āhukatanga ki ngā wāhine kia kore au e taea te whiwhi i tōku kauae nā te mea he reo kore tāku. Kei te hē tērā ki au. Mō tātou katoa. E tai wāhine mā, ka taea e koe te mau kauae hoki nā te mea ehara nō mātou te hē mō te ngarotanga o tōku reo rangatira, nā te pēhitanga anō tērā āhukatanga. Kei te pā tonu mai kaha rawa atu ki tēnei rohe tērā āhukatanga. Kei te whawhai tonu mātou mō te reo kia tū, kia puāwai ki roto nei i tēnei rohe. Koirā te take ka kōrero au, i ako au i te reo. Kāre au i rongō i te wā e tamaiti ana. Kāre i te kōrero tōku pāpā. Kāre rātou i ako nā te mea kei roto i te wāhanga o te hurihanga kia tū āhua Pākehā te katoa o ōku whānau. **In some circumstances, it was our own Māori community that had these views, and it was challenging for me, but I felt that their view was very limited and that myself having a moko kauae, tattoo on my chin, that was okay for everybody to have that. Again, that was another symbol, another indication of colonisation of oppression of our people and their thinking that it wasn’t appropriate for others to wear a moko on the chin. And at this point in time, I’m learning the language to understand fully. I didn’t have the language around me when I grew up or my parents either. We were very much raised in a Pākehā way, or non-Māori way.**

Āe, nā tērā āhukatanga ka tino rongō au ki te mamae kei roto i ngā ngākau o ngā wāhine, ngā wāhine whai ki te mau kauae engari kei roto i a ia anō tērā momo mamae mō te kore reo, mō te kore tikanga, mō te kore mōhio. Engari kei te hiahia ki te mau kauae. **And I was driven to do something about that myself. So, the pain of not having the language, not having the tikanga, not wearing a moko, but having the desire to wear moko kauae.**

I ngana au ki te whakakaha i a mātou nā te mea i te wā ka mau ai te wahine i tōna kauae, ka huri ia, ka ora ia, ka piki ake tōna mana, ka whai reo, ka whai mana, ā, ka piri hoki mātou ngā kauae ki te mahi i ngā mahi kei roto i ngā hāpori, kei ngā marae aha rā nei. Kāre he mea ki tua ki au nei o tērā momo āhuetanga

5 kia hoki atu ki te marae, kia hoki atu ki te whenua, ki te rapu i te harakeke, ki te kohi kai, ki te aha rānei, ki te mahi i te whao, ērā momo āhuetanga katoa.

So, that it was an important point of transformation for our women. They will find a voice, position of authority, and be connected with the art itself and in turn work within the community. There's nothing more significant

10 **to me and to return to the marae, to the land to father flax, tend to the gardens, nothing more significant than that natural world.**

Āe, ki a au nei koirā te tino tohu o mātou kia tū rangatira, kia tū mana motuhake, kia whawhai tonu mō wā mātou taonga tuku iho. Āe, tērā pea ka nui tērā māku

15 i tēnei wā. Āe, kei roto i a mātou tērā pūmotomoto, tēnei ao ki te ao wairua ki te whānau mai te tangata, kāre he mea ki tua o tērā. Pēnā ka ngaro atu te wāhine, ka ngaro katoa mātou. Ki au nei koirā te tohu o tērā momo mana, he mana nō tua whakarere, āe, koinā tāku. **I think the moko is a very distinguished symbol for Māori women. It's empowering, and revered. At**

20 **this point that might be enough to say, it's in our ability as women to join the worlds. If there were no women, there would be no humanity. This is an authority, a power from way back that's been handed to women.**

(09:25) MR RUREHE TO CHRISTINE HARVEY:

Q. Tēnā koe e Whaea. I mua i te tuku kia Mr Kipa, e tautoko ake ana koe i

25 ngā kōrero kei roto i te tuhinga rā? **Thank you, Ma'am. Do you think what you have said is covered in your brief of evidence?**

A. Āe. **Response was, "Yes."**

Q. Āe, ka pai. Kia ora e Whaea, nō reira ka hoatu te rākau kōrero ki a koe e Rangi. **Now we will pass over to Rangi Kipa.**

(09:25) RANGI KIPA: (#A147)

Tēnā tātou e te Tira Whakawā, kei te mihi atu ki a koutou rā, oti atu rā ki a tātou i roto i te whare. **Greetings to the Tribunal and to everybody assembled in the whare.**

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I know that my evidence has been submitted. I don't have anything in particular to say to that. I would invite any interrogation or any questions that come about from that. I do have some anxiety about the – I would have enjoyed a lot more time to have probably created a more comprehensive body of evidence, but I think the ngako is there and I'd enjoy – I'm not uncomfortable with fielding any questions around my evidence. Tēnā koe Christine.

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CHRISTINE HARVEY:

Kia ora.

RANGI KIPA:

15 That was awesome.

(09:26) MS SYKES TO RANGI KIPA, CHRISTINE HARVEY:

Q. I mua i te huringa ki te tēpu, koinei te pātai mai i Annette, tēnei. **Before moving to the Tribunal** – You talk about othering, can you just explain what you're meaning by that affirm pea?

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A. [Rangi Kipa] Yes. And I suppose I'm taking quite a large view around the situ – because even though we're addressing in this particular body of evidence, moko and in particular, female expressions of moko in te ao Māori, for me it's symbolic actually of the othering of the whole of our world. So, here we are Māori in their own native lands in 2022, and the concept I suppose of using the term otherings, is based around the idea that the things that we do are strange.

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The things that we do are incompatible with the western world, incompatible with this land, when in reality, the lived expression of our tūpuna and the aspiration for our people today to restore I suppose that platform that gives life to our lived expression, gives life to our

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relationships with each other, gives life to our relationships to the environment is conceivably seen as strange, as weird, as wonderful. And you see that in all of the discourse on public platforms around comments that happened around issues that concern our people.

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So, and that language and the ideas that are imbedded in the language and how people talk about our customary practises is I suppose one of the things that I am trying to address, even to the point where our own people have adopted those ideas. And so, for a long time, Moko along with a whole lot of other lived expressions of our reality, of our cultural reality is being considered for well over 100 years to be art, to be something that just something that really doesn't mean anything, that's just an appendage to our lived reality; when in reality they are the products of a fully functioning society that lives in a symbiotic and harmonious relationship with its environment. And I suppose for people that don't kind of delve into what that might mean, because even we're conditioned.

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If you look at the landscape in Aotearoa now, not only has our taiao been dismantled and cleared, but so too have we had an overlay of an imported model of our physical infrastructure. So, we are in the process of trying to undo that with the new developments around co-design but I think that one of the challenges ahead of us is even for our own community to start unravelling itself or untethering itself away from language that's really problematic because it affects the way in which we even see ourselves.

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Moko along with, probably, a whole range of other things that have been restored or revived in the last 30 to 40 years, you know you can see and measure the wellbeing that comes with them and we can look at the revival of kapa, reo, mau rākau, rongoā, our celestial navigation traditions, waka, moko, toi whakairo, toi raranga, all of those things where people have paid attention to restoring those things and as we move through even our own stage of untethering ourselves from western ways in which they language and treat those products of our lived reality, even

now we are starting to continue, I suppose, furthering our own bias within those models so for instance, one of the things that I'm working really hard on now is trying to get our communities to stop talking about these cultural phenomena's as art because it's really problematic, even for our own communities and we're trying to figure out how do we stop operating as individual practitioners and start restoring our communities so that these cultural phenomena's of our lived reality are our normal product of functioning and communities that have wellbeing.

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So, the lived reality of te ao Māori, in reality, if you look at us, even our own villages have been dismantled. There are very few Māori villages that still operate and even those are heavily compromised just by the weight of the western world leaning on it so one of the things that we've realised is that for these cultural expressions, these language systems that are a normal product of a body of people living out their lives collectively together, one of the challenges ahead of us is actually restoring community again. How do we do that? I mean, those are things that have been things that have been dismantled, they are physical things that have been dismantled and they affect our lived cultural reality so we try to and we're in the process of trying to restore things as we can.

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Some of them are really deep like the reality of pepper potting our people out in urban communities, you can see now that there is a concerted effort to try and rebuild papakāinga. Partially because we want to take advantage of not being at the mercy of, I suppose of the western world. But also now that we're getting deeper into the theory of trying to revive our cultural expressions, we are starting to realise that actually those things don't live well in schools, they don't like well in universities, they don't live well in courses, they actually live well in communities that live in – they live well in communities and that's really problematic, trying to rebuild kāinga when we don't have land, when we don't have access to various other resources so I suppose the other end is based around this idea that here we are, the native people living in their native lands and

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we're seen as strange and exotic. Sorry, that was a long winded response.

5 Q. Tēnā koe i tēnā whakamārama. Whāea Christine briefly mentioned it but if you could for the sake of the Tribunal briefly talk about Niwareka and te takenga mai o te moko and we've also heard evidence of Hine-nui-te-pō and Rarohenga and if you could about that kōrero of whāia ngā mahi o Rarohenga.

A. Sorry, I didn't hear that other question.

Q. The whāia ngā mahi o Rarohenga.

10 A. Actually, I made a point of not addressing that because I actually think that there is a much deeper narrative than Niwareka and Mataora. I think those pūrākau, pakiwaitara narratives can be platformed on a much deeper response and I've spent a long time talking about this, I suppose as part of my social science training on top of my whakairo training but I am always interested in what might have been because even before the Mataora and Niwareka narratives.

20 Moko was a thing that was alive in that story so where did it come from before that and so if you dig deep into the human relationship with the environment, that's where you find a lot of the source of those narratives and so in my evidence I've actually spoken about the much deeper narrative that's actually embedded in the physical practice that doesn't necessarily need a whole lot of narrative built around it but in exploring the language around ngarahu, around the different inks that were made and where they come from, being sourced from the natural environment, from either soot or anuhe, the different types of flora and fauna by which our people sourced their ngarahu.

30 And then if you look at the process of what tools they made and how they made that to then impart or to imprint our language systems into our skin and then if you look at even the most primal response which is if you study indigenous people from all over the world, they do one of probably half a dozen of things so either adorn themselves with their environment, they either tattoo themselves and embed their environment into their skin.

They either cut themselves and reflect their environment by creating their skin to either look like reflections of flora or fauna either bark or even crocodile skin, that type of effect. They either paint or they wear feathers.

5 So, our people have a really specific type of moko whakangao where the incision that is made, if you look at our tupuna, our toi moko, ūpoko ariki you know that are still in the collections of Te Papa and other places, you can see and if you look at photos of Tawhiao, Tomika Te Mutu, others of our tūpuna who have been lucky enough to have photographs taken of
10 them when the lights being coming across their face rather than straight on, you can see the depth of the incision even after it's healed so that moko whakangao, when you look at it after it's healed, it's still like three or four millimetres deep and then you can imagine the depth that they go and it's described in a number of different manuscripts of the different uhi
15 that they used and the process that they used.

Therefore you can imagine the depth that they practiced the placement of the moko into the skin and so you start to realise there's a really – and of course it was an incredibly – I was going to say gruesome but it's
20 probably not a very nice term to use but an incredibly perilous I suppose, un-practiced, and our people mastered it because you can see you weren't an acceptance of the norm if you were not moko'd and it's well recorded too of people like Tamati Wakanene who had his face done three times over his lifetime because he was concerned not only about
25 the quality of his moko but the quality of his mana demonstrated or given effect to by his moko so people – it's recorded that you can recognise that our people were interested about maintaining their physical appearance with this particular type of moko whakangao and so if you dig down and tap into that stuff then you see quite a different worldview. A way of seeing
30 ourselves in relation to the environment and I keep going back to the environment. Partially because I think we are so heavily divorced from the environment that we probably don't appreciate its influence on our customary behaviours right through from Matataki and how they mimic birds right through to moko and all of our cultural expressions, all of the

motifs, design language expressions are drawn from our inter-relationship and observants of te taiao. So, for me, I'm probably more interested in that because for me there's a much deeper narrative about the connection. So, Mataora and Niwareka talks about our connection to the practice of moko and how it plays out in human relationships but I'm much more interested in the conversation around our place in this land and the restoration of our people and the restoration of this land.

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- A. [Christine Harvey] Tēnā koe e Rangī, rawe. Ki a au nei, ko te haehae te mea, ki a au nei, e hāngai ana ki te ngākau, ko tērā āhuetanga o te tangi ko te aroha te pūtaketanga o tērā momo āhuetanga. Inā ka ngaro i tētehi e tino pūmau ana ki a koe, well, ka rongō koe ki tērā momo haehae, ētehi wā ka pēnei ai te kiri, nē? Ehara tēnei i te mea hou, ka kite au i tēnei āhua ināia tonu nei ki au, ki ngā rangatahi, aha rānei, he mea tawhito tērā. Ehara koe i te pōrangī, ko te mamae. Tērā pea he patu ngākau, patu hinengaro, aha rānei, koirā te pūtake o tērā, ki a au nei, te pūtake o te tāmoko. Kātahi ka akongia e o tātou tūpuna ki te tāpirihia i te ngarahu and ka kite a tae nei, kātahi ka puta i tērā momo taonga ki te ao. Kāore he mea ki tua o tērā nō te mea he tino rongōā te tāmoko mō tātou kia ngāwari ai ki tērā mamae. Ināianeī he nui ake ngā mamae o mātou, te ngarohanga o tēnā mea, o tēnā mea, āe, koirā tētehi rongōā kia whai oranga tātou te iwi Māori kia piki ake te mana, āe. Ki a au nei, kāore au te tino mōhio i hea ai i tīmata ai engari i te whakaaro au mō Te Moana Nui a Kiwa i haria mai ki konei kātahi ka tino hurihia kia kore ai e tino tapa whā, rārangi tōtika noa iho. Āe, kia tino piki ai tērā āhuetanga o ō tātou kanohi. Kāore he mea ki tua o tērā momo āhuetanga i roto i tēnei ao. Kei a mātou kei te tihi o tērā toiranga o te moko, koirā tāku. **To me the cut was something that pierces the heart and it bring love forward, passion and when this occurs then having that sort of incision and cut you feel the love and respect, it's something that's not new. It's very old, there's nothing silly about that. The purpose of tāmoko is all the practices involved with that, the gathering of the resources in which to engage in doing moko. It's definitely a source of healing for us all and for that for those hurt, the hurt, the pain, the despair that we feel, it is something to heal and to improve our wellbeing as Māori in the restoration of**
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our mana. I'm not too sure of its origins, could have been from the Pacific and brought here, and then evolved into the practise that we engage in now, or attempted to revive. Bringing forth the beauty on our faces, having moko, something that's really special for us.

- 5 A. Tēnā kōrua i ērā whakautu. Ka tuku ki te pānara, ki te Taraipiunara mā koutou e tuku pātai ki a rāua. **Thank you both for those responses and now hand it over to the panel to ask questions.**

(09:45) JUDGE REEVES TO RANGI KIPA, CHRISTINE HARVEY:

- 10 Q. I am just going to ask a general sort of a question and then I am going to pass to the panel. Tēnā kōrua. I am Judge Reeves and as you will both be aware, these are the Tūāpapa Hearings of the Mana Wahine Inquiry. So, during the course of these hearings we are – have set about laying a foundation for the other stages of that hearing when we will be exploring breaches by the Crown in further detail. So, really the focus of these
- 15 hearings – and this is the last of six hearings that we have held all around the motu is to look at pre-colonial status of wahine Māori to try and get an understanding of the life of wahine at that time. We have heard a lot of kōrero about Atua wahine, rangatira wahine. We have tried to get some sense of lives or more everyday wahine which has been a difficult mater.
- 20 But one of the reasons why we asked if we could receive some more evidence about moko kauae is – at our last hearing at Waiwhetū, we heard some evidence from a group of descendants of Te Rangitopeora. And they had objects of – they had taonga of hers which they brought to the marae. They had her huia feathers. We have all seen those images
- 25 of her. they had those feathers, they had her tiki, they had the garment that she was wearing in those photos and also in those images, very prominent is her moko kauae.

- 30 So, in discussion amongst the panel we thought wow, – I mean it's right in front of us, but we have not thought we need to hear more about moko kauae and what it tells us about mana wahine and the status of those women who had it, who wore it. So, those adornments and taonga which the uri of Te Rangitopeora brought with them toi show us, to share with

us. I mean they were manifestations of her mana, of her status within her iwi.

5 So, anyway so this brings us to the question and I'll just start with a general sort of pātai. We will see where we get to and then we will move through the panel. So, my pātai is, and this is to both of you. How was moko kauae and expression of mana wahine in traditional Māori society? Okay and maybe Rangī because you are only with us for a short time, maybe if you want to answer first and then we will move Christine?

10 A. [Rangī Kipa] Yes, thank you for that question. If we look at the practice of moko, the normal convention of moko was a normal transition. To take on moko was a normal transition of your moving from being an adolescent and not having any responsibility. Formal responsibilities to transitioning to a point where you transitioned into adulthood and assumed your roles and privileges that were important to you within that community. So, I actually struggle to think that moko is a thing. It's a thing now in this time and place, but in our customary world it was just a normal part of your transition into adulthood. It was the normal – it was as normal as wearing clothes, whatever that happened to be too, 'cos it's not the same as how we treat it today. So, I kind of struggle to kind of struggle to separate them out. For me it's a part of moving from just being a child, and I'm struggling actually to I don't know, answer that question because I don't think that moko, our people treated moko in the same way as how we treat it now. I think that once it becomes socialised and you can see a massive uptake in moko happening now. I think we kind of tipping – we're over that tipping point now. It's taken us three decades to get moko to a point where there's enough momentum for it to be comfortable now for our men and women to take on moko because there's enough of a cohort to sustain not only the privileges of it, but also the tensions that are located with the place between this and the ao Pākehā. Can you just repeat the question again please?

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Q. So, the pātai was, how was moko kauae an expression of mana wahine in traditional Māori society? Now, I think the answer that you've given me that it was marked a point of transition is a really important answer.

- A. And I also think thought that within the customary paradigm we didn't spend a lot of time talking about mana wahine because it was absolutely obviously and apparent that women had equitable ability to exercise authority over themselves and their property, which is as good as time as any that mana wahine was there, and just those obvious as what mana tāne is in today's world. So, I think it's really important the way in which we language and frame things, because in today's world in the absence – or in the dismantling of mana wahine especially in te ao Māori, the dismantling of it has created a paradigm by which we think about it. Now, I'm arguing the case that actually probably a lot of the time our tūpuna didn't talk about mana wahine because it was really bloody obviously, that women exercised their authority. And for me you know exercising authority over your own property, which in a unilineal society which te ao Māori was, women inherited their rights and property through both their father and mother, and their ability to not only manage that but also probably even more importantly dispose of it as they saw fit, as good a sign as any that women had equitable authority as what men did. For me, moko actually is not a symbol of that. Moko is actually a symbol of where you come into the point where you start to exercise your authority.
- Q. Kia ora, Rangī.

JUDGE REEVES:

Now I am going to pass now to Linda because we will come back Christine because we have more time with you. So, kia a koe Linda.

(09:54) PROFESSA LINDA TUHIWAI SMITH TO RANGI KIPA:

- Q. Tēnā kōrua, firstly just to both of you, your fame proceeds you. I have heard and seen your work and despite you saying Rangī that it is a practise not an art, it still evokes a response from us when we look at your work. So, I just want to mihi to both of you. I really appreciated your submission. Rangī, because I know you have to leave, I guess I'll focus a couple of questions to you. In your brief, you say you know it's a language not an art and I think from yesterday's sessions and today, what we're learning is that even the language to talk about these things, we are

struggling to find the language, to talk about them in the forms that you point out. It has been so colonised the way that moko – but also gender, sexuality as we heard yesterday have been sort of framed through colonialism.

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So, I just want to thank you for the opening you have given me because I would feel inadequate about talking about art. But when you talk about language then I – then my education mind kicks in and then starts thinking about what it means as a form of literacy that not only is there the language and the terminology of what moko means but how we learn to read and understand and respond to mokopuna. And I think a lot of that is really what we're exploring and your submission goes a long way to help.

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But I want to dig down to – you are also talking about the practice and ask you both, but perhaps Rangī, you first. Is tā moko – ultimately engages with the tinana of a person, of a woman because her skin and her toto, her emotions, her body. And so, I just want to know in that practice how would you sort of approach the sort of physicality, the tinana of a wahine. Are they in a state of tapu? Yes, just what is the language when talking about that?

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A. That's been a really interesting journey. No-one ever trained us for this and the process of trying to revive these practices, you know it's been a journey. So, usually if I cast my mind back, most of the time and actually from the beginning when we first started reviving mokopuna, it was a – I was learning just as much as what everyone else was. Although everyone was kind of looking to us because we were the ones that are holding the needle.

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And if you read about Tame Poata and others, you get a really interesting picture of that kind of transition phase too where you know as we travelled around, there's documented evidence around when he travelled into – and those are some of the last nannies that you would have witnessed as well as Aotea would have witnessed, who was still alive around the

Tūhoe, Ngāti Awa area, that he moko'd. And it talks about at that time them chasing those – and they were young ladies then, chasing them down with horses because they obviously were in the transition phase where they recognised the tension I suppose between the western world and te ao tahito, te ao kōhatu, te ao Māori. They chased them down with horses and held them down – because they had been chosen by their old people and when they realised, they had been chosen, a lot of them took off into the bush and they were chased down and moko'd on the spot where they were.

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Of course, we didn't do that. Of course, when we started off in the process of doing kauae, most of our first early wave of recipients were our nannies. And so, if we're talking about tapu, we know clear and well that it's not the same – you know it's just when we get requested by those nannies, those ones who toom the first leap, I'm not going to be shy about saying, I was shitting myself. So that's the sort of trepidation that came with the practice at that time and really most of the time we left that up to te tira wāhine, te hunga wāhine to look after their group and I still coach people today when they come to me, I always say to them, make sure you chose who you want to be around you. Make sure you chose who's going to be touching you.

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And especially early on in the revival people would get – people would do all sorts of strange things because it was just – just such an exciting event I think to witness and you know the connecting back of a practice that is so heavily memorialised in whakairo and then the imagery of our tūpuna in our wharenuī the ability to try and connect those dots meant that it was a highly emotionally charged environment to sit through those things, incredibly taxing, you know emotionally but you know we always had our vision set on what it would look like to have a restored practice of moko on our peoples and you know it's the restoration of our I suppose bodies of it.

Man, can you remind me of the question because I tend to just follow my brain.

Q. You are doing well. I mean I – yes, it's just in the practice.

5 A. Yes, in the practice. So I'll be really honest, for the most part we – I left that – I left the women to kind of look after their own – whatever was important to them to settle them for them to go through the process, I left it up to them. My job primarily was to ensure that all of my practice was sound.

10 So e.g., one of the things that we knew early on or at least in my mind it sat heavily on me was is that if we didn't look after and maintain the integrity I suppose of the you know the – what's the western term for basically looking after the sanitation around and sterilisation around all of our staff because we had watched amongst the media when a number of
15 Samoan had and in some cases had fasciitis and in some cases they'd actually died that that would have been a significant blow to the revival of moko so sanitation and sterilisation of our gear was high on my side of looking after and I primarily left it up to whoever our recipients were to decide how they wanted the process to go.

20 So it's – that might sound kind of strange and weird but it served us well over the last three decades. Now we have mokopapa where we have large numbers of people getting done over any number of weekends. I think the process of how our people get moko, how we celebrate that
25 process and how we give life to it is kind of pretty well established so for those who still want to have intimate experiences and in their own where we still do that but just the reality now of the demand is pushing us towards having rānui and having mokopapa where our people and obviously the uptake of kauae has been far more obvious than mataora
30 even though tāne **(inaudible 10:04:30)**. Sorry.

Q. Thank you. Can I ask another question but then because I want to also come back to you but if we can just focus on Rangī before he goes but I would like to ask that question of you as well. So all my great-grandmothers had moko kauae, none of my grandmothers had

moko kauae, it was so sudden. And I confirm your story about Tame Poata Rangi because at Kokohinau Marae there's a story of all our great-grannies being told that they were – they had to assemble and one of them ran away and she regretted not having her moko kauae and had it done later but it meant we grew up with a row of nannies with – great-nannies with moko who were all – I guess the point I'm making is they were ordinary women. They weren't the chiefs of the tribe or the hapū. They were had mana but they were ordinary women who were the last of that era to have moko kauae and then on my other side they too had moko kauae.

So I guess the final question I want to ask you is because you've drawn attention to this messiness around revitalisation and I like the way you've drawn parallels to other modes of revitalisation you know with the reo and other sort of – yes, the whole activity of revitalisation and the mythologies then that get put into this revitalisation politics around “well only men can do that” and “that's for men” you know and “women shouldn't be doing this” and I'm just wondering if you, Rangi, want to talk through some of that politics and how your community or the community in the moko space that had to navigate that and how have you kept yourselves staunch? If I put it in that sense.

A. I think that's based upon that a lot of the people that are not just in the revival of moko but have lead out in the what I call cultural recovery, you know those phases of various things where people have paid attention to and committed their lives to you know, cultural recovery in their respective spaces. It's simply because they are compelled to because they recognise, they've spent time I think that it's actually worth the graft.

You know it's – I have a vision in my mind where I have a vision. Well we know what suffering looks like. We've witnessed that. I have an alternate vision, I think most of us do. Maybe a lot of us don't know how to pull it off but I have a vision where our people don't suffer any more in their own lands. Sometimes it's just as simple as that you know. Our people don't actually talk about the misery of what colonisation has visited upon our

5 people. But you only have to go out and spend time with our people to see the sacrifices that they've made and I think it's time, I think it's time that we collect on that. It's time that we – it's time for our people to enjoy the flourishing again of what we once experienced in this land. So I'm unapologetic about it.

10 Most of us – you know like the moko, the moko face was probably more antagonistic than most probably because, and it still is probably one of the most overt acts, political acts that you can make in Aotearoa today. To put yourself kind of on the line like that. And you know and I'll be really honest about it it's part of the reason why I haven't done it. Because I don't suffer **(inaudible 10:09:53)** very well and I knew that I was probably going to get myself in trouble so you know like we measure – we measure the suffering and the misery that our people have experienced and it actually makes it really easy to step out into space like this and just go
15 “actually even though it's uncomfortable and even though you know it's really putting our kind of people – we're really putting ourselves out there, it also is the pathway to the flourishing of our people again”.

20 See that ones probably telling me to get out on ringing you to tell me to get out of my apartment but that's what motivates us to do this work, all of us. And you know I kind of I'm really unapologetic about it because I know that I can see in the future and go 30 years ago and here we are 30 years later and looking around at our people that are wearing moko is
25 a pretty amazing, amazing thing.

Q. Ngā mihi, thank you that's all the questions from me for you, Rangī, but I've reserved some other questions for Christy.

JUDGE REEVES ADDRESSES RANGI KIPA – TIME (10:11:51-10:11:51)

(10:11) DR RUAKERE HOND TO RANGI KIPA:

30 Q. Tēnā koe, e Rangī. Te pai katoa o ōu kōrero, kōrero mai te ngākau otirā your pūkenga nō reira tēnā koe. **Thank you Rangī for sharing with us your passion for moko.** Rangī I want to come back to your kōrero, you

5 talked about and I'm not pushing back against it and you talked about digging deeper into that narrative of Niwareka, Mataora, and those other things. Yesterday, you may not have heard some of the kōrero yesterday we heard some amazing kōrero about Māhinaarangi and the importance of those narratives in retaining certain reference points that people can – they're like pegs that people can associate certain levels of mana, of status to certain activities or locations, in this case it was locations.

10 I wonder how do you when you talk to people who are about to receive, in particular wāhine, are about to receive moko kauae, how do you talk about those – that narrative of Niwareka, of Mataora, and of Uetonga the – and use those as reference points that you are then able to talk deep more, more deeply about things so that they become sign-posts. Kei te mārāma ki te ia o aku kōrero?

15 A. Yes.

Q. Yes, I'm interested in how you normally talk about those things because what it does, it gives us an opportunity to understand potentially how we've interpreted or how we engage with those pre-colonial narratives that still hold relevance in today's times.

20 A. And I never references Niwareka or Mataora as narratives in having those sorts of conversations. I think they are the platform. In my mind they are the platform 1 of a whole series of narratives and I think that actually that particular narrative is probably captured the imagination. I tend to think that actually you can look at a whole range of – you know if you spend
25 enough time studying stuff and you then scan the landscape you can see reflections of those things and it's part of the reason why I also documented all of those and not all of them, I just documented the most obvious ones that people are still familiar with but you know like kōwhaiwhai, raranga, ko tuhituhi, whakairo, all of those cultural collateral
30 that's –

And you know what, in the revival of trying to collate I suppose collate and collect kōrero, narratives, onamata, karakia, kupu to slowly try and stitch practices back together again you find them hidden in karakia, hidden in

kōrero in other – and that’s the reason why I’ve put those other ones in there because mokos not the exception, it’s part of a suite of our cultural expression of our lived reality. So even though we are just talking about moko here actually the brother and sister practices are located all throughout the rest of that – of our whānau Māori, of our lived expression. So, I don’t dote or sit upon one particular narrative.

And I suppose the other critique is that I think we have a in Taranaki as you would well know, we had a particular type of dismantling happen to us with the confiscation of ngā whenua katoa o Taranaki whānui so I’m not sure whether that narrative of Niwareka and Mataora is actually a narrative that whakapapas back to Taranaki. And so at times we will draw upon and cling to narratives that give validation to us up until the time that we can slowly build and restore our own specific and **(inaudible 10:16:24)** and regional practices.

So, when we talk about tāmoko in this conversation we’re talking about it across the motu when in reality we know that each rohe had their own kura, had their own wānanga, had their own tohunga, had their own narratives specific maybe to their rohe, specific maybe to their waka, specific to whatever geographic boundaries that any community that was able to sustain those kura.

Q. Kia ora mai Rangi.

A. Yes.

Q. Yes, pai tērā whakautu and kei te tika tāu mā ia rohe anō e whiriwhiri i ngā kōrero e hāngai ana ki a rātou. **Thank you for that response and I agree with each community for having their explanation for things.** Just a quick last question and so you don’t have much time.

And the – you obviously do have designs specifically for wāhine given a moko kauae and you have mataora and in the first, in the previous hearing we heard kōrero about Muriwai and the painting done by Mr G. where he represented Muriwai with a mataora and the debate that took place as the appropriateness of those and the tension there. How do you

respond to the designs that are associated with tāne, that designs that are associated with wāhine, and the creative space between in terms of how you express mana wāhine through the designs that are particular and specific more potentially towards wāhine alone?

5 A. And that's – thank you, I think that's a problematic conversation in as much as that I think that a lot of our thinking is still bound by paradigms and ideas that are sometimes from outside of our regions, sometimes outside of our society, sometimes are even outside of the recognition that we are able to enjoy the tradition of change. So, you know, if we recognise
10 that each rohe, well let's say if we recognise that each place, community might have had a different way in which they express, would have had a different way in which they expressed their lived reality because each rohe is different, each place is different, then so too should we continue to enjoy the ability to whāngai tonu so to evolve.

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And it's well-documented actually if you go into the early lithographs of the early European explorers that came here, the early lithographs document a wide range of moko on, not only on the body but also on faces and in particular women's faces. So it's documented where women
20 have had pūhoro on their necks, on their forehead, on their cheeks.

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So once you realise that there's a commonly conceived and recognised rule and then you dig deeper, you soon see that actually for every rule that we think there is, there are obviously acceptance to the norm, and I
25 tend to think that it's really problematic when we think that there's only – this is only that, and then this is only that. I'm not sure who that serves, I'm not sure who that serves, but definitely doesn't serve us, because we know – I've seen moko mata tāne, where there's just two lines running across one cheek and who's to say that that's any less – that that moko
30 has any less significance than a full mataora or a moko kuri, or you know, whatever.

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Q. Kia ora.

A. So, yes, I'm not sure. I hope that answers that question.

Q. No, that definitely does, it is extremely those statements because what you are saying is that it is evolving, that there is new knowledge insights that are starting to take hold and that had more prominence as we move forward with tā moko.

5 A. Well, probably more importantly, I suppose if we are looking at the nature of the hearings, more importantly, it marginalises and minimalizes the ability of men and women to author their own sovereignty around their identity.

Q. Tika koe.

10 A. And that's actually where I think the nature of that conversation or that question sit.

Q. That last comment is really helpful for us actually, tēnā koe. E mihi ana ki a koe e hoa.

A. Kia ora, kia ora.

15 **JUDGE REEVES:**

Rangi, we are going to give you one last question from Kim Ngarimu and then that will be – we will release you for now, but it may be that we send you some questions in writing.

20 **RANGI KIPA:**

Thank you, sure.

JUDGE REEVES:

So, over to Kim for one question.

(10:21) KIM NGARIMU TO RANGI KIPA, CHRISTINE HARVEY:

25 Q. Tēnā koe Rangi, tēnā koe, mōrena.

A. [Rangi Kipa] Mōrena.

Q. I just want to pick up on a couple of things that you have said to us this morning, one is that you talked about in traditional society that the wearing of the moko was more of a mark of transition in terms of where you are at in your life, and that it was a normal thing for people⁴. And then you also talked about when you referenced Tamati Wakanene, having his moko

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done three times as his concern about the quality of his moko because it was a reflection of his mana, and I am just wondering if you can sort of talk those two things back together for me?

- 5 A. Yes, I think the first statement you made is probably not what I was trying to get across. I think the important thing I was talking about, I want to reinforce that moko was a normal part of the way in which we addressed our appearance, and I suppose, making a point of the time when I people took on moko at that particular age of puberty, where maybe from 12. A lot of tāne when they were coming out of Te Whare Tū Taua were coming out of the age 14 or so ready to participate in warfare, also were ready to take on their moko and had done so usually. And so, you recognise that point where the rituals I suppose, how a lot of indigenous communities in particular, we're talking about ours, mark that transition. I think that's an important thing to note, because I – even though we're talking about it here, because we had lost it, moko has become a big thing. Actually, in 15 the days of old, everyone was moko'd and it was – you would consider that abnormal if you didn't have - and I'm arguing that it's because it's a normal response, the normal human created response by being in relationship to the environment that you live in to respond appropriately. And I make a point in my evidence that I think it's quite a different 20 perspective than the western world in which we live in, because I think that our tūpuna considered themselves nature incarnate and if you go back to our whakapapa, and you look through the whakapapa, it talks about our relationship in our whakapapa to Tāne and to the forest, and to all of the things that we use to mark ourselves.
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30 So in many ways the idea is much more, in my mind, much more primordial where it's normal for people to adorn themselves, it's normal for people to demonstrate their interconnectedness with their environment. It's not like how we're living in a Western world and how we want to project that we've got a connection to our almost non-existent environment. Our people lived in it, they were part of it, you couldn't separate them from that and moko was a natural response in at least within the medium of the human body to demonstrate that and that's the

way I put those other artforms and I'll use that term which is really unfortunate but those other artforms there because those are the same responses but in other materials, other mediums. So they are really closely related.

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Now your last part of your question, can you repeat that again for me please?

Q. So it was linking that kōrero back with what you said about Tamati Wakanene.

10 A. Yes and so if you look at – if you looked at for instance the documentary evidence around the way in which our people – their stature, the way in which they present themselves, their kākahu, you know the wearing the very finest of their – for our rangatira who carried the weight of demonstrating and exhibiting the finest of the wealth and authority and
15 authority of the collective tribe. Those who were here when outsiders came in and those that travelled back to England. Quite clearly they were concerned about their demeanour, they were quite clearly concerned about their acts, they were quite clearly concerned about the mana of their kupu, they were quite clearly concerned about the mana of their
20 appearance and of their authority of – you know over their body and the way in which they held themselves. You know when they talk about “noble savages” and all of that kind of stuff around Darwin’s you know language – language-ing of indigenous peoples, our people were at the top of his unfortunate system, his unfortunate ladder, because of their concern
25 about their appearance.

Q. Ka pai, thank you. Kia ora.

A. Which is an extension of their mana. Yes.

JUDGE REEVES: (MIHI)

30 Tēnei te mihi ki a koe, Rangī, mō ōu kōrero whakamana mārama ki a mātou, pai ana te kōrero. **Thank you very much, Rangī, for your presentation, very interesting evidence.** So I know that you have time pressures on you so I think this is probably a good time to thank you for your kōrero and let you leave us and we’re going to resume our conversation with Christine. Ngā mihi.

RANGI KIPA:

Thank you. Kia ora rā.

JUDGE REEVES:

5 So in the first instance, Christine, is there any kōrero that you want to add to the kōrero that Rangi has given us on these matters? I will give you that opportunity before we address any sort of other specific pātai to you, yes. So ki a koe ki te tāpiri ki tōna kōrero. **Up to you whether you would like to add anything to Rangi's kōrero.**

CHRISTINE HARVEY:

10 Mēnā ka pātai mai anō ka taea e au te tāpiri pea. **If the question were presented to me again I may be able to reply.**

(10:29) PROFESSOR LINDA TUHIWAI SMITH TO CHRISTINE HARVEY:

Q. Tēnā koe anō.

A. Kia ora.

15 Q. So I guess my specific question to you, Christine, would be around what it is meant for you establishing yourself as a you know tāmoko practitioner in terms of that sort of – all the different mythologies about who can do moko and who can't, what it's meant, you know how did you learn your practice, who taught you, what have been the responses to you in terms of your mana in this space and how you have struggled for that.

20 **A.** Tēnā koe. Pātai pai tērā. Kāre anō kua tino ako i tērā taonga. I tīmata. I tīmata au ki te werohia i te kiri ki te tutu, ki te hāngai i te ngira me te cotton, kātahi ka tīmata. Ka werohia i ahau i te tuatahi rā. Inā he whakaaro ahau, mēnā kāore i te pai ki a au, kua e tuku ki tētehi atu, āe. Kātahi ka ako ki te hanga he mihīni kia tere ai te mahi nā te mea i te tuatahi ka mahi au i te ngira kia pēnei ai noa, he tino pōturi tērā momo āhuetanga. **That's a very good question. I'm not an expert in this practice, I'm a beginning, I'm very much a beginner and experimenting with the different elements. I'm challenging myself to find different ways, if I don't like what I feel or experience I won't do that to others. I'm just learning how to refine the tools to enable me to work faster.**

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Engari i aua wā i piri ki te taha o Papa Derek mā i roto i te Aitanga. Kua –
 auaha tonu i tērā momo poro o te – ngā ringa peita, āe. Nā te mea e hiakai
 ana ahau mō te ao toi, mō te reo Māori, mō o tātou taonga katoa, and
 5 kāore au i te tino whai wā ako nei ki te ako ai ērā momo āhuatanga. **But
 formally I had spent some time with Derek Lardelli and exploring
 creativity side and the use of paint, this I'm very passionate about
 custom and art, the language and I haven't really had much time to
 explore further and to learn as much as I could.**

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I te noho au ki te taha o Ricky Manuel, tērā pea he tino hōhā au ki a ia
 engari i mātakitaki noa i a ia i ngā wā katoa nā te mea he pai, papai rawa
 atu ana whakairo, ā kare he mea ki tua i konei i taua wā. Ko ia te tohunga
 whakairo o tēnei rohe. Āe, nā te tutu pea ka tino whakapakari ai i tērā
 15 āhuatanga kei roto i ahau. **I sat with Ricky Manuel, perhaps being
 quite a nuisance to him, observing his practice all of the time, I find
 his work very exemplary. He's a master carver in this area. Perhaps
 through exploring I will refine my practice and get better at it.**

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Kātahi ka rongu ki te mahi a Rangī, ka haere māua ko Rick ki Ōtepoti ki
 te mātakitaki i a ia e mahi i te tihi mataora. Aue. Kua huri te ao ki a au.
 Kāore he mea ki tua nā te mea kāre anō a Ricky i tīmata ai ki te mahi. I
 te tuhi ia kātahi ka hoatu te tuhi ki tētehi tangata, kia haere ki te tattooist
 kē. I te whakaaro au, “e kua e mahi pērā, ka taea e koe te mahi tēnei
 25 momo mea”. Ka taea ēnā mea katoa. **Perhaps in time be able to
 experience Rangī's work and I've seen Rangī do a mataora, a male
 face moko. I haven't seen Ricky do his work. I've seen his design,
 make designs, Ricky, and pass it over to a tattooist. But I was
 surprised as he's able to do the whole work.**

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Āe koirā taku tino tīmatanga i te wā i tino pīpī paopao ana ki tēnei taonga.
 Engari i te whaiwhai tonu. Ko tāku tino waimarie ki te tūtaki i a Leonie me
 Mera Penehira and e kaha rawa rātou ki te poipoia i ahau i raro i te
 korowai o Taranaki i ngā wā o mua, ā, kaha rawa rātou ki te koropupū i

tērā āhuetanga kei roto e ahau ki te – kia ako ai i ngā karakia, kia ako ai i te reo, kia whakapakari tōku tūranga ko wai au, aha rānei. Āe. **That's how I pretty much began, just experimenting. I'm very determined and I Was fortunate to meet people like Leonie and others that were able to guide me, being from Taranaki as well. Formally they were able to ignite the passion inside of me to learn the language, learn about karakia.**

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Q. Kia ora, thank you for that. And then my second question is just returning to the one I asked earlier of Rangi in terms of the – your approaches and practice to the tinana –

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A. Āe.

Q. – of the wāhine and what your whakaaro is about that is like just a landscape or yes, what's the philosophy I guess for mātauranga around that.

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A. Ki a au nei, ka hoki au ki te ōritetanga o tō mātou nei tinana ki a Papatūānuku. Ki a au nei he tino tapu tō te tangata, tō te whare tangata, tō te kōpū, he waka kawē uri. I hanga ahau te kōrero ki ngā māreikura i takoto mai kei raro i taku ringa, kia pērā. Āe, he tino taonga ki au nei. Āe, he āhua rite te kōrero a Rangi kia waiho i a rātou hei whakarite i a rātou. Engari, āe, ka hiahia ki te tino tiaki i taua wā, taua āhuetanga, taua mahi kia ngāwari ai, kia māmā ai mā taku kōrero ki a rātou, me pēhea kia māmā ai te mahi, kia noho rangimārie kia whakarite i te hinengaro, āe. Kia whakarite i ngā tāngata, te wāhi, te rā, kia whakatā hoki whai muri rā ērā āhuetanga katoa. Koirā te kōrero i tuku atu ki a rātou i mua i te tīmatanga.

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To me, it's similarity of our bodies being that of like Papatūānuku the earth mother. We have a womb, we are the bearers of people of babies and treat them with the respect like those of our ancestresses and atua, our female atua. So, I treat them with that respect, and very similar, my practises to what Rangi described, to leave the recipient to prepare herself for what she is going to undertake and to sort that for her so that she is relaxed. I offer advice on how to look after herself and to prepare them that they may feel pain. But – to find ways to practise, to relax themselves, their mind

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in that space, what to do the following day after they receive their moko, on healing themselves.

Q. Ngā mihi thank you.

(10:37) DR RUAKERE HOND TO CHRISTINE HARVEY:

5 Q. Tērā pea ka tuku atu tēnei, āhua rite ki te kōrero ki a Rangī, engari i kī mai koe ko tētahi āhuatanga o te tuku i te moko kauae ki te wahine, kua rerekē tana tuakiri nē? Ka āhua tipu ia ki tētahi ao anō, ka hiahia whai i te reo, ka hiahia whai i ngā kaupapa Māori, i ērā āhuatanga. Koirā te ia o tō kōrero nē, i muri mai ka rerekē ōna hiahia, ka rerekē ngā huarahi hei
10 whainga māna. Ko te ia o taku pātai, he aha tērā te hononga ki te ao tawhito ana i mua i te taenga mai o te Pākehā, koirā tō kōrero whakamārama atu ki a rātou, ko tērā hononga ki te ao tawhito, ki te ao o
15 **ō rātou kuia i mua i te taenga mai o te Pākehā. Koirā tētahi o ngā tino kōrero i huri ai o rātou whakaaro, i tipu ake i roto i te ao? I might just ask this question to, similar to what I've asked Rangī. You've indicated that the wearing of a moko by a woman, her world changes and desires and passions are driven toward learning about her identity, of the language, of the culture, practises. Perhaps the essence of my question is about the pre-European contact is that understand that you have a perspective. You have is what our female elders thought of as well?**

20 A. Āe, tērā pea e hoki au ki te kōrero a Rangī, āe, ehara – i ngā wā o mua ko ngā kauae katoa e mau ana i te moko, āe. Ina kua ngaro te kauae, āe, he tino āhuatanga rerekē tērā. Nā, i aua wā, kāre mātou i te raru mō te
25 reo me ērā āhuatanga katoa nā te mea ko mātou kē te ao. Nāianeī, he tino rerekē te tāone e noho ana, kore hononga ki te whenua, ki ngā marae, te āhuatanga ki tō mātou taonga o te reo. Ka ako, ka haere ki te kura ki te ako. He tino uaua tērā momo āhuatanga o tērā momo – nā te
30 **mamae pea o te ngākau me te uauatanga ki te ako i te reo, āe. I just want to refer to the comments by Rangī, formally, kauae were common, was natural and the absence of the loss of kauaes is a very unusual situation, and back then we didn't worry about the language or practise because that was natural and normal. But now, it's**

different for us. We have to strive to reclaim, to learn languages, the practises connect with the environment, whenua and the feelings of bereft and the sphere that don't have the language is part of my identity.

5 Q. Pai tonu tērā. Ko te mea nui nei, i puta i a Rangi ētahi o ērā kōrero. Nō reira, tāpiri anō ō kōrero ki ērā. Taku kōrero, pātai whakamutunga. I runga anō i ngā kōrero a Rangi, waiho ki reira, engari i a koe e mahi ana i ō mahi nē, kei roto i te moko kauae ētahi tohu wahine nei i te nuinga e titiro atu ana ki te rūma, ka kite atu i ngā moko kauae i roto i te rūma i

10 tēnei wā. Ki ō whakaaro, kei roto i te moko kauae ētahi tohu, kei te kōrero mōu ake nei, e whakaari mai ana i te mana wahine kauae katoa, te nuinga rānei o ngā moko kauae? **That's satisfactory, thank you. It was an addition to what you've written. My last question, again in reference to what Rangi had to say but while you are doing your work, are there particular symbols or motifs of women. And in your perspective are there particular symbols of moko kauae that distinguish aspects of mana wahine or symbols in general?**

15

A. Pātai uaua tērā, āe. Ina ka kōrero koe mō ngā tohu kei roto i te āhuratanga tō te kauae. Ko ērā āhuratanga nō te taiao, pērā i te koru, te piko, te mangopare. Ehara nō ērā āhuratanga nō mātou anake, engari ki a au nei e hāngai ana te kōrero ki te mana tō te wahine ki a Papatūānuku, Hinetītama, Hineahuone, ā ētahi wā ka huri haere ngā tohu kei roto, kia motuhake mō tērā wahine mō tōna pūkenga, ōna pūkenga mō tōna whakapapa aha rānei. Engari, ki a au nei ko te kauae te tohu kia rite ai te

20 wahine, āhua rite ki te kōrero a Rangi, āe, kia tīmata ai tō wahinetanga, kua tae wahine mai. E rite ana ki te me kī hopu i te ao me kī, ki te mahi i tō mahi, āe kia rangatira te tū. Koirā, ehara i te tamaiti, koirā te rerekētanga pea. E hāngai ana wāku kōrero e pā ana ki te kauae ki tērā momo āhuratanga nō te wahine, kia tū rangatira, nā te mea ōrite koe ki a

25 Papatūānuku. He kōpū, he waka kawē uri ināianeī. Ko te wahine, ki au nei kāore he mea ki tua. Mēnā kei ngaro, ka ngaro katoa tātou. Koirā te tohu o tērā momo mana e rite ana koe ki te kawē i ngā whakatupuranga, ngā rangatira mō āpōpō, ngā moemoeā. Koirā ki a au te tino ngako o te kauae. Ka kawē mai i ērā āhuratanga katoa. **There are many**

30

characteristics of a kauae that's derived from the environment. We have the piko of the frond, the mangopare, the hammerhead shark, symbol of determination. But the expression of the pattern is derived from the environment and it's something that they have designed specifically for them that reflects them and how they feel with the environment. Aspects also of her whakapapa and how her kauae can reflect a woman's transition or journey into new roles, womanhood, adulthood, roles and responsibilities. As she does them well, she is no longer a child. I think that's how I would describe kauae for women. Women are like Papatūānuku and have a womb and bear descendants. Women are the ultimate, if there's no women, there is no one. And the moko kauae is a symbol in which it indicates as a person, as a woman I'm ready for responsibilities and roles.

- 5
- 10
- 15 Q. Ka pai. Ko te mea nui nei, tērā pea te ia o ō kupu, ehara tēnei te pātai, he kōrero mutunga māku. Te kimi i ētahi tohu e whakaari ana i te mana wahine, ana tērā anō te ia o tō kōrero, ko te moko kauae tērā ahakoa he aha ngā tohu ki roto, he aha anō, he mangopare, he koru aha rānei, he manu pea, ahakoa pēhea nei, ko te nohonga o te moko ki te kauae te tohu o mana wahine i roto i tēnei mahi, ō mahi nei, te uhi me te wero, tēnā koe. E mihi ana ki a koe me tō whakautu. **Thank you. This part isn't a question but there are symbols that reflect somebody's moko kauae is derived from the environment. With the symbols that you have mentioned from the environment that you re-affirm that those are the symbols of mana wahinetanga that derive from the environment.**
- 20
- 25

A. Tēnā koe.

JUDGE REEVES:

- E mihi atu ki a koe Christine mō ō kōrero whakamārama nei ki a mātou. E tino pai ana te kōrero. Ko tēnei te wā whakaoti o tēnei. **Thank you, Christine, for your response to our questions. It has been good hearing your presentation today.** We've reached the morning break. So now is the time to thank you for your kōrero and there will be some more questions for you to come and write in.
- 30

CHRISTINE HARVEY:

Ka pai tērā.

JUDGE REEVES:

5 Yes, so you will have more time to consider those matters, but it has been a really interesting session this morning and in fact this whole hearing so far. We have been expanding our...

CHRISTINE HARVEY:

Nei rā te mihi ki a koutou katoa.

JUDGE REEVES:

10 Okay. Kia ora.

WAIATA TAUTOKO

JUDGE REEVES:

Okay, we will be back just after 11.

HEARING ADJOURNS: 10.47 AM

15 **HEARING RESUMES: 11.10 AM**

MS SYKES:

Ma'am while we're waiting to start is there any chance of a brief JC this week? I've just been made aware that there's been a restructuring proposal going on in the Ministry of Women's Affairs which may impact on our funding depending on the length of time that that restructure will take to crystalise and the precise terms of it are known publicly. I understand that that announcement will be on the 4th and 5th of October.

20

I've just received instructions from my claimants who have just been made aware of that, not from this forum either can I say. It was from an independent research unit that in the circumstances they're just worried what's going to happen with our research process if that restructure means that those that are

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funding the process now do not have the same authority as we have been working in collaboration with since, and very effectively for the last six months.

JUDGE REEVES TO MS SYKES:

5 Q. Well we do have time as a matter of making some time I guess in the program if that was an opportunity to discuss impacts on the research program, obviously we are at that point now where those commissions are, well certainly in terms of the Tribunal's program and I guess the joint rōpū as well. So –

10 A. I'm here until tomorrow. I don't if the Crown's aware of it because it should have been made known to us last week in the funding case. So I'm not too sure, I've just been made aware of it or my – through my claimants so we might need time to get instructions.

15 Q. Yes, so we could plan to have something discussion tomorrow. We do have a reasonably full program tomorrow. I wouldn't like to have that kōrero today, I just want to make sure that everybody has had an opportunity to inform themselves as to what the situation is and I would ask Ms Sykes that you have a kōrero with Crown counsel just to clarify what your concerns are so they're in a position to be able to respond, JC, and it might be useful if someone's able to file a memorandum for the
20 Tribunal prior to a JC.

25 So if that kōrero could happen and maybe we could have some engagement with our staff around identifying a time and Ms Roughton is the keeper of the timetable, also when we might be able to fit that in, there might need to be some discussion amongst counsel in terms of time that's been allotted to witnesses and so on and so forth.

30 So could somebody give us an update maybe first thing tomorrow morning? When you've had a chance to have that kōrero?

A. I'll try and get a memo. I don't normally do them but the joint memos are normally Ms Roughton and Ms Coates but I will try and get something through them.

Q. Okay. All right. So we'll leave it at that and we'll wait to hear.

MS TUKAPUA:

I can seek instructions Ma'am as well and we can file something or look to file something...

JUDGE REEVES:

5 All right, that would be great. So if we're able to have some information just even outlining what the issues are so that we can be – just have an idea of what it is prior to conference that would be appreciated but if not just be in a position to tell us what the issues are at the time. Okay, anything else before we recommence? All right.

10

MR RUREHE CALLS

Kia ora anō tātou, kua waimarie anō tātou i tēnei wahine i runga anō i ngā tohutohu āu e te Kaiwhakawā kia rongō i ngā reo o te wahine rangatahi kua tōia mai ai tēneki. He tātai whakapaparanga ōna ki a Hine-Ngākau otirā ki ngā wai ariki o Ngatoroirangi. Ko Te Rua Warahi tēnei, ko taku makau nō reira āe.

15 **Greetings again, we again are very fortunate this morning to hear from a young female today who's able to present to us some information. This is Te Rua Wallace, my better half.** She intends to have taken her brief as read, the appellations is #A151 on their record of inquiry and she will speak largely to

20 her view of te mana o te wāhine from a rangatahi perspective. Kia ora tātou.

(11:15) TE RUA WALLACE: (#A151)

Ka pai tēnā rā tātou. Ko wai tēnei? Ko ngā wai karekare o te Rotorua-nui-a-Kahumatamomoe. Ko Taupō-nui-a-Tia, ko te awa tupua o Whanganui. Ko ngā maunga o Ngongotahā, o Tongariro, o Ruapehu tēnei. Ko

25 Te Rua Wallace tōku ingoa. I runga i ngā kōrero o te ata nei me te kore āhei o te whakapākehā i ngā kōrero kei te reo Māori, kei te whakaaro ake ahau kia whakawahangia tērā wāhanga o taku kōrero kia mārama pai koutou ki wērā, kātahi ka huri pea ki ngā pātai, pēnā he pātai wā koutou. Pai ake ki ahau te noho a-wānanga, āhua rerekē tēnei momo whakaritenga nā reira āe ka pai ake

30 pea pēnā āe, he wānanga kē ngā kōrero ka puta i te ata nei. **Kia ora. Who is this? I'm from the lakes of Rotorua and the waters of Taupo and from the river of Whanganui. I am Te Rua Wallace. Apologise with not submitting**

an English translation for you, I may cover that in my presentation this morning and follow with questions. I am pleased that we can gather together in a forum and just exchange ideas, share thoughts this morning.

5 Nā reira he whāngai ahau, i whāngai ahau ki ōku kaumātua, ko au te mātāmua o tōku whānau. Engari i mua i taku taenga mai, i whāngai ahau i runga i te kaha tonotono o tōku koroua ki wāna tamariki kia hoatu tētahi mokopuna ki a ia, ki a rāua ko taku kuia hei whakatipu mā rāua i runga i tana aroha ki te tamaiti, i runga hoki i tā rāua hiahia ki te whakatipu ngātahi i tētahi tamaiti. Nā te mea
10 kāore rāua i whānau pēpi nā te mea he karanga tahi rāua. He rite te whakapapa nā reira kāre ngā mātua i whakaāe kia whakawhānau tamaiti nā reira ko te whāngai o te mokopuna kē. I te wā i piritahi rāua āhua pakeke ake kē nā reira i piritahi me a rāua ake tamaiti mai wētahi atu hononga. **So I am raised by my grandparents, I’m the oldest of my family. Prior to I was – I was born I was
15 insisted upon by my grand-father to be given a baby to raise and he asked one of his children to do that and he wanted to be able to raise somebody. My grandparents did not have their own children, they were first-cousins and their parents were against them having children and so they raised other children, tamariki whāngai. Those from other close connections for
20 them.**

Ā, ka hipa te wā, ka kaha amuamu taku koroua i runga i te mea ka tae mai wētahi mokopuna engari ka kaha hotuhotu i ngā matua kia noho noa te tamaiti ki ngā mātua kia kaua e haere ki te taha o aku kaumātua. I runga i te hōhā o
25 taku mama i tētahi pō, e haurangi ana rātou katoa, ā, ka kī atu taku mama “turituri papa, kia whānau mai taku tamaiti, kia hapū ahau ka hoatu i tērā tamaiti ki a koe hei whakatipu”. Ka hipa te wā ka kōpū tōku whaea, ka ngana ia ki te huna i tērā mai tōku koroua i runga i te mōhio ki tērā kōrero i waenga i a rāua. Kare rāua i paku kōrero mō tērā tae noa ki taku whānautanga mai. Ka whānau
30 mai ahau ki te whare o ōku kaumātua ki tā rāua moenga hoki, ā, koirā tērā. Ka noho ahau ki reira, ka wehe tōku mama. **He was – my grandfather was pretty determined to have a child to raise and my mother succumbed to his pestering, slightly – and considered that when she fell pregnant or when she fell pregnant that she can have this child. And my mother tried to**

obscure her puku size from her father because she was very aware of the promise that she made to him. So I was born at the home of my grandparents and that was that.

5 Kātahi ka tapaina ahau ki te ingoa Te Rua, ko ahau te Te Rua tuatoru o tōku whānau, ā, ko taku kuia, te kuia nāna au i whakatipu, ko ia te Te Rua tuarua, ā, ko tōna kuia ko te Te Rua tuatahi. **And then I was given the name or I was named Te Rua and I'm the third Te Rua of my whānau. My kuia is another Te Rua, the one that raised me and then also her kuia was the first Te Rua.**

10

Koirā ki taku maumahara koirā te nuinga o ngā kōrero kei te reo Māori i roto i taku tuhinga, ka waiho pea ki reira. Pēnā he pātai wā koutou, tukuna mai. **This is what I can recall from my evidence that's in te reo. I can leave that there and then continue. Please ask any questions if you have any.**

15 **(11:19) DR RUAKERE HOND TO TE RUA WALLACE:**

Q. Tēnā koe e Te Rua III, he rerekē tērā kōrero Te Rua te tuatoru engari he pai tērā whakamārama i tō ahunga mai ki te ao me ngā kumekume i roto i te whānau mā wai koe e tiaki. Ehara i te mea mōu tērā aronga engari te āhua o te whakapapa o te whānau o tō koroua, otirā tō whaea, nō reira

20 mihi ana. Tētahi o ngā momo kōrero kua roa e huri ana i roto i a au me te mea i puta inanahi mō te āhua o te whāngai. Mehemea he whakaaro ōu mō tama wahine e whāngai ana e tō tauheke, ka kōrero mō tō kuia engari i roto i tō tuhinga ko tō koro kē. He aha tērā āhua nei o mana wahine e whāngai ana e tō tauheke? He mea tērā, he aha rānei? **Thank you**

25 **Te Rua III. It's different from saying the third Te Rua, it's helpful to have your explanation of where you came from and who raised you and it wasn't something decided by yourself but something that was arranged amongst the whānau and in particular your grandfather and your mother. There's one thing that has captured me for a while**

30 **is the aspect of whāngai or being raised by others. Do you have any thoughts about being a whāngai, a young whāngai girl being raised by a kuia, by a grandmother?**

A. Tēnā kua whakamārama mai anō i tō pātai? **Please explain your question again?**

Q. Kei te pai, ko te mea nei e pīrangi ana au ki ō whakaaro o tō tupuranga. I tipu ake koe i te taha o tō koro, nē, i roto i tō tuhinga kāre i kaha kōrero
 5 mō tō kuia, engari ko tō koro – ko te pāpā o tō whāea, nē? Nō reira he aha tērā āhua o wahine nei, whakatipuria ana e te kaumātua? **I was just wanting to know your view of the way in which you were raised, being raised with your koro. In your evidence, you didn't say too much about your grandmother, but also your grandfather. Is there**
 10 **an aspect that made him special in terms of raising you?**

A. I reira taku kuia engari ko te tono nui mai i tōku koroua, and ko taku māmā tērā. Āe te hoatu – ki au nei ko te mana i roto i tērā, te mana o te wahine kei roto i te hoatu o taku whaea ki ōna pakeke i runga i te mōhio ka pai ake taku whakatipuranga. Kei reira ngā āheinga, ngā mātauranga tē taea
 15 e ia te homai ki ahau, engari e taea ana ōna mātua te homai ki ahau. Engari, āe, i reira taku kuia, engari ko taku koroua te mea ngākau nui, te mea nui te aroha. Ko taku kuia he whaiwhai noa i ngā – me te hiahia o taku koroua me kī, āe. Ka whakautu tērā i tō pātai? **My grandmother was there but my grandfather was one that was persistent. For me, the expression of the woman's authority is my mother, determining this pathway to give her child to her parents, her view being that the opportunities and learning and growing up with that, yes, I would receive something that the mother wouldn't have been able to give her. My grandmother was very much supportive of what my grandfather wanted but typically was determined by my mother.**
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 25

Q. Ko te pātai tuarua i whai i tērā. He pēhea nei tō nohonga ki te taha o tō whāea ake, nē? I āta wehe atu ia i roto i tō ao, i noho rānei i roto i tō ao pēnei tonu ko ia tonu tō whaea tonu. Koirā te tauira o te wahinetanga i tō tipuranga? **The second question is about how you lived with your mother, the relationship with you, and your mother, did she live somewhere else, or she was the role model for you?**
 30

A. Āe, i noho tonu tōku whaea ake ki tōku ao, i tipu ake me te mōhio ko Nan, ko Koro a māmā, me pāpā, engari kei reira hoki taku whāea, waku tuahine, waku teina, āe, he whānau anō, he tauira anō te wahine, āe.

Engari i mōhio pū kei reira rātou, engari ko Nan, ko Koro a māmā, a pāpā hoki. **Yes, my mother was very much a part of my life. I was very clear about who was Nan, and Grandad and who was mother and father, and who were my siblings. It was another example of relationships, but I was very clear on who everybody was, and was very harmonious.**

5

Q. Ko tētahi o ngā tino kōrero i roto i ō tuhinga, mihi ana ki tō tuitui i ō kōrero ki ngā mea i pā mai ki a koe, mō te matenga o te kaiako o te kapa, he nui ngā mea e hāngai ki a koe tonu. Engari hei tūāpapa i ērā kōrero and ki a au nei he ātaahua tēnei kōrero, ko tō kaha tuitui i a Hineahuone, i a Hinetītama, i a Hinenuitepō, pēnei nei tonu i whai take ērā kōrero o mua ki tō ao o nāianeī. Nō reira e pīrangi ana au kia – ko te ia o taku pātai, nō hea mai tērā? Nā wai tērā kōrero i tuku ki a koe, nāu anō i waihanga tērā momo kōrero, nā tētahi rānei i hoatu ki a koe, nā tō koro, nā tō whaea, a wai atu rānei? **I think I identified in your evidence is your experiences of things to you, the loss of a tutor, and that experience, but how you explained those particular examples to the connections of those ancestresses, Hineahuone, Hinetītama, and Hinenuitepō. For me, this question relates to who instilled this thinking in you to explain yourself through these ancestresses.**

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15

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A. I taku whānau mai, taku whakatipuranga ki te taha o aku kaumātua, nō te ao i patua mō te kōrero i te reo Māori, nā reira koirā tā rātou tino hiahia mōku kia tipu ao Māori, tamaiti Māori, reo Māori mai. Nā reira, ko au tērā i haere ki te kōhanga reo, i haere ki te Kura Kaupapa Māori, ki reira au ako ai ki ērā atua. Ki reira au poipoi ai ki roto i tō tātou ao Māori. Ki ngā tipuna kei ngā pakitara o te whare nei. Koirā wā mātou Hinarera, wā mātou kīngi, ngā kuini, āe, ko ngā tūpuna o konei. Nā tērā ka mōhio, āe, ki ēnei atua Māori me te mōhio ki ērā ki ngā atua Māori or ki te hāngai ki tēnei kaupapa ki ngā atua wāhine me wā rātou mana. **I was raised with my grandparents, so I was exposed and lived and believed in the values and beliefs that they had. I was raised in kōhanga. I was raised in kura, and I was exposed to that sort of learning. That was everything that was a part of that educational journey and it's from all those different experiences, learning experiences that I could**

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30

explain myself in that way. So, the female goddesses mentioned in my evidence.

5 Kei roto i waku kōrero, ka tae ki ētahi wā o tōku ao ngā wā āmaimai, ngā
wā taumaha, ka pātai me aha ahau kia whakaora anō i ahau anō. Kei hea
te huarahi kia puta i tēnei kapua pōuri? He aha rā tērā? Nā taku
whakatipuranga i roto i te kōhanga reo, i roto i te kura kaupapa Māori me
te whāngai mai o taua mātauranga Māori taku āheinga ki te tiro ki tōku
ake ao me te mōhio ki ngā atua e hāngai ana ki ērā momo take. Ki te
10 mate, ko Hinenuitepō. Ki te hangaia tamaiti, ko Hinetītama, āe. Nā reira
nā tērā, nā taku whakatipuranga i roto i tō tātou ao Māori e āhei ana te
kite i tērā hononga i waenga i ngā atua Māori me ngā wā o tōku ao e pā
mai ana te pai me ngā wā taumaha hoki. **In times when I'm feeling low
or needing to resolve matters, I consider where I can draw my
15 energy and strength from and reflect on the kōhanga, reflect on
going to kura and what I'd learnt with my grandparents and just
being able to explain the cosmos or the world, Māori world in which
I was raised. So, drawing on Hinenuitepō, and the creation of the
child through Hinetītama, Hinetītama being the example, the model.
20 So, it was very easy to be able to synthesise the traditional world
and kōrero and how I think and do today.**

Q. Ko te ia i ō tuhinga kāre au e mōhio mehemea koinei tō whakaaro i te wā
i tuhia engari nō te hapūtanga, nō te matenga o te kaiako, nō te hokinga
mai, te noho ki roto i ngā mate huhua, tokotoru pea i hinga i tērā wā, tāu
25 e kōrero nā. He pēnei, i mārama koe ki ēnei kōrero o Hinetītama, o
Hinenuitepō, o Hineahuone, i mua, engari koirā te wā i āta mārama koe
ki tērā kōrero? Nō reira he akoranga i mua, katahi anō ko ngā wheako i
mārama ai koe? **I'm not too sure whether this was what you were
thinking when you were writing, but from the hapūtanga and the
30 passing of the tutor in Rarotonga. You would have been familiar with
the kōrero, stories of Hineahuone, Hinetītama, Hinenuitepō, but
through writing your evidence.**

A. Tika tērā, āe. He mōhio pū ki ērā atua, ki ngā mana o wērā wāhine. Engari
kāre i te tino mōhio ai kia kite au, kia rongō au i tērā mana. Kua hapū

ahau, e kōpū ana ahau, well kei te rongō au i te mana, āe, ki ngā mahi i Kurawaka o Hinētītama hoki. Ka mate te whaea ka hoki mai he nui anō ngā mate kei te kite, kei te rongō i te mana o Hinenuitepō and kei konei ahau e noho ana ki roto i ngā realms, me kī, o te tokotoru rā, me te mōhio au, anei a ora, anei a mate, koirā te mana o ēnei atua. Koirā te mana o te wahine. **it's apparent the application of their mana was an opportunity in this evidence and through that from my own experience, yes, and see their relevance to how I might explain myself. Here I am we're living in the realms of the living, or darkness and this is just how we are.**

Q. Ko te kōrero whakamutunga he pātai kia whakaaro atu koe, kāre i a koe ērā kōrero o Hinenuitepō, o Hineahuone, Hinētītama, pēhea tō ao ki te kore koe e mōhio ki ērā kōrero tawhito? Mehemea ka ngaro ērā mātauranga, ērā akoranga i a koe e tamariki ana, he pēhea o whakaaro, tō ao ki te kore rātou i reira, me ērā kōrero i reira? **One final comment I have is the consideration, if you didn't have any knowledge about the traditional stories, practises, knowledge about Hineahuone, Hinētītama and Hinenuitepō, how would your world be?**

A. He pātai pai, kua hē katoa te ao. Kua huri pea kē ahau ki ngā pire hei āwhina i te roro kia pai anō, kua huri kē ki ngā tākuta Pākehā, āe, ki ērā tūmomo -- ngā āwhinatanga o te ao Pākehā pea me kī. Āe, engari i runga i tērā whakatipuranga i roto i te ao Māori te mōhio ko wai ahau, nō hea ahau, ko wai ōku atua, ko wai ngā mana wāhine o te ao Māori he āheinga ki te whakaora i ahau anō me te mōhio ehara i te mea matakū, ehara i te mea nō ao kē, engari ko te mate te mate, ko te ora te ora. Anei ngā tauratanga o tērā ki tō mātou – tō tātou ao Māori. Nā reira kei te pai, kei te pai noa. **That's a good question, be totally confused. I'd be totally mixed up to how I should be. I would turn to Pākehā ways and other non-Māori ways to find out who I am and where I'm from and I found out that I can, having been raised in the way which I am that the knowledge that I have gained are examples that I can use, and that I can apply in my life today.**

Q. Ka aroha. Ko te pātai whakamutunga, nā ērā wheako kua puta mai he whakaaro ki a koe he aha ngā akoranga matua nei ki tō tamaiti,

wahine/tāne rānei, anā, ko tō tamaiti ka puta i a koe, pēnei te mahi o te whāea o te tuku, me pāpā, e tuku i ngā kōrero ki ngā whakatipuranga i ngā kōrero, tērā pea e kore e kitea i te pukapuka, e kore e kitea i wāhi kē engari kei roto kē i te tupuranga o te tangata. Kei te kimi au i te tūranga o te whaea, te tūranga o te wahine ki te whāngai i ngā kōrero, ngā māramatanga ki tērā whakatipuranga, ki tērā whakatipuranga. He whakaaro ōu ki tērā? Ko te tūranga o whaea ki te whāngai i ērā kōrero ki te whakatipuranga whai muri. **This last question, expressions, what are the main lessons for your children in terms of a relation of a mother giving their child. This is surely something to be normal but the raising of a child, the role, the position of a mother. I have a perspective of how mother may explain that to her children. Not necessarily something to be normal but the raising of a child, the role, the position of the mother. I have a perspective of how a mother may explain that to her children.**

A. Ko tōku whakaaro ki tērā – ko tētahi, mā te waiū tērā, tētahi āhuatanga ahakoa he mea kei te kite engari he mea wairua hoki ka puta i tērā wā e whāngai ana i tō tamaiti engari kia huri ngā kōrero, kei te wānanga māua, mātou ko ā māua whānau i tēnei wā ki tēnei mea te whāngai pēnā ka pērā hoki māua ki tēnei tamaiti, he whāngai ki ngā mātua o Te Maiora i runga i te mōhio ki te hua pai kua puta mōku, mō Te Maiora hoki, he momo whāngai ia ki ōna pakeke. Āe. **I think that one response is a physiological one, it's through breastfeeding and the connection through the wairua, the spirits bonding. To add to this, we, as a family, have been talking about raising a child by whāngai and we have talked about who may do that in our family and discussing the benefits of whāngai. This is**

Q. He wāhanga nui tērā hei tirohanga mā mātou, ko tērā āhuatanga o te tikanga o te whāngai. Kia ora mai i te tuku tērā kōrero, kāore i āta kitea tērā momo whakaaro i tō tuhinga engari tērā anō pea kei ētahi tuhinga, ka tuku atu ki a koe kia whakawhānui he aha te take i whakatauhia, ka whakatauhia rānei te āhua o te tuku hei whāngai me o kōrua whakaaro mō te rapu – mehemea ka tae mai he whāngai ki a kōrua, he aha tērā āhuatanga. Āe, ngā mihi rā mō te pai o te kōrero, mārama, hāngai pū

tonu ki tā mātou e kimi nei. **This is a real broad area to discuss issues about whāngai. I might request that you provide a little bit more information about whāngai to give us some further explanation about that. Thank you for your presentation and clarity and the meaningfulness of it.**

(11:32) JUDGE REEVES TO TE RUA WALLACE:

Q. Tēnā koe. It was the observation of the panel that during the course of the inquiry so far in the tūāpapa hearings that we had not heard from many wahine rangatahi so I'm very thankful to have this perspective from you on the matters that you have addressed in your brief of evidence and while I am tempted to ask you on your perspective on perhaps some of the matters that we had discussed even this morning, were you here for the discussion on moko kauae for instance – I will ask you that question then. So, there's two pātai I want to ask you. So firstly, there's one about what do you see as the attitude of rangatahi wahine to moko kauae and perhaps the receiving or the taking of moko kauae and the processes and the thoughts and the consultations perhaps in whānau that would be involved in that kind of decision making, so that is the first question I want to ask you and the second question, you can maybe be thinking about this is, as a rangatahi, what would be your aspirations and what you would be looking for from this process, from this inquiry in terms of outcomes, recommendations or actions that you as a rangatahi would want to be seen as result.

A. Ka pai, tēnā koe mō o pātai. Tō pātai tuatahi, i tupu au i roto i te kohanga reo, i te kura kaupapa nā reira i kaha kite i te moko kauae ki ōku pakeke, ki ōku kuia, ki te whakaaro ake ki ōku hoa, te nuinga o rātou e mau moko ana. He mea hīkaka, he mea harikoa i waenga i ōku hoa te whai moko kauae. He wānanga ka puta i waenga i te whānau, i a mātou hoki ngā hoa. He kōrero ki ngā whaea, ko te nuinga o ōku hoa i whai i wā rātou moko kauae whai muri i te mokotanga o ā rātou māmā, o ā rātou kuia rānei. Mō ngā māmā he whakatuwhera pea i tērā ara kia pai ai te taha wairua mō te whai moko mō ā rātou tamāhine, mō aku hoa engari he mea harikoa, it's positive, he mea e kaha āki ana i waenga i a mātou kia whai

moko kauae. Kāore mō te whakaiti i te tangata, pēnā he iti tana reo Māori. Ko te mea nui i waenga i a mātou ko tērā, hoki anō ki ngā mahi o ngā tupuna. Te whakarauora anō i tērā mahi nā te mea, āe, he Māori katoa tōku ao i tōku tipuranga. Reo Māori ao te pō, pō te ao, nā reira he mea harikoa, he mea me whāia e mātou. **Thank you for your questions. I grew up in kohanga reo and the reference, moko kauae was very much a part of the lives of my grandparents and that generation. It was exciting, it was quite a thrill for my friends to be recipients – be able to wear moko. For most of my friends, they received their moko after their mother had or their grandmother, grand-aunties had received theirs. It was like their mothers opened the doors for them to be able to receive the moko, it was a spiritual enactment that they go first. Amongst us it's a positive quality, it's nothing belittle people despite only having small or little bit of te reo, it's something from our ancestors and something to revitalise. My whole world is Māori, the language in the day, in the night, everything is Māori. For us all, it's something we should seek out.**

Q. So just referring again to some of the kōrero that Rangi gave us this morning around some of the politics of particularly moko kauae and what appears or what we sometimes observe as pre-requisites I guess to women feeling that they are in a position, personally, to take moko kauae. What is your view of that kind of kōrero?

A. Kei te tautoko. Kei te tautoko ahau i te mana o te wahine Māori ki te whai moko kauae, ko tō whakapapa Māori tērā e whakaae, e kīia ai āe, e taea ana koe te mau moko engari te whāea i kōrero inanahi mō tana karanga, i kōrero kē ia mō te mana o te marae, o te whānau, nā reira ki a au nei, tuatahi ake me Māori, tuarua, ko tērā whakaaetanga me tērā mana mai i tō marae, mai i tō whānau kia whāia e koe i ngā mahi o Rarohenga. **Yes I support that Māori women have that choice that can make that decision in which to wear a moko. Talk that was mentioned yesterday in doing the karanga on the marae, the mana that was described yesterday that it needs to come from your whānau in order to be able to do the karanga but in order to do anything.**

Q. Okay. Maybe just to wrap up the kōrero is just to ask you, as I signalled, what your aspirations or expectations might be around this process that we're in now, the mana wahine kaupapa inquiry. What would you like to see come out of it?

5 A. Kia puta ēnei kōrero ki ngā rangatahi, kei te mōhio noa au ki tēnei nā te mea kei konei taku tāne engari kāore pea te nuinga o aku hoa e mōhio ana ki tēnei nā reira me puta tēnei ki ngā kura, ki runga i te Paeāhua kia mōhio rātou he aha ngā kōrero kua puta mai, he aha ngā wānanga kua puta mai, kia tīmata hoki pea wēnei wānanga ki ngā kura, ki ngā kāinga i
10 waenga i ngā whānau, ngā kaiako, kia whakatū pea he wānanga – he aha te mana o te wahine? Kia puta mai wērā kōrero mai i ngā rangatahi, kia tāpirihia wērā ki ēnei kōrero. Āe, koirā tāku e wawata ana mō tēnei kaupapa. **I'd like to see this, the report or this information to be shared with the young people. A lot of my friends don't know about this hearing, the information that's being shared here. I think it's important that they learn about what is being shared in these forums so that they can begin to share and discuss these matters in the kura, in the kohanga, things like where does mana wahine come from and the origins of that and be assisted by the kōrero of these hearings.**
15
20

Q. Tēnā koe mō o kōrero ki a mātou i tēnei wā. Pai ana te kōrero. Thank you very much and we appreciate your coming and giving us that perspective. **Thank you for your presentation, we've enjoyed your kōrero.**

MR RUREHE:

25 Hei whakakapi i ngā kōrero. Kua hiahia a Te Rua ki te waiata i tētahi waiata heoi anō hei whāki atu ētahi kōrero, i roto i ōku ekenga katoa, ko ia te mea whakawhenua i ahau, ko ia te mea poroporo i ōku raho kia mōhio ai ahau he tangata noa, koirā ki ahau tōna mana. **Just to conclude this part Te Rua wants to sing a song. Of all the things that the journey her and I are on, she's the one that keeps my feet on the ground and keeps me in check.**
30

WAIATA TAUTOKO

MS SYKES:

Ma'am and that's our witnesses for the week and I will move to the back with your leave and whoever is next they care welcome to take my place, kia ora.

5 MS MASON CALLS

Tēnā koe Tribunal. The next lot of witnesses for the rest of today and part of tomorrow are for the claim of Ms Jane Ruka the Waitaha grandmother counsel and that is 1940. Ms Ruka will be followed by Ms Aroha Rickus who may have a whānau member Mr Iohangawai Te Pahi Thompson speak for five minutes
10 about his mother, so that may occur after this, but the witnesses will just give their evidence without further introductions from counsel if that's appropriate your Honour. So, Ms Wilson to start with.

(11:42) JANE MIHINGARANGI RUKA: (#A135)

Tēnā koutou, tēnā koe e te tumuaki o Te Kōti. Tēnā koutou ngā mātauranga e
15 awhi atu tēnei kōrero. Ko Jane Mihingarangi Ruka tōku nei ingoa. Ko Waitaha, Hokianga, Ngā Puhī, Ngāi Te Rangi, Waitaha, Tai-ō-Poutini, **(Māori 11:43:41)**. Ngā waka Ngātokimatawhaorua, Māmari me Uruao. Ngā maunga, Puhanga Tohorā, Maunganui, Rongo, Ororua. Ngā iwi ko Waitaha. Ka heke atu tātou ki ngā tūpuna ka piri atu te taha ka heke atu ki ngā atua tuatahi, Papatūānuku,
20 Ranginui, Rongomaraeroa, Hineahuone, ko rātou ērā. Ko waiho he kōrero mō Mana Wahine.

Tēnei te āhuetanga, he tangi hotuhotu ngā whakapapa mō mana wahine. Kua haere kē tērā iwi mana wahine. Kei hea rātou e tuku atu te oranga mō ngā
25 waihotanga o mātou mā i runga tēnei whenua o Aotearoa. Tangi atu te aroha mō tēnei mana wahine. Kua haere kē te whakapapa mana wahine. Mā wai e mauria mai te whānautanga i roto te reo o tōku nei ngākau, te ngākau o tōku nei whaea tupuna. Te katoa o wērā wāhi, Hokianga, Ngāi Te Rangi, Tai o Poutini. Kei hea ōku nei tupuna mana wahine? E tū atu ēnei mana wahine ki te
30 kaikōrero. E mōhio ana te kaikōrero, kua rerekē tēnei ao, engari te ngākau pono o tēnei kōrero ki a koutou mā, e kore e mutu te tae o tātou ki te mana wahine tūturu pea. Ka huri atu ki te āhuetanga o ngā whaea tupuna. Ki ngā whaea, ōku nei whaea wēnei. Ngā Atua whaea, nāku wērā whakapapa. Ka hau atu ahau i

roto i te ngahere o tōku nei Māmā, ka puta atu ka mao te rā i roto tērā ngahere. Ka kite atu ahau, kōtiro noa iho, tēnei āhuetanga e puta ana ki a au i waenganui i ngā tupurangatia o te ngāhere. Ka puta atu tēnei huarahi o te rā, ka kōrero atu ahau ki tōku nei Māmā. He aha tērā e Māmā? Kei hea tērā āhuetanga e pā ana

5 ki a tātou? Ka kōrero mai ia, ko Ārohirohi tēnā, ko tō tupuna whare tērā e puta ana ki a tātou. Ka huri atu ahau. **Greetings, greetings to you the Judge and the expert assisting this process. My name is Jane Mihingarangi Ruka, Hokianga, Ngāpuhi, Ngāi Te Rangi, Te Tai-ō-Poutini. Ngā waka, Ngatokimatawhaorua, Māmari, Uruao. And from the mountains, Pūhanga**

10 **Tohorā, Maunganui, Ororua. Waitaha Nation. Descend from these goddesses. We descend from those goddesses. They bequeath mana wahine and grieve for our connection to mana wahine which disappeared amongst us. It's been hard to re-affirm a position of mana wahine and we grieve for that loss, our status and the legacy of mana wahine.**

15 **What brought that about? It's in the language of all my ancestresses of Hokianga, Ngāi Te Rangi, Tai o Poutini and I ask, where are they? I have to represent them. As the presenter I know things are quite different these days, but I have firm belief that the distinctiveness of mana wahine has not disappeared. Now we turn to some aspects of our ancestresses to**

20 **discuss mana wahine, discuss some of our ancestresses and this the genealogy I know. After asking a question of my mother about something that she was talking about that I couldn't understand. This is Ārohirohi, this is your ancestress, is in front of us.**

25 As a child, walking amongst the forest with my mother, knowing that I was given an opportunity here from my mother to take me to get blackberries. I had a tin can converted into a bucket. I'm strolling with my mother through the forest and the sunbeams come through the forest and I ask her, that's so beautiful Māmā, what is it? And she answers me, "Ārohirohi is here." And I say to her, "who,

30 what – is that Ārohirohi, yellow in the trees?" And she says to me, "yes, it is." And didn't instruct any further than that. I had to find out for myself later in my life what i considered to be dappled light. She was instructing me was, Ārohirohi, who is a shimmering goddess of light. And to that day that is the most important instruction in my life that I had it in Māori. I didn't understand it was

dappled until I was an adult and this is why mana wahine dose not exist today. We go on through all the Atua wahine. We look at Mahuika and the histories running to hide. And where does she hide? She hides in mahoe.

5 Along come my tupuna and through trial and error they find this wood burns really well and it burns our Atua tupuna wahine, Mahuika. So, where is the leaving for generations to follow that we burnt Mahuika. Luckily for us it regenerates very quickly, but then it breeds up an environment that doesn't care for the forest and along come all the accompanying viruses, specifically one
10 that kills, Mahu Mahoe. There goes another generation of goddesses, gone and we sit, and we listen to all the heartache of mana wahine and we all know the violence perpetrated on us in contemporary life. Did it come down because we lost our atua wahine? I think it might have done, but those are only two examples of where our atua wahine have gone. Tangi atu te reo, tangi atu te
15 hinengaro ka hotuhotu mai te ngākau mō ngā atua wāhine. Ka huri atu te kōrero. **I grieve and mourn of great heartache for the loss of our female goddesses.**

My daughter when she was in her teens. She asked me how many atua there
20 were in Maoridom. I said, "Darling I can't begin to tell you, just thinking of your question brings 53 to mind, male and female." And looking at these atua for this kōrero I came to the conclusion, we started losing mana wahine when we lost our way pre-colonisation, the connection right there. We're not even looking at what we have now, we're looking at the connection point of that. So, the
25 damage to us is established pre-1840 because colonists were here before then. And I give you an example of how I've saved my atua. I was driving to Wellington where I live through to my relatives in Hokianga. I'd left early so that I wouldn't trust myself to the Desert Road, and everybody knows it's just brown there and when you come to Poata at that hour of the day, that's neither day
30 nor light, everything is a little bit fictional.

This particular morning, I was honoured. Hinepukohurangi, no light and no day, dropped off Ruapehu and Tongariro in one white sheet, not floating on the ground, horizontal and moving towards the car in rigidity. I didn't know what I

was looking at until I looked at Ruapehu and it was a blanket and Hinepukohurangi was advancing from there to the road north in one whole sheet and I'm surrounded in brown countryside and this being is advancing towards me and I was blessed in my heritage of this culture, I was aware that I had something that the whole of the world did not because I had applicable names to put there. Hinepukohurangi, the majesty of that moving towards you horizontally for 10 to 12 months with no lighting. Tangi aroha tērā, he tangi aroha tērā. **It's a beautiful day, a rememberable day.**

I'm purposefully speaking with our female Atua because they could become so meaningful and I go next to Ikaroa. Who doesn't look at the night sky? There isn't anybody sitting in this room who hasn't seen the milky way. In the summer night you have our Atua, Ikaroa, and every star formation that's relegated to fish world is visible. Mana wahine stands here, mana wahine is not lost to men who have lost their way, to women who have lost their way. Mana wahine tūturu is a gift of God's and Goddesses to whatever your belief system is. I am fortunate I have a name for my belief system and mana wahine stands there tūturu. Nobody can take that from you, if it's yours, no person can cause you violence and you give it away. Nobody can take your children that you feel as if your world is falling apart, mana wahine is holding what's yours, it doesn't take wars to do that, it just takes for women to hold the mana of who they are.

I have heard some wonderful kōrero of wonderful rangatahi. It's a gift we can give to each other, mana wahine. I give to you a little bit of awkwardness in Whaitiri, Goddess of Thunder, married to Kaitangata, who bred and gave us Māui-Tikitiki. Whaitiri believed in noise, Kaitangata, the name names him as eating people but Whaitiri was another Atua tuatoru here. I leave now with a kōrero for Hine-te-Iwaiwa. I leave the kōrero of Atua with this presence, Atua birthing pre-dating 1840. Where are we with our birthing? Do we have mana wahine here? We have Oranga Tamariki here, stepping back to pre-1840 we had the power of that then.

Moving onto our tupuna whaea. The whakapapa of Waitaha comes from the known waka, Uruao, in this land. Waitaha is matriarchal, every women in

Waitaha knows that she's matriarchal. If she does not, she needs to hurry up and learn about it because people don't let you exist if you don't hold it properly. It's really important to know that Waitaha came on that canoe and I gift you a record of that canoe, it came to the power of Waitaha through **(Māori 12:01:54)**
 5 who was a gentlemen from Rapanui known to the whole world as Easter Island. This is nobodies figment of anybody else's imagination that is the origin of that canoe, it branched and connected to Ngātokimatawhaorua and Māmari and out of that grouping you have Waitaha as it exists in New Zealand today. No questions asked about whakapapa, it's rigid in families. Mana wahine is there
 10 because Waitaha is a natural linear. Matriarchal in its belief system and I give to you the first matriarch in Waitaha, Aotearoa.

Te Waiariki, you will find that **(inaudible 12:03:19)** occur all over New Zealand, in areas, in electoral roles, she just didn't come out nowhere, she came off the
 15 waka. Her father was the captain of Uruao, his son-in-law was her husband. This is a fact in whakapapa, this is not my invention, that is the history of those waka and they were functional as family units before arriving here. Ka huri atu ki te tupuna whaea, Te Waiariki, ka heke atu ki tētahi atu. Mana tūturu. Ka noho atu rātou i roto Ngāpuhi, ka puta ki waho tētahi wahine, tōna ingoa ko Māhuri.
 20 Tēnei te whakapapa o Waitaha ki Hokianga. Ko Māhuri te ingoa o tēnei tupuna whaea, te whare o tēnei hapū i roto Hokianga, ko Māhuri. Tēnā hapū ko Ngāti Pakau, ka tū mai Waitaha ki roto Hokianga, ka tupu mai tātou ngā hekenga. **In Ngāpuhi they have connection to Waitaha through a kuia, Māhuri who bears the name of this ancestress. The hapū in the Hokianga is called**
 25 **Māhuri. Its hapū, Ngāti Pakau. Waitaha was established there at Māhuri and we descend from there.**

Ka rerekē tēnei, ka hoki atu ki Ngāi Te Rangi. Ka whānau, toru atu wēnei kōtiro i Ngāi Te Rangi, ka huri te reo. **Change this and refer to Ngāi Te Rangi.**
 30 **According to Ngāi Te Rangi – I will speak in English.**

I've gone from Hokianga now, mana wahine, and I am now sitting in Ngāi Te Rangi. Ngāi Te Rangi, we have a lady called Heeni Herengawaka. Her name alone should have shown that she was someone of consequent, she

belonged to the marae in the area that is now Maungatapu. Three of those mana wahine had no male siblings so the hapū around them were delighted to share the men folk because they owned the whole of Tauranga Harbour, all of it, Mt Maunganui included, all around that area belonged to this wahine tūturu whānau so the hapū around there, Ngāi Te Ranginui, Whakatōhea, were glad of the opportunity to marry into those three women because it meant they could have land on the seaside.

This particular tupuna whaea of mine was married three times, not for her beauty but for her land value. So, where is the mana wahine in there and what did she get out of the exchange? She had children but then in the post part of her life, Ngāpuhi went down there and one of the men folk was harmed so this tupuna whaea of mine who had already been married twice, had seven children, pregnant with another, was gifted to amend the harms created by Ngāpuhi by being present in their area and becoming heard. So, she was used as a trading item to appease Ngāi Te Rangī. The whakapapa I hold to Hokianga, one of them.

So she has a pregnant Ngāi Te Rangī child being brought up in Hokianga who decides when she's 70, she's going back to Ngāi Te Rangī. She claims the land which Maungatapu is now reaching across out of to meet with Mt Maunganui on the other side and she received it because the whakapapa is there so I'm rabbiting on to you about whakapapa because how could you not exist when all your whakapapa spread out all over Aotearoa, don't anybody, male or female, stand in front of me and tell me I do not exist as Waitaha, I don't accept that kōrero and neither do any of my descendants and that's my mana wahine which I'm not going to give to anybody. Excuse me while I come to an ending of this brief.

I'm going to finish with a kōrero of one of the grandmothers of Waitaha who died and left a kōrero which is heart breaking and I give that kōrero to you without names in the hope that it stays in the panel. This woman was a member of 14 children. They couldn't keep the 14 children because the mother couldn't manage them. We are now very close post-1840. Close enough so I wish to

speak to this regarding this old tupuna. Who then had to take charge of her siblings because Mummy, ran away. Dad worked on the roads and could only afford 13 loaves of bread. So where does the rest of the food come from?

- 5 I hate to say this to you, the 13-year-old daughter was given to the local butcher. I know we're branching into 1840 but this woman has died two years ago and this kōrero exemplifies what happens when you lose mana wahine and mana Atua that can show you there is always a way if the way is not blocked by another culture. These are the consequences of what happens post 1840.
- 10 That a 13 old daughter is given for the cost of a chop or a leg of lamb. She produces six children who are whāngai'd out to the sisters and brothers because they don't want the world to know. This was their fortune.

- I move on now to the last kōrero and we have a similar situation there, pre-
- 15 dating 1840 but the consequences are suffered post-colonisation. This is a Māori whānau in Kahungunu. It's difficult to talk about these things. Even now, years down the road. They were remembering that women were given as taonga, precious to a potential husband. The only problem is the potential husband on the other side of this arrangement was a 50-year-old white man.
- 20 A farmer who had no uri and desperately wanted some before he died. They gave their 15-year-old daughter to this farm manager and owner thinking they were going to get relationship there. He had two children to this 15-year old then he sent her home. She had no further contact with those children and those children had no further contact to their Māori whānau. And those are the
- 25 consequences of losing mana wahine. It isn't anything to be joyful about. It's really far more joyful to remember there are gods out there that even if they don't bring you breakfast, they give your heart the power to stand up and know that one thing is going to get better tomorrow, the fact that you can still walk. You lose your culture, you lose your reo, you lose everything that's precious to
- 30 you post 1840 and those two episodes are the consequences of it and that's only two episodes. Going back in time, we're still carrying forward Oranga Tamariki but you know we're stepping back now to the arohatanga o ngā Atua kia mōhio ngā tamariki kei konei rā tātou, haere mai, tiki mai te oranga. Come

back, come back and find us because we can give you what you require to stand up. Ka huri atu te aroha, tēnā koutou, ka mutu tēnei kōrero.

(12:16) DR ROBYN ANDERSON TO JANE RUKA:

5 Q. Tēnā koe Mrs Ruka, it's Robyn Anderson here. I thought I would start with a question, in the present time and maybe work backwards on some other questions that have been prompted by your brief here. First of all, I mean, the grandmothers of Waitaha seem increasingly prominent, they've been involved in a number of hearings that I've been involved in but I don't know that I know very much about the formation and what prompted you
10 to come together as a council and almost sort of like a political body. Can you give us a bit more background about that?

A. Yes, I can. You ask me about political body, we are not a political body. We actually don't have funding to become a political body but we are grandmothers and I add in here, we aren't just Māori grandmothers, we
15 have a group of Pākehā grandmothers who know what we do and they are supportive of our work. Coming back to its origin, the origin of this claim, not the grandmothers, came about because of the claim in Te Waipounamu that Waitaha had been subsumed and if my mother was walking on this earth at that time and so were other grandmothers so they
20 decided that that shouldn't be allowed to happen. I didn't inherit this work until my mother died and her colleagues of her age but they weren't political, Robyn, they were concerned about where we were in New Zealand because you know the social unrest leading up to 2000. Coming out of 1970 and that's where political life became eminently necessary,
25 the 60's and 70's.

For Māoridom, people started realising we are not this colonising grouping. Holding on by their fingernails and I have the deepest gratitude to them for their potential, radical thoughts when in actual fact, they're
30 saving our culture. We have this wonderful end result of this young lady just before me who's been through kohanga reo, it all relates to your question of why the grandmothers were formed. It became this element

in the Tribunal because people said we don't exist and we all disagreed with that as you've heard me say many times. I breathe so I exist.

5 We are not political, we are people defending our lifestyle and they really
require defending even now, in fact more to the point now, because so
many legislations are changing, and not to our benefit I might say, never
ever to our benefit. It's always 10 years behind on the Māori's
misappropriation. You've allowed me to speak about political issues. I
personally keep abreast of what's going on politically. Because not only
10 do we have to worry about our whānau, because many of them are
dysfunctional. Some of our grannies spend half our lives in the courts,
and then the other half trying to find the children to bring them out of
addictions. That's not where we were looking at Hinepukohurangi coming
out in such a huge array of strength. That's nowhere near that side. That's
15 a long way away from there and mana wahine is nowhere near there.

Q. So, what would you like to see as the outcome of your participation in this
process and as the process or of this process as a whole?

A. This process for mana wahine, first and foremost, I would like you to be
hearing perhaps in the next session that series that you have is really
crucial that you look at Oranga Tamariki because we lose the children,
20 we've lost the adult and it is abysmal out there Robin. We know because
we participate to care for the mothers who are chasing after children. I'm
not saying that mothers are sometimes not party to the loss. I'm just
saying the loss is created, the awareness, they have to do something to
25 get their children back. Mana wahine really is nowhere without children.

So, ask me where to go from here? Go to, please help our children, but
help effectively, preferably with Māori's administrating that help. It's no
use, the years that have just gone by have show the deficit of non-Maoris
30 providing for Māori communities, but on the other hand, they have huge
organisations of Māoridom who are really, really, moving along providing
the care in a Māori way. Everything relative to Māori should have a Māori
source and that includes new legislation, not waiting until it's in place and
then asking you to come and co-ordinate and co-operate. And consulate

is the magic word. We need to have a system covering itself alongside what you know, I'm only recruiting Robyn. It's a waste of your time for me to tell you. My requirement is that the mana wahine have their children, but not in an airy-fairy manner. In a manner that works from the households that are deficit of children and how will you do that? it's taken

5

Q. That was quite a political answer for a non-political –

A. I've been driven to finding solutions politically because to understand the lack you need to understand the cause and probably five years it's taken to understand the cause and it really is legislation. It's the parliamentary ownership of New Zealand and that's politically because you asked me. Thank you for asking me so that I could voice this opinion, but that awareness only came from walking towards you and trying to understand why we never get anywhere, and why all our submissions to the Tribunal go into the panels and then the recommendations are made, and from there on, it's a lucky-dip box in Parliament. You get drawn out of a little box if you're lucky. So, why – what good are we doing submitting endlessly year after year if it ends up in a lucky dip box in parliamentary choose – and how long does it take for your bit of paper to be drawn out of the box? It may never get drawn out and mana wahine has taken 30 years for me to sit opposite you Robyn. That's 30 years gone from the point of where it was initiated that we required to be heard. It's a long time away from where it started. I'm glad to be sitting opposite you but where are you going to take it, I'd like to know. Not another 30 years please.

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Q. That's not really a question I can answer though I might like to. Maybe moving back in time to some of the substance of your submission. I myself am very interested in these very early marriages between the very first Pākehā that arrived in Aotearoa and Māori women and you have talked – given us some examples but I wonder if you could give us an overview of what you think – do you think there was a power balance there that was lost later on and what each side was getting from those relationships and also what happened to the children of those relationships?

30

- A. I am the end product of one of those relationships. So, standing before you is the result of that. But on the other hand, going back to your original sentence, was there a power balance? Yes, there was and it was because there weren't as many colonisers in the country as there were Māori. So, and also of which Māori owned the whenua. So, that the incoming colonists, luckily for my resulted colonist background, that particular tupuna was a trader. So, because Māoris realised that this is a way of moving forward, he was welcome all over the north, on the east coast and west. So, I'm the end product of probably five different families. So, there was the balance there where the incoming colonists had to have something really good in order to get – this is coming back to the idealism of culture that a woman of taonga tuku iho, woman, a puhi if you like, was a marketable trade to gain for the iwi. They got this white person, got a ranking Māori lady with land and that was his benefit. On the Māori side, they got a white man who understood how to trade with what was coming up afterwards. So, those particular bunch of Māori were fortunate because everything else he did thereafter belonged to them in kind. But then he also registered possession of some land. So, it was very strange robbery really.
- 20 Q. It occurs to me that one thing that we do not acknowledge in those early relationships is that the women are helping those men negotiate the landscape and the Atua and helping them to avoid violations of tapu. Do you have a comment on that?
- A. It's one sided. Your understanding of tapu is not going to be the potential partner's idea of tapu. So, already you're shifting peridium's. So, why would you expect him to understand your thoughts of tapu. It's the same manner in which the 50-year-old man didn't understand the value of this 15-year-old child. You really – it's the same situation of two cultures not understanding each other, so both of them losing mana. And mana is something you lose very easily.
- 30 Q. All right, and my last question going further back in time is you have got some discussion about marriages between victorious tribes and women of the defeated tribe, and for me it as a feminist, I struggle with that notion because that to me suggests that there was a sort of a patriarchy at work

that it should be that way around. But is there a different explanation of why it was that way around, and was it always that way around?

A. Please repeat the focus of what you are asking.

5 Q. That the victorious, the women of the defeated tribes were given in marriage and in peace-making to the men or a chief of the conquering tribe to use that expression. That's probably rather overused. So, why is it that way around?

10 A. I think it is only a polite way of using the situation where there is a victor and a victim. There is no, I mean the opposing victorious side, could've just taken that person, but the consequences of doing that if you particularly get a puhi person and you are not going to get away with it without another war. It is going to come down and land on top of you 'cos it has done in the past. You either, alleviate the situation, by amalgamating a bit of peace. You are going to give a prized person to the victor because you are not going to go home and forget that you have been defeated, and all the people who have been left at home, are going to have to be accounted for. I don't know war systems, but I know that you can't sit up there after being defeated and hope the victor is enjoying the spoils of his victory, but is he looking over his back all the time? And
15
20 that's what that exchange was about. You don't want anything coming down in the future, then maybe we should have children together and then we will become cohorts instead of enemies, because we now share blood, and that's really my answer to that.

25 Q. Right, well those are all my questions, very nice to talk to you again Ms Ruka.

A. Tēnā koe.

Q. Maybe one day we won't need to talk to each in this sort of situation again. So, thank you very much.

A. I'm very happy to speak to another feminist.

30 Q. Thank you.

JUDGE REEVES ADDRESSES COUNSEL – DISCUSSION (12:33:47)

JUDGE REEVES ADDRESSES MS MASON – DISCUSSION (12:35:18)

(12:36) AROHA RICKUS: (#A140)

Tēnā tātou e te whare. Ka tīmata, heoi anō, ka tīmata pēnei. **Greetings to everybody. How should start? We perhaps start like this with a waiata.**

WAIATA

5 Kei te atawhai a Hinematua, Tūāhuriri e mihia. E mihi atu ki a koutou katoa. Nā reira e te whare, koutou mā e noho kaha, e rongō nei nā, tēnā tātou. Heoi anō, e pēhea ana te tīmata. Kua pānui kē koutou heoi anō me waiho tēnā ki tēnā. Ka hoki ināiane ki ngā kōrero pā ana ki tō mātou nei. Ka pēhea te pānuia o tō tātou nei? **My greetings to you all, to you the panel, greetings. Now, how should I start. You have read my evidence and I'll leave that with you and refer to a presentation about my whānau, being a whānau for Aroha Rickus.**

15 Koinā tātou. Ko tō mātou nei, koinā tō tātou nei whānau i oraina ki Arowhenua, nā te taha nā tō mātou, te hononga mai ki Tūāhuriri nā. Nā reira ko te whaea rā ko Hana Pohio. Nā, i tōna tiputanga i mua i te 18 o ngā rau. Heoi anō ko te taha nā, ko tō mātou anō, koinā tō tātou nei pāpā, a Hemi Rickus. Nā reira e ngā wāhine ki ngā taha, ko te taha nā i mau taiaha tō taha mauī nā, ko tō mātou nei – tōku nei whaea, ko tōna whaea. **On the PowerPoint presentation is my family, my whānau ara whenua and the ones to connect to Tūāhuriri. In the photo there are different ancestors on the right and the left, different ancestors, my great-grandmother's mother.**

25 Nā reira ko tāku nei whaea te whaea i whāngai i au. Heoi anō koinā tō mātou nei whānau, e mihi atu nei ki a tātou, ki a koutou. **This is the woman who raised me. This is my whānau on the slide.**

30 Heoi anō, ka tīmata tēnei – ko te whānautanga. Heoi anō, te mea nui nā te kaupapa rā o te whenua, engari ehara wēnei kōrero e pā ana ki te whenua e takahi mai i runga. Ko te whenua nā o te kōpū, o te wahine. Nā reira, ki tōku nei mōhio nā, i homai nā tōku whaea ēnei o ngā kōrero engari ko tōku nei, he whakamārama. Ehara nā tōku whaea e hīkoi mōku nei, ko ahau nei te kōrero.

I wēnā o ngā kōrero, he mea nui nā – he toha nā te whenua o te wahine, kua hui nā ki te whenua a Papatūānuku. Nāna te tiaki, nāna anō i whāngai mātou, tātou i te ora o tātou e ngā hunga ora. I runga i wēna, kātahi i mua i te tohinga nā o te whenua, ka hapū te wahine. Nā i roto i te hapūtanga he tikanga anō,

5 mai i te poipoia o te tamaiti, mai i te hahana rawa – i rawa i konā. Otirā, ko te mea nui nei, e hiahia ana kia whāki atu ko te reo oriori. Nā, mai te reo oriori o te whānau, mēnā i reira i tāua wā, ka hanga he waiata nā te tamaiti i tipu ake.

I'll begin with the start. Whenua is a significant topic to discuss, not that of the land but that of the womb, the afterbirth. I understand about this matter, it's not something that my mother has told me but is what I

10 **understand it to be. So, the whenua from the whenua from the women is returned back to the whenua of Papatūānuku to be cared for. When the woman falls pregnant there is some practices from the growing of the baby. The important part I want to stress is the significance of lullaby.**

15 **Oriori, lullabies of whānau are created or are performed for the child as the baby is growing**

Heoi anō, i tipu ake tōku nā, anei hoki ko tōku tamāhine nei, i tipuria ake ana mai i te kōhanga i raro i te aho matua. Nā rātou anō i poipoia tōku tamāhine nā

20 i tō tātou reo. Tō rāua, ko tōku tama hoki. Heoi anō, mai ēnā āhuetanga ka whakawhānau mātou, whāngai hoki i tō mātou reo, mai i te pēpītanga, te hapūtanga, pēpītanga tae atu ināianeī. Ko te wā ināianeī, kua hoatu tōku tamāhine he taonga ki tōna tungāne. Nāna rāua tōna hoa rangatira i whānau pēpī. Mai i taua wā, he waiata nā, he hoatu wēnei taonga ki tōna tungāne, rāua

25 tōna hoa rangatira. Ko te hoa rangatira nei, mihi nā ki ōna tīpuna. No te mea, kāore ia nō tō mātou whenua a Niu Tīreni, nō wāhi kē. Kāore ia i te reo o tō tātou nei reo a-iwi, a-hapū. Otirā koinei tōku tamāhine hoatu wēnei taonga. Māna anō e mōhio atu te reo nei. Heoi anō, mēnā ka whakaāe. **This is my daughter and she grew up in Kōhanga and Kura under Aho Matua.**

30 **They nurtured her understanding in the language. But we also were able to give her the reo that we could share with her right from pregnancy until now. And now I've been able to give my daughter a gift in order to pass on. And also, to her brother and his partner. He's not from here, he doesn't**

know our language, but my daughter's been able to share with him some of the treasures.

(12:44) MANAKORE RICKUS: (EVIDENCE)

Tēnā rā tātou e te whānau. Kī ake tōku Māmā, ko Manakore tōku ingoa. He
 5 raukura o te Kura Kaupapa Māori o Te Aho Matua. He oriori tēnei i waihanga
 kia mōhio nei taku irāmutu i te aroha o tō tātou nei whānau. I te tūhono hoki o
 ngā whānau e rua, kia tae mai ki te ao mārama, kia puta ko tēnei taonga. Ko
 tōna ingoa, ko Manaia. Koinei te oriori. **Greetings to everybody, I'm
 Manakore. I attended Kura Kaupapa and the waiata that I composed for
 10 my nephew is about connecting the two families which nephew comes
 from. Here is the lullaby.**

WAIATA ORIORI

JUDGE REEVES:

Tēnā koe whaea rāua ko Hine. Ko tēnei te wā mō te tina ināianeī. Ka tatari tātou
 15 mō tēnei wā ka haere mai anō whai muri i te kai. **Thank you both Aroha and
 your daughter Manakore. We're just going to break for lunch and then
 return to receive more kōrero from you.**

We're going to take a break now and we will return from the lunch break seeing
 20 as we're slightly late, maybe we come back to at 1:25. Thank you.

HEARING ADJOURNS: 12.47 PM

HEARING RESUMES: 1.26 PM

AROHA RICKUS: (CONTINUES)

Tēnā hoki tātou e te whare. Māhau? Heoi anō, he tāpiringa ēnei kōrero ki te
 25 kōrero a **(Māori 13:26:45)**. He **(Māori 13:26:51)** e rua ana ka tāpiringa ēnei o
 ngā kōrero. Ko te reo pūrākau o te oriori. He mea nui kia whai mōhio ngā hanga
 i ngā kōrero, ana mōhio mai he aha ana te hiahia mō te tamaiti. Nā reira i roto
 i ngā oriori ka whai te tamaiti nā kia mōhio ai nō hea ia. Nō hea ia mēnā ka puta

atu i tētahi atu wāhi ana hoki tamaiti whāngai, me mōhio mai te tamaiti te tangata nō hea ia, nō hea tōna tūrangawaewae, tana ūkaipō, te whānau i whāngaihia ia. Engari ko tōna kāwai tīpuna anō hoki. Heoi anō i runga wēnā...

This is in addition to what we have submitted. The significance of lullaby so that the context reflects what is desired for the recipient, for the child, and for the child to be able to pursue who they are and their identity, they can follow the lullaby, as to where they are from, where is their home, who do they belong to, their ancestors and so on.

MANAKORE RICKUS: (CONTINUES)

10 Hei tāpiritanga ki taku māmā, ko te mea ko te reo pūrākau o te oriori he huarahi kia whai te whānau i tōna ake tuakiritanga kia puāwai ai te tamaiti engari mā te tamaiti e mōhio ko wai ia, me mōhio te whānau hoki; me mōhio te hāpori, me mōhio tōna marae. Ki te kore e pēnā, ka kore te tamaiti e tino mōhio i te ia o tēnā orangatanga. Kia hoki mahara ki o tātou nei mātua tūpuna ko te kaupapa

15 kia tūhono ai te whānau, kia wānangatia ki ngā aronga o taua tamaiti kia puta ai i ngā tino arohatanga o tōna whānau ki a rātou anō, and ko tērā kaupapa me hoki mai ināianei, and koirā te āhuatanga o tō tātou nei whānau ko te ake nei i mua i a tātou i tēnei ata. Nā mihi ake nei ki a rātou katoa tō rātou nei pūrākau hoki te kaupapa. Ehara i te mea ko te waiata noa, ko te oriori noa, ko te ake nei

20 i mua i a tātou i tēnei ata. Nā mihi ake nei ki a rātou katoa tō rātou nei pūrākau e hāngai ana i aua kupu. Ko ia kupu ki ro ko te kaupapa o te whānau kia whakakotahi ai tō tātou ki a rātou anō. **Also, in addition to what my mother has said, the narrative of oriori, of lullaby, for whānau to be able to describe their own identity to pass it on to their child, their descendants**

25 **so that they know who they are and where they come from and their marae and so on. And in reflection to how our ancestors use this practise, so that that the recipient, the child would be able to connect to the environment, to their ancestors, and grab that respect and love. It's not necessarily the tune or the sound of the lullaby, it is the content that is**

30 **significant and carries the responsibilities that the whānau wish to pass on to the recipient.**

AROHA RICKUS: (CONTINUES)

Tēnā, anō hoki ehara nā mātou te whānau i kite, nē, ā-tinana, e hiahia ana tō mātou kia mōhio tō mātou tamaiti nā te hāpori mōhio nā ko wai taua tamaiti, nā nō hea ia hoki. Ana pēnā ka haere ināianeī tātou i runga i ngā kaupapa o te ao, ka whai hoki ngā tamariki, ō mātou tamariki ki a mātou. **This is not what we**
 5 **have seen or observed, over wanting to ensure that the community is aware where the child is. We consider all of our endeavours in our lifetime.**

Engari, mēnā kāore i haramai ngā tamariki, ko wai nā i whāngai tonu i te tamaiti, mēnā ka haere wānanga, haere hui, kotahi te tangata. Nā, i runga wēnā ka
 10 waiho tēnā ka hoki ināianeī ki tētahi atu raupapa o te tū o te wahine. Nā ko tōku nei taua nō ngā takiwā otirā ko tōna whāea tipuna nō Tuahuriri. Nā mātou te whānau nei i noho nāianeī ki tō mātou whenua, hanga whare hoki mātou ki te whenua kia noho tau, otirā nōna te whenua i homai. **The responsibility of caring and nurturing a child sits with the family. Another aspect I'd like to**
 15 **raise is the position, the stance of women, my kuia, ancestresses who – one of her ancestresses was a descendant of Ngāi Tuahuriri, and the land was given from her to my kuia.**

Anō hoki ko tōku nei whaea whāngai, ōritenga tō māua tipuna, ko te
 20 whāngaitanga i tō mātou whānau, he whānau i whāngai i roto i te whānau. He oi anō i taku tamarikitanga, ēnei o ngā āhuetanga i iria ki te whare, mōhio ai au wēnei tauira i whakatauirā atu au. Uaua nōku nei kia whai wēnei āhuetanga o ngā whaea i te kaha o te tū o te whaea nei. I tōku nei taiohitanga i kitenga te kahanga o tōku whaea i runga i ngā tūranga karanga. Ehara ana tēnei kōrero
 25 e pā ana ki te karanga. Hiahia nei au i hoatu te āhuetanga o te wahine me tōna manawanui ki ngā – mēnā ka kōrero ia ka tino mārama pēhea ana ia. Ana ka mamae – i kite i roto ōna kōrero, i reira. **And my mother who raised me and that the practise of whāngai occurred within the whānau. We put up these photos and these treasures, put them up in the house so that we are**
 30 **always remembered about what had occurred in the past and their determination and conviction in what they did. In relation to my kuia being a part of karanga activity, the calling activity, not about karanga itself, but reference to what was said by my mum. I understood that. When she did**

do karanga, you could hear, you could feel what she was trying to say, what she was calling.

Hoi anō i runga i wēnā, ko te karanga i karangatia atu ia, i hau atu engari te wā
 5 i tōna kuiatanga, tana ruahinetanga, i reira ahau i kite nei i tēnei tauira mōna i
 whakaae tōku whaea i karanga ahau – kei te whakaae tōku whaea kia karanga
 ahau. Engari tāku nei kite i a ia, kāore au i hiahia i te mea kei te tauira – i tauira
 atu tōku whaea he uaua kia whai, he uaua rawa i te mea i roto i ōna kōrero
 ehara ngā kupu te ia. Ko tōna ihi me tōna wehi i puta i roto i ōna kōrero, i roto i
 10 ngā reo. Ehara ngā kupu noa i kite, i rongō, i pā ki te uma o ngā kaha te katoa
 ōna i puta. Hoi anō, rongō wēnā kāore au i hiahia kia karanga i te mea ka whai
 tauira, kāre i kite ngā tauira pēnei nā ināianeī. **But in her elderly years, my
 mother agreed that I could karanga in front of her. When I saw her, I wasn't
 keen to karanga, the example of which my mother did karanga was very
 15 difficult and it wasn't merely about calling words, it was the power, the
 awe that she was able to display through the language. It touched
 everyone who heard it and that was of concern to me that I couldn't
 karanga in the same manner in which my mother did, and I haven't seen
 examples of that these days.**

20

Hoi anō, ka whānau ahau i tōku tamāhine tōna kaha, me kaha ake au i a ia i te
 mea te kaha ia. I rongō wēnā, tana maia kia whakamaia ki au. Ināianeī, ko tau,
 e tau i runga wēnei mahi. Pēnā i taku taua, ka hoki mai āe, kāo? **With my
 daughter being very strong and passionate and driven, it is also is
 25 required of me to do the same and I must be able to commit to things.**

Koinei tōna ruahinetanga. Ko taku whaea tōku taua tonu, ko taua Hana Pohio,
 ana ko tana – koinā tana – ka waiho ināianeī. Ka haere ināianeī ki te whaikōrero
 te wahine. Nā i tōkunga kitenga i tōku whaea, i tū ia, i whaikōrero atu i roto i
 30 tōnā whare tipuna ana ka hoki mai tētahi atu wahine i hoki whaikōrero mai.
 Rongō wēnā tauira i tētahi wā ka tū hoki ahau pērā ana. He rerekē nā te kōrero
 o te tāne me te wahine, he tapu te tāne, he tapu te wahine, rerekē ngā kōrero,
 engari ko te ia i reira te manaakitanga, i reira te aroha, i reira te kaupapa e
 mōhio mai. Nā, i runga i wēnā ka whai wā ināianeī kia hoatu ki tōku nei whānau

anō. Ko tōna ingoa ko Iohangawai. Ko tōna māmā 87 ona tau, kāre i tae mai a-
 tinana i runga te kōwheori nāna. Mēnā ka whakaae ko whakaekenga ka tū mai
 te tāima nei ki a koe hoki. **This photo again is during her elderly years my
 grandmother. I will leave that there. I go to the stance of women and I talk
 5 about my mother was one that would stand in her ancestral whare and
 would respond to formal speeches. And there's one time I did that too.
 There's a difference between what a woman – how a woman speaks and
 how a male speaks, but there is manaakitanga; there is the care and
 generosity and the performance of both. And I'll just pass it to my whānau
 10 to explain further. Their mother is 87 years old. I'm suffering from Covid
 at the moment and her son wants to speak on her behalf, speak about her.**

(13:37) IOHANGAWAI TE PAHI: (EVIDENCE)

Tēnā kōtou, tēnā kōtou, tēnā kōtou katoa. Margaret Helen Te Pahi Thompson
 of Waitaha.

15

Descendant of Te Pi, early 1800s is the daughter of Hinewaiari born 1785.
 Te Maiharoa the son of Te Rehe Oriori and Te Kokero. Iohangawai Tamihana
 Te Pahi speaking and my brother Warren Te Pahi Thompson representing our
 mother. **Thank you all. Mr Te Pahi of Waitaha**

20

On the 14th of February 1941, my dad Kara Te Pahi Robertson 27 years of age
 was told by a court of law in Kaiapoi, the outcome to land that was left to him
 by his mother Meri Pata who passed away on the 20th July 1939. The court was
 to decide whether or not Kelly was a native according to the Native Land Act of
 25 1931. During the court hearing he was told by the judge of the Crown saying he
 was a European and not a Māori.

The interpretation of this was he was not a Māori and walked away from his
 Māori heritage. At that moment, my whakapapa, my ancestors, my culture, and
 30 history were lost leaving my dad very bitter. I was a young child of five years
 old who had just lost my mother, Nelly McKenzie Te Pahi Robertson to
 Tuberculosis and was put into the fresh air home.

Dad remarried three years later whom I was brought back into the home where I was never ever to speak of my mum. In the following years he produce nine children, it was made very clear to all of us, never ever speak Māori in the home and no one would ever dear ask why. He just wanted to be a New Zealander.

5 Not once did he speak of his culture and passed away in 2007. He was 93 years of age.

As regards to my mother, researched her records and gone down many avenues, been denied by Crown to information through Birth, Deaths and
10 Marriages. I invite you and your ancestors to come alongside me, to stand and walk tall into the future in this moment, to apologise and to have the support with answers for a longing to lay rest with a peaceful heart and mind into tomorrow.

15 On behalf of my mother Margaret Helen Te Paki of Waitaha, kia ora, mauri ora tātou.

AROHA RICKUS: (CONTINUES)

Tēnā tātou. Koinā anō i tēnei wā, ka waiho mā koutou, he whai wā kia pātai mai mēnā kia reri. **This is all wish to present and we'll now pass it back to you.**

20 **(13:42) KIM NGARIMU TO AROHA RICKUS:**

Q. Tēnā koe, otirā tēnā koutou. I've just got one question that's on your – comes from your written brief of evidence and you talk about mana being sourced from the atua. So, during the course of these Tūāpapa hearings we've heard different views from whence mana comes to a person, from
25 whakapapa, from individual actions and deeds, from a person's own standing. So, can you talk to us a bit about your thoughts about these other insights about where mana is sourced from.

A. In 1840, ināianeī pēhea ana te mōhio nōku nei kōrero. Ko te mea nui i kite ngā tauira o te oranga. Maha ngā hara i waenga i ngā wahine e kite
30 nei, ngā mamae hoki e pā ana ki ngā hētanga o ngā tangata. Ki a au nei, ki a ahau nei ehara nā te tangata Pākehā noiho te raru, nō mātou anō. Mēnā ka whakatika mai mātou kia tika mai mātou, kei a mātou te mana.

Engari karekau, karekau mātou i te mana. **Referring to my view now or what I thought of for pre-1840. The main thing is to see the examples of health and wellbeing. There are a lot of incidents, trauma, hurt and pain experienced by many of our women. To me it wasn't solely**

5 **the fault of Pākehā but we carry some of that responsibility too as Māori.** Different sources of experiences for our wahine and for myself, for my ancestors, for my mother have given insight into my thoughts and it's – we're not a homogenies people, we're not of the same, we all have different lineages ināianeī, we have understanding – different levels of

10 understanding because of colonisation. The impacts of that, what I have done for our family I firstly, I huna ahau ki raro i te koti o tōku māmā. He tamaiti matakau au i te ao. I kite au te kaha o ngā tangata. I te wā i mate tōku māmā i 20 ngā tau i pouri tonu, i pouri tonu. Mōhio tātou mēnā ka hinga tō tātou whaea, he tino taurira te whaea ki a au nei. **First of all, I**

15 **used to hide under the skirt of my mother. I was very scared of the world, seeing how aggressive some people were. When my mother passed away I mourned for a good 20 years for the loss of my mother, it's one of the biggest example in anybody's life, that's my view and for some time I mourned her passing.**

20 I think I see also reflection in my own children. If I see a reflection that reflects or I see that something has happened to them then, me kaha au kia tiaki, kia manaaki. **I try my hardest to support them.** My experience from my mother in a way that she – even if I was wrong she was right there and on my side which actually made me a whakamā to see that

25 because actually I was in the wrong but she still stood there in front for me and I think te kohanga reo is a place, was a place that began a movement as did kura tuatahi, kura kaupapa, let me think, wharekura. He kaiako ahau i te wharekura, he pouako ahau i te wharekura i ētahi o ngā wharekura. I kite ahau i ngā uauatanga, i te ao hurihuri, i te ao Māori, i te

30 ao rerekē, he uauatanga mēnā kāore e rauemi, i taurira, koinā anō. **I did primary, secondary. I'm a teacher at wharekura. I'm a teacher of behaviours. The past, the future, interpreting those things.**

Q. Ka pai. Kei te pai, thank you.

(13:47) DR RUAKERE HOND TO AROHA RICKUS, MANAKORE RICKUS, IOHANGAWAI TE PAHI, WARREN THOMPSON:

- Q. Tēnā koe Aroha. He pātai aku ki a koe otirā ki te whānau nei. Te tuatahi, ka aroha engari kare i mau i au te ingoa o to tamāhine. **Thank you Aroha and your whānau present. I didn't capture the -**
- 5
- A. [Manakore Rickus] Manakore.
- Q. Manako?
- A. Manakore.
- Q. Mana Kōhine.
- 10 A. Kore.
- Q. Ka aroha, he turi nō ngā taringa nā kore kaha te hopu i ngā kōrero. He mea nui nei tērā kōrero mō te oriori e pupuri i te mātauranga, he pai te tauira kare ia i kite atu i tēnā kupu o te oriori i konei engari kare au i te mōhio pēhea o kōrua whakaaro ki a taea e mātou te kite i ngā kupu kia
- 15 āta mārama ētahi o ngā hohonutanga i kōrero, kōrerohia e kōrua. Ko te mea nui nei, i kōrero koe mō te ingoa 'Manaia' engari i te pītau o 'Manaia', a manaia nē, me te mōhio tonu he mahi toi tērā i roto i ngā whare me ngā kōrero katoa, koirā tētahi āhukatanga o te ingoa i pīrangi kia utaina ki runga i te tamaiti, me koirā te āhua o te oriori kia whāngai atu tērā hohonutanga?
- 20 **I didn't quite catch the name of your daughter so it's Manakore. My ears aren't too sharp. Lullaby is a very good example of how we are able to retain knowledge. No-no, how you feel about whether we could actually look at the words so we can see the depth of the knowledge that's been transmitted or the intent of the lullaby, talking about Manaia, aspects of art, the practice of art. I'm just wanting to know whether you are willing to share that with the childhood practice of lullaby and its purpose.**
- 25
- A. Āe. Ko taua āhukatanga moku e tipu ake au i te whakairo, huri noa i tāku ao, engari ka tīmata ake, kātahi anō au i tino oti i taua oriori koirā kare anō koutou kia whai i ngā kupu i runga nei. Moku ake, ko 'Manaia', ko tōna whakapapa i te taha o tona māmā nō Awherika ki te Tonga, otirā ki te taha o tōku tungāne, he tangata toi ia, he puta ai i ōna āhukatanga katoa mā tōna ao a-ringa. He kaha ia ki te kōrero, tino kaha te kōrero engari ko tōna āhukatanga kia tino mōhio ko wai ia ko ōna ringaringa, koirā, i te
- 30

- hiahia nei au kia whai hononga tōna ao ki te ao o tōna Pāpā. Kei reira te āhuatanga kia mōhio mā ngā pūrākau i roto i tōna whare, kei mōhio ia e taea ana ia te tā i ōna ake kōrero. Koirā i kite ko ia te mātāmua, ko ia hoki te – o to tātou nei whānau katoa. Koia te irāmutu, te mokopuna tuatahi nō
- 5 reira ko ia hoki te tāne kei tuhi i tōna – kei manaaki i ōna whānau. Kei manaaki tōna whānau i a ia anō. Nō reira, me aua kupu kia whai rautaki ia ki te whakaputa i ōna ake whakaaro, rite tonu ki tōna Pāpā. **When I was young I was always intrigued by lullaby. I only just finished composing that lullaby that’s why you haven’t seen the words. For**
- 10 **Manaia, his mother’s from South Africa and my brother is an artist and his way of expressing himself is through his hands. But his greatest skill to be able to describe himself is through his hands. He’s just wanting to fuse the pūkenga between his Father and his son and the purpose of lullaby was trying to demonstrate how**
- 15 **through lullaby that he can be creative like his Father and create words to explain things. Knowledge that they want passed on. And to write things that will be supportive and protect his whānau. It was a strategy for him to portray his thoughts similar to that of his Father.**
- 20 Ko te ia o ōku whakaaro, ahakoa ka Ahuwhenua mai te oriori i tētahi o te whānau, tāne mai, wahine mai. Engari, he aha ō whakaaro pea, nā ngā whaea, nā ngā wahine anō kaha whāngai i ngā oriori ki ngā tamariki. I kī mai koe, ehara i te waiata noa iho nei. Ehara i te kupu noa iho nei, engari anō he mahi whaea tērā, te whāngai i te oriori ki ō kōrua whakaaro.
- 25 **I suppose the point of my view although the lullaby can be composed by either a male or female, what is the difference a woman composing something. You know you have said it’s not just a matter of words or a tune. It’s what it’s about.**
- A. Ko te mea o te whaea, māna nei e pupuri te kōpū o tōna pēpī. Kei roto tonu a Manaia me kī. Kei roto tonu te pēpī i a ia anō kia pupuri. Māna e tuku i taua wairua i roto i a ia anō ki tōna pēpī. Koirā te āhuatanga o te wahine, e taea nei te whakawhānau pēpī. Mā te oriori tērā e huakina i te ao i tāua waiuatanga. Nō reira, ehara i te mea, mā te tāne, mā te wahine, mate whaea e tuku i te oriori. Tērā pea ko ngā kupu a te whānau e
- 30

waihanga, engari mā te whaea e hono ai i aua kōrero, i aua pūrākau ki tōna tamāhine, ki tōna tama kei roto i a ia anō. Koirā i a au – kāore au i te mōhio engari tōku nei whakaaro, koirā ahau i roto i te kōpū o tōku Māmā, ko tāua hononga āe, pai aua – kua tau i taku mauri i te mea i tau ai tana mauri mā ngā oriori, mā ngā reo waiata, mā ngā hononga o tōna whakapapa me tōna whānau i a ia anō. **For the woman, for the Mother, when Manaia was in his mother’s womb was being able to share that spiritual connection between the mother and the baby. And the oriori, the lullabies are able to connect those spirits, those two realms between the baby and the mother and ancestors. It is through the mother that is the enabler of the connection between the mother and the child. And the kōrero, the information, the content that’s in the lullaby. I’m satisfied that with this and with what’s been said about lullaby that it’s all about him and it’s inclusive of him.**

15 Q. Ko tētahi – i a koe e Whae – aroha, i a koe e kōrero ana mō tō – kāre koe i hiahia ki te whai i te mahi a tō whaea nā te mea kei runga nei tō whaea, kei konei koe. I reira au e whakaaro ana tuatahi, he pēhea tō whaea i a ia e rangatahi ana? Tērā pea kāre i tīmata i konei, engari tīmata i konei. He whakaaro ōu ki te whaka – te ia o tō kōrero, ko tō tamāhine tērā engari i te wā e rangatahi ana, ka tīmata te whāngai i tērā wā i te tīmatanga. He aha te take kāore i tino whāia tērā i a koe e kōtiro ana? **Furthermore, aroha. You weren’t – you mentioned you weren’t keen to follow your mother’s steps in relation to karanga. Perhaps reflection on the position your mother was in when she started karanga. She may not have been the gun that she turned out to be. But considering she would’ve started at some time. Do you know what was the case with you?**

25 A. [Aroha Rickus] Pātai pai anō hoki. I runga i te ātaahua, te ātaahua o tōna reo, ōna manawataka i roto i ngā kōrero o ngā puoro. **I think in terms of the eloquence of her language she used, her sound the cry in her voice.**

30 Q. Te pai anō on tō reo, he pai anō tō reo. **I say your reo is good.**

A. Āe, kei hiahia au te rongō ki a ia. Kei hiahia te rongona ki ōna reo, i te ātaahua. **My preference was to hear her voice. It’s so beautiful.**

Q. Ka pai.

A. Me tōna, te wā ka māuiui ia, ōna waewae, kei mau ia ana te mea rino maroke nā. I hīkoi tonu ia engari hei te wā ngā arawhata i mua i a ia, ka haka ia, kia piki ki runga. Pēnei nā ōna kupu, he wetiweti – Hi! He wetiweti
 5 – Hi! I rongo wēnā āhuetanga, ka whai ahau te aha – tōna māuiuitanga, kei te hiahia ia kia piki ki ōna āputa. Ka ora tonu, ka hiahia kia ora tonu i runga i tōna mōhiotanga, kaha tonu ia ki te hīkoi, pērā nā. **She became unwell. A bit more immobile. She had the walker, she still walks with that but with steps in front of her. She would engender the strength to be able to climb the stairs and challenge herself with little dittys. Despite her unwellness she was determined to get there to be able to continue with the karanga.**

Q. Ko te kōrero whakamutunga ki a koe e te Matua, tēnā koe. **Finally, to you Sir.** I am hearing your kōrero. I couldn't help but feel the example of
 15 the loss of a whaea and the importance of that and being raised and it came through so strongly both with emotion but also the words that you spoke. And hearing the sorts of experiences that we've just heard about the importance of having strong wahine role models in our lives and what they provide. I just wondered whether you had any final sort of statements
 20 around the importance of having a wahine role model in a Māori putting aside the judgement of the land Court because that is – that's serious enough but the fact of not having your whaea there to be there and that has that role model in your life.

A. [Warren Thompson] Yes mana wahine like to know your connections to
 25 your whakapapa and that's shared emotionally within the family – really for me connects everything and sadly that – it's been a long time to get to this place for my Mum to have a voice and I'm honoured to be able to bring that. My Mum I feel has a beautiful mana that I feel I actually only see it. That might be a bit strange, but I actually see it and she can so
 30 naturally step into it when she – out of the blue and it just kind of blows me away that I get to see this – that this is just something. It sits within her and it's only sort of more that my Dad has passed over that I'm actually seeing more of it and – so this is a very treasured time for me.

Q. Tēnā koe, mihi ana ki tērā whakaaro, tēnā koe.

A. Kia ora.

JUDGE REEVES:

Ngā mihi kia koutou e te whānau, I'm just aware that we have other witnesses to hear from in this session so I think we will call it a day for now but there will
5 be some – I'm sure some questions that come to you in writing. You will have more time to have a think about those before you give us an answer. So, tēnei te mihi ki a koutou mō ō kōrero whakamārama ki a mātou, ngā mihi.

WAIATA TAUTOKO

MS MASON CALLS

10 **JUDGE REEVES:**

Tēnā koe whaea. This is Judge Reeves here. I'm here in Christchurch with the Mana Wahine Panel and we're now ready to hear from you. We have your brief of evidence that you have provided to us. So, if you want to give us a summary of the key points in your evidence and we'll have some kōrero with you
15 afterwards.

MS MASON:

Your Honour, sorry to interrupt but Ms Ngaronoa is going to listen in to her evidence and Ms Ruka was going to present it and Ms Kimura was going to answer questions.

20 **JUDGE REEVES:**

Sorry, say that again.

MS MASON:

So, what had been intended was Ms Kimura would be present and then Ms Ruka would speak to her evidence with Ms Kimura present and Ms Kimura
25 would answer some questions.

JUDGE REEVES:

Well, that's not what was – you were granted leave for Ms Mason, it's not what was put to us.

MS MASON:

Sorry Ma'am, can I just talk to my clients for a minute.

**5 COUNSEL/CLIENT DISCUSSION – PRESENTATION OF EVIDENCE
(14:02:39 -14:02:50)**

MS MASON:

Sorry, your Honour, I've just been advised that Ms Kimura will prefer to just answer questions and her brief taken as read.

**10 MS MASON ADDRESSES JUDGE REEVES – MS NGARONOA KIMURA
EVIDENCE #A139 TAKEN AS READ (14:02:55)**

(14:03) NGARONOA KIMURA: (#A139)

(14:03) JUDGE REEVES TO NGARONOA KIMURA:

15 Q. Well, Tēnā koe Ms Kimura, now that we've clarified that. Just a question, just a pātai just to kick things off. Could you tell us please what it means to you to be part of the Waitaha Grandmother Council, what is your involvement with that body and what is the role of that organisation?

20 A. Tēnā koutou katoa. Ngā mihi nui hoki ki a koutou katoa i tēnei rā. **Greetings everybody and hi to everybody.** I had been involved with the Waitaha – I am actually a descendant of for a number of years and my contribution that I wanted to give you today is related to Whāngai Ū o ngā Pepi and that is my contribution to tēnei kōrero i tēnei rā. Āe.

Q. Kia ora. Did you have the opportunity to listen to the evidence of Ngaire Simmons yesterday?

25 A. Look, kāhore because I work, I work fulltime I'm sorry, kāhore I didn't get the chance to do that. Yes, because I'm working fulltime it's really hard for me to be in there listening to all the evidence that's been given. I've actually taken time off today to be able to be part of this kōrero.

Q. Okay. Well, she gave us some wonderful evidence about the hīkoi of Māhinaarangi from Te Tai Rawhiti, from her home in Heretaunga when she was heavily pregnant and she did this hīkoi and ended up in the lands of the Waikato-Tainui area but along the way she named places which were to do with her hapūtanga and her whānautanga. So, that was a really interesting kōrero for us and I see that you've also given us in evidence in relation to materiality's as well. So, what can you tell us about, in terms of the pre-colonial practices in relation to the practice of breastfeeding and I see in your evidence you talk about, that that was the only food that the baby had but I'm presuming that there were no alternatives at that time.

A. Yes. So, during those pre-colonial times, of course the only way that they fed the baby was with breast milk, right? And that baby actually belonged to the whole whānau where that baby was actually looked after not just by the mother alone, but also by the rest of the family or the hapū, whoever is there was able to look after that pēpī too as well. I have seen in my own community growing up as a child, born in 1947 where my own mum actually was a breastfeeding mother and a wife of a farmer and I've seen some actually wonderful things around breastfeeding in the community in those times.

So, growing up as a child I have actually seen other mothers breastfeeding on a marae and everyone looks up the child. The child didn't belong to the mother, the child actually belonged to the hapū in those times. So, in pre-colonial times, they're talking about pre-colonial times now, is that that was normal, it was a normal way of breastfeeding a pēpī was to actually give that baby the breast milk. There was no other food for the babies so, you know, God has made our bodies to give our babies the most optimal milk there is for any child whether it was pre-colonial or now.

Now, that changed after colonisation. After colonisation came in, what happens then Māori went to the cities during that time of urbanisation, so what happens is, Māori ended up in the cities without the support of

whānau. Now, I heard – it is a really important for our babies to be born into the surroundings of our own culture, our own whānau.

5 It is important for that child to be nurtured into the world by their own whānau, right. So, when that baby comes through to the world, it is the, I don't know, Māori midwife, but in those times, they had the women, they had the kaumātua who actually looked after the breastfeeding mother. So, home birth was a normal thing. Home birth was the most important thing to do for our babies and for our whānau.

10 Q. Whaea, could I just ask you another question just at this point, would you be able to make a connection for us in terms of the breastfeeding practise that you have described in terms of how that was common and that it was sometimes shared. Could you make connection for us in terms of that practise to the concept of ūkaipō?

15 A. Okay, but the ūkaipō is to me relates to the ū to the breast, the feeding of that baby is at the breast is what the ūkaipō stands for. It's the breastfeeding of the baby at the breast. So, in those days that there was important for whānau, for women to breastfeed their baby. So, that relates to that ūkaipō where the baby is put to the breast to feed.

20 Q. Thank you, Whaea, I am going to pass now to other panel members for some other pātai.

(14:12) PROFESSOR LINDA TUHIWAI SMITH TO NGARONOA KIMURA:

25 Q. Te koe Ms Kimura, my question is also about breastfeeding. To get the optimal milk that you talked about requires the health of the mother to be fantastic and so, my question is pre-colonial times, do you – what can you tell us about how the māmās were prepared in terms of their nutrition and their basic readiness for both giving birth and then that breast feeding process?

30 A. You know during the pre-colonial times life was totally different to life today. During the pre-colonial times, women were looked after by the men. Women were well respected and of course, during pre-colonial times, they had all the food, all the right food that a mother needs. They had all the vegetables, they had all the kaimoana, they had every food

that was the best kai for their health, so naturally the mothers were healthier in those pre-colonial times. Whereas today, that's a little bit different today, so the women were more, healthier, and the babies were more healthier when they were born, yes. So, in those times the babies as soon as they were born, they were sung the oriori, you know the oriori, the old Māori oriori way of passing the culture, passing the whakapapa of that particular whānau, of that particular tribe, of that particular hapū on to that baby, because the reason being there was no written language at that time. So, the oriori, the waiata that's full of the whakapapa, the journey, the aspirations that whānau have for that child. So, oriori at those times were, so, so, important because there was no language, no written language to hold that. So, today, even today, the oriori, even today, whānau are now continuing with that waiata, that oriori, passing on that information to that baby while the baby is still in the puku too as well.

It's not just when the baby is born, actually they actually talk to that baby through the hapūtanga and once that baby is born, the oriori, the waiata happens, the whakapapa gets told, everything. And I always maintain that the breastfeeding is not just about the physical kai, although that is also good, but it's also about the spiritual side of that oriori. The feeding of that whakapapa to that baby, so when that child grows up, when they hear something, they say, "Oh, I know that." So, you know it just triggers in them that Māoritanga.

Q. Ka pai, thank you.

25 **(14:16) KIM NGARIMU TO NGARONOA KIMURA:**

Q. Tēnā koe Ms Kimura, it is Kim Ngarimu here.

A. Can I just say, it's Mrs Kimura, aroha mai?

Q. Kia ora Mrs Kimura.

A. Thank you.

30 Q. I want to ask you about your comments that traditionally Māori did not believe in abortion and I just want to reflect that in other evidence that we have heard in these Tūāpapa hearings, we have heard evidence that traditionally Māori procured abortion for in some cases, the safety of the

mother, in other cases where a child was no longer wanted or to extinguish a whakapapa line, and I'm just keen to explore your views on that, which is quite different from your view that Māori didn't believe in abortion?

5 A. Yes. So, I suppose that people have different views about this whether they're coming from their iwi view or from the personal view, coming from other views that they might've heard, but no. For my view is this, that once that baby is born, and once that baby is conceived, it becomes a tangata, it is human. I can put a probably, no I don't wanna go there about my own values around my own church and that.

10 Q. So, can I just clarify?

A. Yes.

15 Q. So, what I am referring to is your comment that sets abortion in terms of what the traditional views were on abortion. So, I'm just wanting to clarify, is that actually a personal view rather than your understanding of pre-colonial practise?

A. It is just – it's not a personal view. It's a view form te ao Māori.

Q. Okay, okay, thank you.

A. Thank you.

20 **JUDGE REEVES ACKNOWLEDGES NGARONOA KIMURA – ACKNOWLEDGEMENT (14:19:05):**

MS MASON:

And your Honour I understand that Puti Corbett is online awaiting to present her evidence, thank you.

25 **MS MASON ADDRESSES WITNESS – AWAIT WITNESS REPLY (14:20:25)**

MS MASON ADDRESSES JUDGE REEVES – WITNESS VIDEO/SOUND ISSUES (14:24:31)

MS MASON CALLS

(14:25) EMA RORIANA WEEPU: (#A136)

Tēnā koutou te Tēpu e te Rangatira i konā, tēnā koe. Koutou katoa kua huihui mai nei mō tātou te Hui Mana Wahine o tēnei wā. **Thank you, the panel to receive a submission from these women assembled here.**

5 You have my brief of evidence. I was the one that had some provisos on the whakapapa. I'm happy to discuss the whakapapa here and open because it can be, but I did want you to have those copies so, that if you needed to question me about anything on them, you are welcome to, and a lot of the ones – some of the rangatira that are on that whakapapa on the large sheet are actually
10 evident on the room which was really lovely to see today.

Sitting in front of you are my daughter, my eldest daughter, two of her daughters and a cousin of theirs, a cousin of ours from Te Pae-o-Poutini; Ms Campbell, Ilaiana Sophia Maiava, Eden Elizabeth Maiava, and Isabel Anne Maiava and
15 myself Ema Weepu.

So, I'm happy for this to have been read. Do I need to summarise it for you? I'm happy that you have actually read it, and you know its content, so I'm happy for questions.

20 **JUDGE REEVES:**

Okay, well we have read your brief. I mean you know this is a Tūāpapa Hearing so we are largely focused on pre-colonial times in history and how that informs us in terms of the kaupapa and the claims in relation to mana wahine. So, it would be helpful for us if you could first of all point us to or summarise for us
25 what are the key points you wish to make about that will help us with our tuākana.

EMA WEEPU: (CONTINUES)

So, for mana wahine, we're sitting here. We are the faces of that pre-1840. We exist. Our whakapapa is Waitaha Māmoe Kai Tahu, and you would have seen
30 the whakapapa sheets that record those on the right-hand side of the largest one of Uncle (**inaudible 14:29:07**) is the Waitaha line starting with Rakaihautu. The line next to that is the Ara Te Uru, Mamoe line from Hotu Māmoe and on

the left of that there is Ngāti Ira and Ngāti Kurī and then just in between them there's Tahu Pōtiki and Whati-ō-te-Ramarama and Ngāti Porou Whatawhata.

To the right of them there's Tamateapōkaiwhenua, so all of those whakapapa
5 are present, and that's what sits in front of you today. I was taught by my mother
and father that I was special. I was a woman, and I would be a grown woman
and have children. That was my responsibility.

I noted a couple of questions of previous persons, and I thought I'd like to
10 answer some of those questions, if that is okay?

JUDGE REEVES:

Sure.

EMA WEEPU: (CONTINUES)

Okay, thank you. So, because when I grew up, I was taken everywhere at the
15 knee of my grandmother, my tāua. She was my mother's matua whāngai. She
couldn't have any children and she was a relation of ours from this island, that
Tamati whānau out at Little River. She couldn't have children. Her husband was
Ihaia Weepu who came from the Weepu line of Taumutu and Tuahuriri and her
line was Tamati and Rōpata, further south and the Ngāti Hinematua. They
20 couldn't have children so my mother who was born of her husband's mother's
brother was whāngai'd and raised with them. Her matua whāngai, her Father
that raised her was her first cousin and she was related to her mother. So, that
whāngai was sorted out by the family. From her siblings, there were 15 of them,
ten were whāngai'd out – eight were whāngai'd out and another ten were
25 whāngai'd in because that's how they dealt with whakapapa, skills, teaching. It
was the village raising the children. My mother who was raised by these two
married his youngest brother, was my Father and he married my Mother. And
that was about – because in my brief I talk about genetics, specific genetics for
developing the people.

30

And so, coming to that question about abortion, that's a word that is modern.
The concept is modern. The practise of honing genetics is not modern. It's been

around since the human race started. You'd stop a line for reasons that your people had decided but you would promote other lines for what came from those lines.

5 The other questions that I looked at was in evidence of a Pākehā and a wahine. Pākehā man and a wahine woman. In my line, James Robinson Cluff came in 1820 something or rather. Was living over in Akaroa, he was an example whaler. He came with a whale boat which was his wages when he dropped off the boat and he set up over in Akaroa and he was married to Puai, a tipuna of
10 ours and he was a Pākehā. He brought those things to the iwi. She had already had a child previously and was present at Ōnawe when Te Rauparaha came – no what was his name? Tangata Hara, when Te Peehi came and Tangata Hara killed Te Peehi of the Ngāti Toa. And she swam from Ōnawe, the marae pā out on the island peninsula there and she swam to safety away from that battle
15 when Te Rauparaha came. Her eldest daughter was from another marriage. She then married a Pākehā man who brought resources, but the mana of that woman was such that when she got tired of him, he was flicked. She then married again, got other resources for her iwi which came into Akaroa and when that relationship – she had two children from that relationship so in total she
20 had five children. And then he passed away and then she settled with somebody in her older age, another man and she was with him for the rest of her life and was kept in comfort.

So, when you asked that question about Pākehā and wahine and the resources
25 that come with things, it went both ways, certainly in our family. So, we acquired the resource, but we weren't subjected to remaining in a situation that a woman chose not remain in. And she found other things that she wanted to do with herself. In regard to – oh yes and tātai pounamu. So, there are the marriages of the victor and the conquered. And as our kaumātua spoke before, Jane,
30 those were pragmatic responses to a situation where we have to get on just as we accepted Pākehā, we are pragmatic, and we must get in and we develop our iwi as we go. That's the kind of poem that we are. We'll take the rough, but we want the best and we'll continue to do that.

In regards to ūkaipō, as our witness previously said, it isn't just the sustenance of the physical body. So, in our family and I come from these very diverse lines across this motu. We have specific ways of ensuring that health is looked after. So, over at Lake Brunner, Moana there is a Kōhanga there. So, you know about
 5 Kōhanga reo and the language and that revitalisation. Well, our Kōhanga, where our babies were born. So, we weren't just born in the house. We were born at Kōhanga where men looked after us, fed us. So, in Moana the resources there and the kai that's there is prolific and really good for us. So, that's where our babies would be born, and our woman referred from that. The same case
 10 in Hawae, Lake Wanaka, no Lake Hawea. In my evidence I spoke to a point about the name of them – it's the name of my brother. If my brother was here, he would tell you that name straight off because he knows that kōrero. And it's about a line of our Waitaha men. There is a line of men whether were brothers and they were used as part of the gene pool, but their people became the
 15 warriors that looked after the seabed of Waitaha and that was there job and they defended those at Lake Hawea from attack and from other persons because those children were special.

And then the other question I think that I heard said was, ūkaipō. So, for an
 20 example, when my tāua died back in, when was he born 1989. 1989 my tāua died, my grandmother died, the one that whāngai'd my mother, the one that couldn't have children and she was dying, and I had Tīhou who had just been born. And, through that trauma I lost my milk. But I had three sister in laws who were feeding their babies and they fed him. So, he doesn't just have one
 25 mother, he has four which he loves dearly. And so that's the type of things that the ūkaipō does, it keeps the connections, and it feeds the souls of the little ones that are coming through. So, he's a very special boy and we love him dearly and he was really lucky that they had three aunties that were feeding at that time and he shared their milk of his cousins. So, that was really cool.

30

So, my mother in the brief I talk about my mother taking me to a lot of hui. And so, I've raised my children to go to hui and they now raise their children to go to hui because that's our only source of education. Whereas if we had not been taken out of our homes and out of our villages to be placed into institutions to

learn other things we would be so much better now. But we weren't so we're so we're trying to fight to get back that environment for our mokopuna and when our mokopuna are fine, the rest of the country's fine because they build the nation. And I think that's about all. I've got lots to talk about. Rongoa, and
 5 regrowing everything, re-seeding the pā harakeke, hapū. Why did we stop developing the hapū and we stay with iwi? There should be so many more hapū, new hapū, because hapū are manageable groupings, iwi aren't. We come together as hapū, we form the iwi but don't talk to the iwi, talk to hapū, talk to the whānau because that's where our strength is.

10

One of the things about Waitaha and why I'm happy to support this claim, it's political because this political stuff is the structure that we're existing in. Our way of doing it has been taken away from us so this is the only way that we have in which to inform change in our society and we've got to get better at it
 15 that's all I think.

Te Hautapunuiatu, that's who they were. Te Hautapunuiatu were the group of brothers and they came from that tupuna and they seeded a lot of our current genealogy across the island to pre-Kāi Tahu because Kāi Tahu have been here,
 20 Kāti Kuri, since 1700s, 300 years. Māmoe were here way before that. Waitaha were here way before that and I stand by everything I've written. I'm not reading it to keep it quiet, I'm just not reading because it doesn't need to be read. It can be seen by anyone and that's what our family does and how we do it, we're happy to. Though I do ask that the whakapapa be given back because I don't
 25 like to think of it sitting in covered somewhere, kind of waiting but I'm happy for it to be brought out any time.

(14:42) KIM NGARIMU TO EMA WEEPU:

Q. Kia ora, kia ora, ngā mihi ki a koutou. There's three things on your brief of evidence that I just wanted to ask you about. So, the first is in your
 30 kōrero about Papakura and Tūhuru and you talked about her preventing him from attacking a group that she had already conquered because that would have been him asserting his mana over her which was already on display and so I guess I just wanted to ask you, you know, do you know

if that kind of kōrero about wahine preventing tane from asserting their mana, was that commonplace in your hapū?

A. Yes, pretty much, pretty much. Yes, pretty much.

5 Q. Okay, okay. So, also just with Waitaha, so you talked about the shift in tikanga from when Waitaha women were holding both the whaikōrero and the whakapapa and then there was a gradual shift and the men claimed te whaikōrero and then ultimately, they claimed the whakapapa as well and so I was just wondering if you could talk to us a bit more about those shifts and what was behind them and what it meant for the women of
10 Waitaha.

A. So, this kōrero that comes, comes from generations of people within the families and of course I spoke of the epistemologies. So, different iwi are different nations. Within Kāi Tahu, whānau whānui you have lost of different nations. Each of those different whānau within each of those
15 different nations have different kōrero that come down so you will be hearing of Waitaha kōrero that are from that whānau and hapū perspective and they may say something different, neither of them are wrong, it's the kōrero that's come down, so it is their epistemology.

20 So, when and my brothers and I talked, well some of my brothers and myself talk about a lot of things and we've been to a lot of hui and we see a lot of whānau and we do a lot of whakapapa because we've been doing it for years and just the interaction of other whānau and other hapū within our larger iwi body, it's evidence that that, that change of the whaikōrero and whakapapa status happened because it's through the family stories
25 and when you have enough family stories you can do the analysis of it and that's what we've come to and we agree on it and we talk with it to dad, dad passed away last year but we talked to dad about it and he then started to tell us stories – this was back in the eighties we were doing all
30 this talking because of the fisheries and the Ngāi Tahu claim and the Waitangi Tribunal, so all of these things were coming up and so we were meeting up more and more and because we've been raised with our relations, dad would take us everywhere and say this is your relation, this is your relation.

So, then we've sit with them and then we'd stay with them and we'd hear the stories and being exposed to them we formed this analysis of what was happening so that we could relate to them because pepeha is no good if you can't relate to the next person that you are saying to. So, that became a real learning thing for us and then when we sat down and started to analyse it, we thought this is showing up. So, that's how we came to the conclusion that that is what happened because it's in the whānau stories.

5

10 Q. And so do those stories include sort of what it was like for the wahine for the transfer to happen?

A. Yes, yes. They agreed to the transfer.

Q. Okay, okay.

15

A. Because, again, pragmatism. We want these people, we need these people, we are shifting and changing but we are going to survive.

Q. And then the last kind of certain things I just wanted to talk to you about was, is about your kōrero about Tamaiharanui.

A. Yes.

20

Q. And you talk about practices of consuming flesh following hostilities and I guess what I wanted to ask you was that practice, was that principally about conquest or was it principally about the exertion of mana?

A. I don't know that there was a different at that time, it is what they did to ensure that that was passed to the other person.

25

Q. So, that was kind of the second part of my question, was sort of the implications for the whānau and the hapū of the consumed one.

30

A. Yes, yes. It didn't matter to us that it was – sorry, he is one of my relations, he's my mother's line. It didn't actually matter – see this language is so harsh. It didn't actually matter that Tamaiharanui was there because he wasn't from the line, he was from the northern line, which is why they were left, he was left but the others weren't. Does that make sense to you? Does that answer you?

Q. It doesn't quite go to my question though, of as a practice for whoever was consumed, what did it mean for their whānau and hapū? What was the impact on the mana of that whānau and hapū?

A. So, you know – I don't know – it didn't affect them. It prevented far worse for her to have gone to the others. It's like sacrificing yourself, which is what Kahukiao did, Kahukiteao, she sacrificed herself not to be placed in that position, just like Jesus Christ himself for other people. You know, it's actually a cultural thing, it's a reason for why you would give yourself up, why would our soldiers go and die for their brothers in the 28th Māori Battalion? Why would they do that? Because the mana of that person is better off remaining. I don't know, it's a cultural thing.

Q. Ka pai tēnā, kei te pai.

10 **(14:49) DR ROBYN ANDERSON TO EMA WEEPU:**

Q. Tēnā koutou. Tēnā koe Ms Weepu. I'm the one who asked about the marriages so I thought I would just carry on...

A. Ema's fine.

Q. I'm Robyn.

15 A. Kia ora.

Q. So, just to carry on that conversation especially peace-making marriages between victors and the defeated and I think maybe you – I can anticipate your answer from your answer to Kim, but do the women involved have agency in those arrangements, 'cos often they are described as fathers giving or the brothers giving, or you know, yes, rather than –

20 A. Do we have agency in that kōrero? Yes, we do, because we don't look at it as a patriarchal thing. It's described as a patriarchal thing. It's described by another culture as a patriarchal thing.

Q. Yes.

25 A. But within our culture, we don't necessarily describe it like that. Our men have learnt to be patriarchal and that's for us to deal with and that's okay because they still listen to us quite well. But when we choose to be in that place because we choose – because it's for the betterment of the community. That's how we were raised, like I will go running around the island doing all this different stuff because I was raised to go and help. I was raised to do it that way and so, yes, I sacrificed a whole lot of stuff to do that, and we choose that. we have the right to choose that, and we'll

30

do that for our whānau. We'll do it for whānau, we'll do it to ensure that that continues. Again, pragmatist, yes.

Q. So, my next question might be a very Pākehā ignorant question.

A. No, not – just different, not ignorant.

5 Q. Thank you, so Tatau Pounamu is that the action or is it the person or is it both?

A. It's a philosophy and we utilise greenstone, we utilise the concept of a door that you can go through backwards and forwards. We utilise those concepts for our philosophy of bringing about a settled piece. So, when
10 Moroiti passed – I don't know that I've spoken about it. When Moroiti passed over that patu pounamu to bring back her whānau, that was the Tatau Pounamu. Anytime they want to resume hostility, all they got to do is send that patu back and it is on.

Q. Right.

15 A. Until they do that, they have settled. It is all happy and we do not have to worry about anything, but if they ever choose to challenge us and say, "No, this is ours," then they got to just got to send it back and then we'll discuss it. Just like Papakura's daughter Nihorere, she went and lived there, and she became a pou whenua, marking the boundaries of the land
20 because the land would naturally have gone to her. When she made that mark, it meant that the land couldn't go, and it stays with her brother. However, her brothers set aside land when they moved from Mawhera to the heartland of Pounamu and Arahura. They put the land closest to the awa and set it aside for her children and descendants' purpose and that
25 was their recognition and so she was happy to do that because she knew that her whānau would be looked after. She knew that. You do these things because you know what your family is going to do.

Q. And those arrangements, they could be – go through multi generations if that was chosen?

30 A. Oh yes, oh yes, absolutely, and so you see, with Nihorere, Nihorere's line you have the descendants of that line who went into parliament and who continue to do the work that has been set out for that whānau to do and they understand their responsibility to the hapū, and so, they are always welcomed home again. And those are dropping names now. And

Tirikātene, currently, Sandra Lee, Tini Whetu Marama Tirikātene, the tuku of the line, Bill Uru her JWR from Tuahiwi, John Patterson from Tuahiwi, lots of them, and so, we under – well, in our family we were taught, “These are your whānau.” So, we look after them, but because I get so busy now days it’s only when they die that I actually go and see them, unfortunately.

5

Q. And are those relationships, I’m thinking of expression used by Ngāti Raukawa on the coast, Takawaenga, the people who stand between and one of the things that fascinated me was that that role continued through generations and reaffirmed by marriages in succeeding generations. Is that –

10

A. Again, genetics, it’s genetics again, yes. You keep that work in that field to that genetic line and so long as the tikanga is passed down, which is the wawata, the dream for the people. So, long as the tikanga is passed down and that they understand that, then that is returned. It is always returned.

15

Q. And just to shift topic, I was curious about you had a paragraph on two women who signed the Treaty?

A. Oh, yes.

Q. Who you didn’t name, and then one who didn’t who you also didn’t name, and I just wondered whether you could tell us more about –

20

A. I was waiting for my cousins to turn up. I was waiting for my cousins to turn up because I know the story and I won’t put down a name unless I have it correct and they haven’t turned up. I thought they would come and do presentations but we were only told this a couple of months ago, I can’t remember how long ago, and we put the call out for people to come and because I run around so much I haven’t actually gone back to my cousins and said, - I do have two contact but I haven’t followed it up and I do know that it’s true because I was at the wananga when we discussed it and we had the documents in front of it but can’t remember and so I won’t put their names down.

25

30

Q. That’s all right. I might ask the question in writing and give you an opportunity –

A. Yes, yes, that would be great.

Q. All right. Thank you very much for your evidence today, it's been very illuminating so thank you.

(14:57) PROFESSOR LINDA TUHIWAI SMITH TO EMA WEEPU:

5 Q. Tēnā koe, thank you for your brief, some pearls in there and one of the pearls is in relation to I think paragraph 24 on whenua where you make this very clean statement, whenua is a resource –

A. Yes.

10 Q. – and you elaborated, and I've got a couple of questions really from that paragraph because you also in the middle of that paragraph go, "...and the men went off here and there"... I was wondering where here and there was?

A. Fishing.

Q. Okay.

15 A. Birding across the island, hui, lots of different places and they weren't often at home because this land that we're in, they would travel the byways and the highways which are the awa and so they would be gone for days and sometimes weeks because they would have to do the mahika kai trails.

Q. Yes.

20 A. Okay. So, you've got to do the trails then you've got to trade and then you've got to get it home because there's hungry starving women at home and they want to feed them the other kai. And so, that's where they were.

25 Q. Thank you for that. So, I guess what I want to explore is the concept of mana in relation control over the resources and control therefore over whenua as a resource and to what extent, you know, do you think that was the domain of mana wahine? I mean, there is a context for me asking the question because I know in other parts of the Pacific it's pretty clear that women had the land rights and the men had the sea rights, those sorts of ideas, so I just want to explore to what extent you are saying here
30 that the wahine had, you know, control over the whenua as a resource and through that exercise mana and possess mana. Does that make sense?

A. So, practicing – I’m starting to get tired of the word mana because then it wasn’t mana, it was as Rangī Kipa was saying it was just the norm. So, women might have an arranged marriage with another – you know, Solomon was amazing, might have arranged marriages. So, on the West Coast we have a specific whānau that has Tainui links continuously, the Tauwhare, and that was political marriages and that was about not wholly and solely resource. It was about mana enhancing stuff.

5 The taua gran at Arahura. Taua Gran decided who was marrying who because the girls and it’s very much the same today, and she would have got it from her parents, and she was following what we did on the coast. She came from Rāpaki. The girls left at the pā, so that our line is always there, so we talk about ahi kā but it’s the women that carry the ahi kā. There are men that come from other places for other reasons. They’re strategic marriages, but the girls are the ones that stay at the pā.

10 So, at the pā now, we have 16 homes, 20 homes, and it’s the girls that live there and the girls are getting older these days, but the girls live there, and so, we maintain that ahi kā throughout children. And Taua Gran would not let other women marry into the males at our pā, so she would marry our boys to our girls, but she wouldn’t allow them to marry outside. A couple of times there were outside ones because they were Romeo/Juliet, but then they would go off and live in the cities, but generally pre-1840, it was the female that was there and that was to hold on to that, I don’t know, ahi kā.

15 And we did the same out at the peninsular out at Horomaka because all of the different resources, the tuna, the kōura, the pāua, the birds, the different birds and the different harbours and here, even here because these were divided up amongst ourselves and wairua’d in, wairua, but the women, when you go back in the whakapapa, you can see the line of women, are the haukāinga.

When Kai Tahu came, the women that were kept were Mamoe women. Those Mamoe women when there was no Kai Tahu here, when they came, the women that were kept were the Waitaha women, those lines stayed. In there, I talk about the Waitaha women here Ngāti Māmoe coming through from the north on Te Arai Te Uru, and the marriages those conquering peoples the ones that are more warfaring, oh yes. When the Ngāi Tahu came, Ngāti Kuri and Kai Tahu, the Waitaha shifted because they didn't really like to fight. They were actually more peaceful. They liked to just live a happy life, that's why they were here, and they came south from the north and so they shifted. They shifted to Te Pākihi Whakatikatika o Waitaha and they lived here and then Ngāti Kurī came and then Kai Tahu came, and there were a lot of them. So, they married into these one's wives and these ones were the resource, so marrying them meant, "Oh, yes, we gotta settle these things," so okay. And so, they shifted further south.

And when they started the Kāi Tahu Huaka Wars, Kai Huaka Wars, they just said, "Nah, no more of this, yes, don't come anywhere near us anymore," yes, not good. So, there was a kind of a line put there. Now the resource was still with the women because they still carry the bloodline and they would defend their blood against their relations, but they wouldn't attack their relationship and they wouldn't attack these ones because of the women. So, they held the mana, the women did. Does that answer.

25 Q. [Professor Linda Tuhiwai Smith] Yes, I have to think it through, but thank you for your answer.

A. Thank you.

(15:05) JUDGE REEVES TO EMA WEEPU:

30 Q. Now, I just want to ask one last question before we go to our afternoon break and that is about you say in your evidence that on the lintel outside the door the whare Tūhuru Arahura, that Tuhaitara is inside the whare is the lintel looking down at the taiaha and patu. So, I'm just – if you could just talk to us about the significance of those fighting wahine?

A. I actually have a much better – yes, and the place you have in your whare.

Q. Would you mind if the expert of that speak to that?

A. Sure.

Q. Kei te pai?

5 A. Āe.

Q. Thank you.

(15:06) MISSY CAMPBELL: (EVIDENCE)

Tēnā koutou, he uri tēnei nō Tūhuru rāua ko Papakura, ko Missy Campbell tōku
 ingoa. Okay to tautoko Ema’s kōrero, so on the outside of – so our whare is
 10 Tūhuru and our Whareora is Papakura his wahine. So, on the front of out tatau,
 we have a tupuna wahine by the name of Tomowhare. She was the rangatira
 the Te Ariki Te Pairu of her own hapū and then on either side of her we have
 Tūhuru’s sisters, Maroitī and Koiti. They went everywhere with Tūhuru and
 Papakura, everywhere. One was skilled in the arts of warfare and one was a
 15 matakite. So, they were his and Papakura’s right-hand woman. So, they are
 there to acknowledge the mana that we have as wahine toa.

And then on the inside of the whare, yes, on the inside of the tatau, right above
 is Tuhaitara and she is there to represent our whare tuatua, Wharepūrākau and
 20 the name of that whare pūrākau was Te Karara Kopae a Tuhaitara, ‘cos she
 had a mōkai which was a tuatara, yes, he momo tuatara, and we still carry that
 name today in our whare pūrākau, and on either side, we have two cabinets
 that house all of our weaponry. We have mere pounamu, we have pou whenua,
 we have koikoi and maipi, taiaha. Those two cabinets, they are there as special
 25 reminders of what our women were experienced in. there are also there as living
 memory so all the taonga in the cabinets are used.

When we built our marae, we had not had a whare tupuna or whare whakairo
 for over 150 years in Arahura, so when we opened our whare, we revitalised
 30 the art of mau rākau within our wahine. That was when our whare tutawa,
 Te Karara Kopae Tuhaitara was reawakened and our wāhine were taught and
 trained. We had weapons made specifically for them. We had mere pounamu
 made for the wahine to be used on the ātea the day that we opened our whare

and only our wahine use this mere pounamu and they are housed in these cabinets. These cabinets, they are also named for two specific wāhine tūpuna, yes. Is there anything else? He aha? Yes, does that answer your questions. Does that give you enough?

5 **(15:09) JUDGE REEVES TO MISSY CAMPBELL:**

Q. Absolutely and I am so glad I asked that question because earlier on we had some kōrero about the men going here and there, but clearly the women were going here and there as well. So, and I am just really interested to hear how those stories and those histories had been reawakened and given life through the, not just the display of these objects and the presence in your whare, but through action like mau rākau and things of that nature. So, yes, thank you for that kōrero.

10

A. Can I just add and the way that the mau rākau is taught to our whānau too, is through whakapapa. So, every āhai, every karo that they learn, they're reciting whakapapa which is another form of passing it on.

15

Q. So, you are connecting, you are learning and you are with that of your tūpuna?

A. Yes. Kia ora. And just to introduce you if you haven't met her yet. Tūhaitara is present in that far corner. That pou is Tūhaitara. Our 12th – my 12th toller.

20

Q. Āe, so I think we had Tūhaitara in the Māori Land Court here in Aoraki House for many years but for various reasons we were not permitted to take her with us to our new home.

A. And I suppose it – no I'll wait until the finish. So, I'd like to invite you the next time you come into the South Island to bring your patu pounamu which resides at the house for the Waitangi Tribunal which was presented to the Waitangi Tribunal in Arahura by Sandra Lee.

25

Q. And that is the very beautiful long patu pounamu. Yes, that sits within our hearing space in Wellington, yes. It's there with us every day.

30

A. Be lovely to see her again.

Q. Nobody's used it as far as I know. Thankfully.

A. Thank you.

Q. Okay, kua mutu ngā pātai mai i te tēpu ināianeī and ko tēnei te wā mō te kapu tī ināianeī. He waiata?

WAIATA TAUTOKO

JUDGE REEVES:

5 So, we are going to break now for 20 minutes. Be back just after half past.

HEARING ADJOURNS: 3.13 PM

HEARING RESUMES: 3.35 PM

JUDGE REEVES:

Tēnā tātou. Ka haere tonu mātou. Yes, Ms Mason.

10 **MS MASON:**

Your Honour, we're proposing with your leave to have Ms Elle Archer on first. She arrived earlier and she has to get back to work after her presentation and then to have Ms Puti Corbett who I understand has had her IT issues resolved on after Ms Archer.

15 **JUDGE REEVES:**

I have just had a quick – asking the panel, there is probably not going to be a lot of questions for the next witness and what questions we have we can provide in writing which would mean, if you need to return to work or home or – then there is no need to keep you for too long. So, anyway let us proceed. So, kei a
20 koe te tuku mai tō taunaki. **Please present your evidence.**

MS MASON CALLS

(15:36) MARY-ELLEN ELLE ARCHER: (#A154(a))

25 Tau mai rā ko te mauri. Te mauri tū, te mauri noho, te mauri-ā-rangi, te mauri ā-nuku, te mauri āio, te mauri aroha, te mauri o ngā tūpuna. Tau mai rā ko te mauri ora. Ka mimiti te puna i Taumārere, ka toto te puna i Hokianga. Ka toto te puna i Taumārere, ka mimiti te puna i Hokianga. Tēnā koutou katoa.

I te tuatahi nei, ka mihi ki te mana o tēnei whenua, Kāi Tahu. I te tuarua ka mihi ki ngā rangatira o mana wahine Tribunal. Tēnei te mihi ki a koutou katoa. Ko Elle Archer tēnei. He uri nō Ngāpuhi, Ngāti Tamaterā, Ngāti Raukawa me
5 Ngāi Tūhoe. Kia ora.

I present this brief of evidence in support of the claim of the Waitaha Grandmother Council of Aotearoa. Nau mai, haere mai, Hine-nui-te -pō. As Whaea Eva Rickard said, "Somewhere in the past is my
10 destiny."

These things I share with you today took many years in the gathering of this knowledge. I have Saturday at the feet of my Nana, Aunties, cousins and of course my Mother, listening and building an understanding of what was helping
15 to shape for me what can be. It has taken over 40 plus years to piece together stories from my whānau and of the three wāhine toa that I'm going to speak about today.

My mother is māuiui this morning and could not come with me today, but I left
20 the house with her korowai around me and kia ora whānau for being here with me too.

Ko Mongero te maunga, ko te Huihui te awa, ko te Ngātokimatawhaorua te waka, ko Kaingahoa te Marae, ko Tūmanako te wharenuī, ko Ngai te Waka ki
25 Waoku te hapū, ko Rahiri te tangata, ko Ngāpuhi te iwi. I te taha o tōku whaea, ko Kohe Erena te Maunga Waiti te Nanny, ko Aroha Ani Wilson nee Whiu tōku Māmā, ko Hinerangi Whiu tōku tīpuna whaea. Ko Tūterangi Whiu tōku tīpuna matua.

30 I am a professional Director and governance professional. I sit on multiple Boards with multiple sectors. I sit on the Boards for Network for Learning, Te Matarau, the Māori Tech Association for Aotearoa, Central Plains Water Trust, ELG Ltd, Ako Ōtautahi Learning City Christchurch and I also chair the welfare emergency management welfare for the

Selwyn District Council. I am also a PhD candidate at the University of Canterbury, examining omni-cultural governance. I say these things in humility because I know where I come from and I know why I'm doing these things, because of the stories that I know of my mother and of my grandmother and of her mother.

I connect my experiences with the mana and manaaki of my tīpuna who were leaders in the times before Te Tiriti, before 1740. Mana wahine, te rangatiratanga is all connected.

10

The following evidence is based on discussions with my mother, my grandmother, my aunties as mentioned before and other women in our whānau. We talked about mana wāhine, atua wāhine, and our tūpuna wāhine. We also discussed our mana as women pre and post colonisation. It has been a journey, so I feel the evidence below is important in telling my story.

15

This is heavy. We had a karakia this morning before we left because I feel the heaviness of this, and I wanted to share that with you.

20 **Mana Wahine and Rangatiratanga**

In the world of Ngāpuhi, mēnā and women are of equal status, but their responsibilities are different. Women could also inherit mana to the land similar to men.

25 I have many stories about the rangatiratanga of wahine dating back to 1740, as I am a descendant of Tūterangi Whiu, the chief of our hapū within Ngāpuhi. He was married to Hinerangi Whiu, who told a lot of stories in relation to rangatira for Māori wahine. I also hear similar stories with our Ngāti Tamaterā iwi, and related hapū. We don't have a lot of time for me to tell all those stories, so we'll stick to Ngāpuhi, nē.

30

A lot of wahine were involved in various leadership roles. For instance, in the marae, the environment as kaitiaki, in agriculture, the gathering of food and weaving, education, birthing and child rearing, and anything to do with life and

creation, including health and wellbeing. We were the keepers of the people of the house. Our house is bigger than a house in the physical constraints of house as we see them today.

5 One of our whanaunga was going to sign Te Tiriti o Waitangi, but she was not allowed to sign because the Crown did not allow women to have voting and signing rights, this told through a mōteatea in our whānau. This was written in a waiata passed down through the generations. Another of our tīpuna did sign, her name was Ana Hamu. She was a close relative of our tūpuna, Patuone.
10 Hamu signed the Treaty on the 6th of February 1840. She was one of the widows of Te Kuki, chief of Te Uri o Ngongo. On one occasion when Te Kuki held talks with the missionaries, he refused to have anyone else present other than Ana, such was her status in his eyes.

15 Another example which I love is that some of our ancestors were reira, I think that's already been spoken about or otherwise known as women assassins. These were not necessarily ones leading the war party. These were the secret Somali ninja type ones, just to give you some kind of concept and thought process in your head as you're thinking about them. Reira were revered in our
20 iwi. They were trained to fight and trained to battle in what might be considered by some as 'martial arts' today. As a person who grew up learning kung-fu, I am so proud to have learned this later on in life. It connects with me. I now understand why I had such a warrior about me when I was in that ring as I was younger and now today in the boardrooms in which I now sit.

25 Some wahine would be at the front of war parties, carrying their mauri with them. These women are mentioned in our mōteatea, oriori, patere. This was an everyday role form them. There was no fulla huddle over there and a wāhine huddle over there. They were present in the same hui with equal status, respect
30 and say.

The respect for women leadership comes from the idea that women are the creators of life. I know this probably has been said many times during these hui. I just want to tautoko.

Before 1840, women were seen as tuakana to men, because we were the creators and the preservers of life. Ngā wahine opinions, words and actions would carry great mana.

5

There are also stories and kōrero about women driving the creation of strategy and strategic thinking, an area which resonates with me as I am a strategist. I listen to our wāhine and the story of our wāhine and Ngāti Tamaterā and their strategies in aiding us in winning some of those battles. Strategies in which our tāne were the ones that carried them out. But it was their thought process, their whakaaro that were part of those discussions that drove them forward.

10

Mō taku hē, I am well aware of what I speak of being in this rohe, in this takiwā. I have always bowed the knee; I know my place.

15

When learning about our strategy I found great comfort in it as I am a strategist and committed my life to the governance profession for the benefit of our people. Everything that related to the life and well-being of the tried women were involved.

20

Hinewhiu, my great great grandmother was born in 1760. She then gave birth to the paramount of our tribe, Tūterangiwhiu in 1835 who then married Mere Te Manawanui Whiu. Hine was close to her daughter in law, Mere and immediately saw a big difference in the way Mere was treated as opposed to the way it used to be before colonisation.

25

The event referred to in this particular part is in my confidential brief, please review that. I am going to refer though to the suppression of women after 1840 and the effects that it had had on my grandmother and my mother. And some of that passing down to me, which is the reason why I stand here today.

30

My grandmother did not have a good life. She had the opposite of a good life. She was treated like a dog and there's a lot of mamae there, and I feel it. It

makes me feel stronger instead of weaker. Please review the confidential brief for this part.

5 She was stripped away of her mana and herself respect. This had massive impact on her first family as she was given away at 13, and it had massive impact on her second family of which my mother was born into and because of that, my mother had a shit time too, and my mother didn't want that for me. My mother's mother didn't want that for her, so even though my mother had a crap time, it wasn't as bad as my grandmother's time, because my grandmother tried
10 to do her best by my mother.

These behaviours that were passed down, these things that were passed down had an effect on the way in which my mother parented me. She wanted more for me than what she had, so she put a book in my hand when I was a pēpi and
15 she said, "Go learn how to do it girl." My father put a toolbox in my hand and a chainsaw in my hand he said, "And you go do it." Mother said, "Go learn it, you go do it." That's the messaging that I was given because of what they had been through. This is why I stand tūturu. This is why I'm here today.

20 After 1840, Māori women not only had to go through the suppression suffered by all Māori by way of the loss of culture, identity, reo and self-worth, but we also had to go through the added oppression of being second class to men.

And in our family, my grandmother wanted better for my mother and put her into
25 nursing and in turn, my mother wanted better for me and so she encouraged me to develop my career, and so off I went into the western world. I made a lot of money for a lot of white people for many years, but where was my mātauranga? Where were these things that I'm only learning now? Why do I feel less than with my own people, because my reo is not where it needs to be,
30 and I know now how important it is? I know that there's more in our language than just a language. There is so, our tikanga, everything is in there. Mum and Dad didn't want anything to do with that.

Her mother and her, and her mother before her, they were told that there was nothing in it, and so now, as I return and I go through a reclamation, a reclamation for my mother and her mother and for our whānau and for my daughters and for the legacy that's coming before me. I now understand how important it all is. I now understand what they had lost, and so I strive to learn as much as I can, to sit at the feet of my nannies and my aunties, and our mana wahine and learn.

Mana does not come from people, it is bestowed upon us by our atua, through whakapapa, and inherited through mana whenua. Now as I work for my iwi, and I mahi hard with my iwi, I now understand how important it is. I get it now.

In our worldview the status of female and male are of equal mana with varying responsibilities. I stand here now with this knowledge of my tupuna wahine as a leader in multiple areas. I have had to fight to get to where I am, but this ancestral knowledge is a korowai for my purpose and provides meaning for my contributions to the collective as my Tūpuna wāhine stood tūturu pre-1840. I stand tūturu now. He peka te tuku, ārahi rangatira, e kore e whati. I will not break. Kia ora.

20 **(15:53) JUDGE REEVES TO MARY-ELLEN ARCHER:**

Q. Tēnā koe, we got time just for a few pātai, if you have time? What would you like to do?

A. I am here, I am here.

Q. So, in your brief, you talk about connecting your experiences with the mana and manaaki of your tīpuna who were leaders and mana wahine rangatiratanga is all connected. So, can you talk a bit more about how and in what ways your tīpuna wāhine provided you with the blueprint for your governance, governance mahi and leadership role that you undertake?

30 A. It's in there, the blueprints in my DNA, it's in my DNA. As I started to learn and communicate with my whānau and learn more, I learnt about the similarities of my tūpuna. It wasn't just the fight, the audacity that there's characteristics that the strategy, the connecting of me today and then

yesterday is so very important 'cos I truly believe in yesterday, today, and tomorrow. I truly believe that that is all connected. So, learning about them and learning about our similarities and also learning about just the sheer audacity of these amazing women that were my whānau, that were my whānau. It brings you together. There's a belonging, there's a togetherness about it. There's a – it gives me strength. It's intergenerational strength and as I watch the reaction of my mother as she watches me do the stuff that I'm doing today and we have a kōrero, we have deep kōrero a lot, she never questions – she knows that tomorrow is exciting, that the opportunity is amazing and that we're here, but she questions what would it have been like for her if the things that had happened hadn't happened, but she's excited for her daughter and now her daughter looks after her the way it should be. That didn't answer your question, I know I'm going off on a random but I'm a little bit in the emotional zone right now so I'm just trying to sus out, you know, what's the best thing you say.

Q. Well, we can also provide questions to you in writing which will give you a little bit more time to reflect and we will do that.

A. Kia ora.

20 Q. But while we've got you here.

A. Yes, yes.

Q. So, were you born and brought up here in Ōtautahi?

A. Kāore, kāore, I moved down to Ōtautahi to start up the South Island operations for my Geospatial Technology Company in 2009 but I was born in Waihi and breed in a little town called Tokoroa, 886. Yes, but I come down here and have just been mahi, mahi hard here, done lots of things here, love it down here.

Q. So, have there been challenges for you in carrying out the types of roles that you've told us about, being a Ngā Hau e Whā wahine in Ōtautahi?

30 A. Āe rā. There's a disconnection from where, from my whenua, from the North Island to Te Waipounamu. I have felt it over the years; 1. Biggest challenges it's a disconnection from your takiwā, okay? We don't have a lot of time to talk about all the things that happen there. The other thing is, we are sometimes treated as second class citizens down here, nē, and

- I understand why, for us by us, I get it. But those of who understand tikanga or who have grown in the understanding of tikanga understand where our place is and so we bow the knee and we do what we can but we also have our own mana to stand on, we mahi hard, we mahi for our people, we have that mana to stand on. So, when we talk about mana wahine we're not just talking about the stuff pre-, we're also talking as many dimensions and layers to this. When your disconnected from whenua but your mahi hard here there's a degree your takahi te mana – I don't want to piss anybody off, straight up. I've been trying my best to do what I can, to mahi for mana whenua here and I just step back now, I understand. When I mahi and go up in te Hauraki and I mahi with my own iwi, boom, but I have committed – I've done a lot of mahi down here especially for our rangatahi and for our economic development space and I'll leave that there. That was a big question but it's heavy enough as it is.
- 5
- 10
- 15 Q. Okay. Well, just one last question from me and that is as a rangatahi wahine what would you be looking for from this inquiry in this process? What kind of outcomes would you like to see from a Mana Wahine Inquiry?
- A. Awareness. Our whānau, not only our whānau, everybody needs to know the impacts of this on our women, on our amazing, amazing, amazing women because through all of it, look at us, through all of it look at us, we're still rocking on, we're still carrying all the kaupapa on our shoulders. I work in seven primary spaces and all those kaupapa here and I shoulder it, I shoulder it because I know what my mother and her mother and the other amazing women in our whānau what they shouldered, right? So I'm thinking, I've got it easy. It's the awareness of this and the impact of this on our women and if we could, if the outcome is that we talk about it more and that we use it to continue to move the waka forward kei te pai tērā, kei te pai tērā. It should be about the enhancement of us and the reclamation of our amazingness.
- 20
- 25
- 30

(16:01) DR ROBYN ANDERSON TO MARY-ELLEN ARCHER:

Q. Kia ora Mary-Ellen, I'm Robyn.

A. Kia ora.

- Q. I'm just interested in your little brief mention of the women who tried to sign the Treaty and –
- A. Ana, mhm.
- Q. I see Ana did sign.
- 5 A. She did.
- Q. You mentioned one who wasn't allowed –
- A. No, one didn't.
- Q. And I take it you don't know her name or that you are going to try and find out or...
- 10 A. It was a relation to one of our tipuna Ruahine and there was a letter. So, the waiata makes reference to a letter about this but I have gone through, I have called my aunties up, we've had a kōrero and they cannot find the letter so I fear that that is lost.
- Q. Right, but the waiata is still -
- 15 A. The waiata is still strong and still sung in our marae today.
- Q. And do you think it would be possible for us to either hear it or have the words to it?
- A. I can get you the kupu to the waiata, āe rā, but the waiata also doesn't mention her name.
- 20 Q. Right. I think the panel would be very interested in that, nonetheless.
- A. I tried to get as much evidence as possible because I wanted to ensure that I had something there but there's also a disconnect of whakapapa knowledge – there's a whole bunch of stuff.
- Q. I'll ask in writing and then it sort of gives you an official channel if you like.
- 25 A. Āe.
- Q. Just that one thing I've wondered about is that some women were able to sign and then there were others who weren't and do you have any insight yourself as to that diversion?
- A. When I spoke to my grand-aunty about this and she's our – she's pretty
- 30 choice – she said to me, it wasn't just about the Crown having their kōrero, it was about the status of that wahine at the time and so she think what might have happened when she, you know, as they go through the waiata, what she thinks what might have happened is that whatever tāne was there at – whatever male was there at the time, Māori male was there

at the time gave their recommendations on who or why and I – because of patriarchal system there, but that was for her and then when I hear about the story of Ana, of our tupuna Ana there was no one there, she just said, “Here I am”, rock and roll, one name, done! So, I don’t know, I don’t know what I don’t know.

5

Q. It’s something I’ve thought about myself. I think just as a conversation, I think Ana already had a relationship with Williams and so that may have given her acceptability if you like in the eyes of that particular participant and official anyway.

10 A. But that relationship though was through her – was through Te Koki, right?

Q. Well –

A. With William, that relationship -

Q. Yes.

15 A. - so the story goes, so that is why she – that’s what I’m trying to say is that that was the patriarchy getting together and doing their thing and so that was the impression that I was given.

Q. All right, well much to think about, thank you for coming today, thank you.

A. Kia ora, kia ora.

20 **JUDGE REEVES:**

Kia ora, that’s the end of our pātai for now.

WAIATA (WAIRUA TAPU)

MS MASON CALLS

Ms Puti Corbett is on next and I have been advised that her Internet issues have been resolved, thank you.

25

JUDGE REEVES:

Tēnā koe Ms Corbett this is Judge Reeves, so ki a koe ināiane ki te tuku mai i tō taunaki. It is over to you now to talk to us about your evidence

(16:07) PUTI CORBETT: (#A083)

Ko Ngātokimatawhaorua te waka, ko Rākaumangamanga te maunga
(Māori 16:07:48 – 16:08:00)

MS MASON:

- 5 Puti, sorry I wonder if it is better if she turns the camera off and then that might make the sound better because she is in a rural area and the quality of the connection is not so great.

- Puti if you can hear me, can you try turning your camera off so that we can hear
 10 you because it is just not coming across very well, it is very broken.

PUTI CORBETT:

Is that better?

MS MASON:

Yes, it is a lot better.

- 15 **PUTI CORBETT:**

Ka tīmata ahau?

MS MASON:

Āe.

PUTI CORBETT: (CONTINUES)

- 20 Tēnā rā koutou katoa.
 Ko Ngātokimatawhaorua te waka.
 Ko Rākaumangamanga te maunga.
 Ko Ipipiri te moana.
 Ko Te Pere o Waitaha te ingoa o te whare tūpuna kei Te Rāwhiti.
 25 Ko Te Auparo te ingoa o te wharenuī kei Kaingahoa marae ki Te Rāwhiti hoki.
 Ko Puti ahau.

I am the part of the Grandmother's Council of the Waitaha nation, and I just wanted to share this story about the mana of our grandmothers as told by our grandmothers that fought and died for the whenua and the moana that we now occupy and hold mana whenua over in Pewhairangi. Ka pai?

5 **JUDGE REEVES:**

Āe, haere tonu.

PUTI CORBETT: (CONTINUES)

Our wahine to this day are the ones that fight to retain te reo me ōna tikanga ki konei and the fight is continuous to this day to retain the whenua in the hands
10 of ngā uri o Reweri Ahitapu. Different trusts often put the land in danger of being lost to people that are not beneficiaries over it. Our land is now a camping ground and it provides five kaumātua units. Often some business propositions for the land put us in danger of losing our mana over it and of losing the purpose of holding the whenua for the benefit of the descendants of this whenua. Do I
15 take it that my brief has been read and accepted or do I go through it?

JUDGE REEVES:

This is Judge Reeves, yes it has been read. So, what is useful for us if you just highlight for us either the paragraphs or the main points that you wish to make and then we can – if you wish to and we can move to questions or we have time
20 available, we're not in a hurry at this point. So, there is time for you to speak to your brief of evidence, if you want to.

PUTI CORBETT: (CONTINUES)

Tēnā koe Judge. Judge could I get the Panel to look at page three whakapapa. So, I am now looking at a whakapapa that is pre-1840. It is a brief of – it's not
25 comprehensive whakapapa from Rahiri but our tūpuna (**inaudible 16:12:09**) of that whakapapa by (**inaudible 16:12:15**) Māui. (**inaudible 16:12:19**) They interred three children. Te Whare Rahi, Rewa and Moka. They also had some daughters but the daughters, they're not mentioned in the whakapapa that's written by I don't know who but women do not appear.

30

But Te Auparo gave her daughter. This is how our grandmother told us our stories. She gave her daughter in marriage to a tribe in Te Rāwhiti here called Ngare Raumati. The marriage was not one that the daughter was happy with. There was a lot of domestic violence. There was a lot of violence and the daughter was not happy. And so Te Auparo gathered her daughter from
 5 Rāwhiti, and she took her back to Waimate North which is where Te Auparo and Te Māui were from. They were Ngāi Tawake. And they were there in the turnip patch, gardening and Ngare Raumati in their revenge went to the gardens And killed Te Auparo and her daughter and another person that was in the
 10 garden and I didn't get their name.

Well, I didn't record it for this purpose and also one of Te Auparo's other daughters was also badly injured but not killed. So, Ngāpuhi alliance were very upset by what had happened to Te Auparo and they formed an alliance like
 15 Ngāti Rehia and Māhurehure and all Ngāi Tawake and they formed an alliance, and they came to Rāwhiti and after some years and I'm not saying they battled for 26 years. But battling on and off over the years they conquered the land in Rāwhiti.

Also, what came of the killing was that the hapū, Patukeha was created in
 20 honour of Te Auparo being killed. Patu, being killed and keha, in the turnip patch. And so was the creation of Patukeha hapū and so Moka the youngest brother who I whakapapa off, Rewiri Ahitapu being my great grandfather and he comes off the Moka line. So, Moka was the youngest brother and he
 25 conquered most of the land around Rāwhiti. His brother, Rewa took land around the Russel area and Te Wharerahi took the land further out around Pāroa Bay.

So, that's how we came to be here. But she was a highly revered woman for her stance in taking her daughter back to Waimate North. In rebellion to the
 30 treatment of her daughter. Her daughter also has got to be admired for also standing up to saying, "I don't really like being treated like this." Now this was pre-1840's so that was quite a big stance for a woman to stand and say, "Hey, I don't really like this treatment." So, that was another big things that happened.

I'm just briefly going over my brief Judge Reeves. So, my grandmother she came off Rewiri Ahitapu and she's sitting just underneath Rewiri and Kay Heke. And you'll notice Kay Heke, she comes off – that's my great grandmother, she came off Hone Heke II. So, explains our ability as women to fight for what's right for us and we have a very strong ability to do that. So, my grandmother also her name was Puti.

So, Rewiri owns a lot of the land in Rāwhiti, and he offered to take the schoolhouse. There was a schoolhouse being brought to Rāwhiti and it was going to go over to Ngāti Kuta. But Ngāti Kuta were still arguing about where they were going to put it, so my great grandfather was cunning and he said, "Oh look, I've got some land over here, come and put it on my land." So, they put the school here. But in the 1960's the Ministry of Education closed down and they never gave the land back. They leased the land out to different Pākehā people who made it into a camping ground and made money off it.

So, it took my mother, my grandmother another something like 20 to 26 years of going in and out of the Courts fighting for that land. Such was her ability even to fight for what was right, you know for her and her whenua. So, yes Puti hoes to Court for quite a few years and the Courts, the Māori Land Court's gave the land back but what they did was they gave the land back to Ngāti Kuta and Patukeha which wasn't quite right because the land actually belonged to Rewiri Ahitapu. So, again Puti had to keep going back to the Court and fighting and her daughter Kataraina Hemara, also ended up in Court until some years later that the Court's actually relented and allowed the land to come back to ngā uri o Rewiri Ahitapu.

So, on our whenua, our grandmothers shared these stories, but you know the women had been the ones in our hapū that have been the fighters of the land and even to this day, I am noted as a very aggressive woman, but I am born with the same blood as my grandmother and when I see our whenua in danger I too will you know get up and fight for the land.

So, you know and just the mana that they had was amazing. Like my grandmother was blind and she – they were having a meeting one day, and Department of Conservation came to Rāwhiti and walked in the door and said we've put some rare birds on the island just out here and you can't go on the
 5 island. Well, the island belonged to us. So, my grandmother rowed to the island, blind as a bat put some petrol to the island and it went up in smoke including the rare birds and she said in Māori, she said, "The next time you come to visit us you come through the front door and not the back door." So, DOC then learnt how to have better communication with us as a hapū through my grandmother's
 10 mana and through her steadfastness about what her rights were.

I also hear stories of my grandmother who was gifted with whakapapa and karakia and they say that her gift of whakapapa was – her blindness came after her gift of whakapapa was given to her and they thought it was so that she could
 15 focus on the whakapapa and not the worldly things. So, she became a teacher of whakapapa for our men and she also, I heard a story just a couple of weeks ago about how they couldn't move the building and they heard all sorts of machinery and umpty men there and nobody could lift and she did karakia over this whare and it lifted and it was moved. Such was the mana of these beautiful,
 20 beautiful women and like the speaker before I say, "Yes, look at us women. We're still here, we're still steadfast, we're still beautiful and we're still creating." Kia ora. I think I've covered most things.

JUDGE REEVES:

Tēnā koe mō o kōrero. I think you've given us some really great examples of
 25 wahine, the status and role of wahine in relation to whenua, whakapapa and mātauranga, so those are really great examples to have. I'll just see whether we have some other questions from the panel. So, we have a question from Dr Anderson.

(16:22) DR ROBYN ANDERSON TO PUTI CORBETT:

30 Q. Tēnā koe Ms Corbett. I am interested in this tragic story of Te Auparo's daughter and the domestic violence that she suffered and I was just wondering, which then was avenged, but it's what was happening within

the community she was living in. So, there doesn't seem to have been any intervention and do you think that's because she wasn't living within her own community at that point?

5 A. Yes, yes, I do. I don't think she had a supportive group with her and yes, and I don't know what kind of a community she had married in only knowing that she had been the subject of quite a bit of violence.

Q. And do you have insight why the women were left off that whakapapa chart?

10 A. Now, this is just my opinion or my view, is that it's because some of it has been written by European and so they tend to look at patriarchal systems rather than – and that's my view, I don't know, I could be wrong but that's what I'm assuming has happened. But even in the (Technical inaudible 16:24:06 – 16:24:10) –

Q. I'm sorry, could you repeat that, you've really broke up there.

15 A. Sorry. I think there's not a lot of stories about our women and the greatness (inaudible 16:24:29) because they were written by patriarchal systems that only wrote about men, there's not a lot of writings about (inaudible 16:24:37 – 16:24:45)

20 Q. All right. Well thank you, those are all my questions, thank you for bringing your evidence to us.

(16:24) JUDGE REEVES TO PUTI CORBETT:

25 Q. So, just the last question from me and that's – it's following on from the question that Dr Anderson just asked you about the omission from the whakapapa chart. Did the daughter of Te Auparo have children before she was – before her mother removed from that situation, were there children? Do you know?

A. I don't know because it wasn't (inaudible 16:25:29) stories that many were telling us.

30 Q. Okay, oh well. Well, thank you. Those are all the questions that we have for you now, there may be some other questions that come to you in writing but we'd like to thank you for making yourself available to kōrero with us today. I appreciate there being some technology challenges but you were able to join us and we were able to kōrero with you so thank

you very much. So, you are in fact our last witness for the day, as I understanding, Ms Mason is about to get to that.

MS MASON:

Your Honour, with your absolute indulgence, Ms Weepu had one matter that she had forgotten to talk about in her evidence that she would like to share with the Tribunal if there's time.

JUDGE REEVES:

Well, we do have a bit of time is it a matter which is in the brief or an additional matter?

10 **MS MASON:**

She advises that it is touched upon in her brief.

JUDGE REEVES:

Okay. Well, it is a little unusual, but we do have some time, yes, very briefly that will be fine.

15 **MS MASON:**

Thank you your Honour.

(16:27) EMA WEEPU: (#A136 ADDITIONAL EVIDENCE)

Thank you for your indulgence your Honour. It was in regards and I spoke a little bit of it but because we were going through things I kind of lost track of it so my apologies and it's about – what was it that I spoke about – it was about the education.

So mana wahine, we had our children taken from us but the Education Act. And so, I having gone through kura kaupapa Māori and doing rongoā and all those things and the education stuff and raising my children in the way that I was taught to raise them, the biggest downfall which my dad used to talk to us about was they were taken away from the whānau and we spend our adult life trying to grab it back and it's been reiterated today in the few of the kōrero.

And so, tāku whakaaro, and I heard Robyn when you spoke to – in Waiwhetu to Hera and Mareta Taute when they did their submission. Mareta went to the same school as two of my youngest children which we created in Wellington.

5 And having our children taken away. So, I actually want the Education Act changed and I want our children to be raised in our villages and in our pā and in our home with the support of the government to ensure that we can transfer our knowledge to our children so that they are strong enough, because with rongoā Māori we can recognise what are children are going to be and where they should be going, and as that community we can determine where it is that they are going so that our resources kept and maintain so that our survival is maintained.

When they get older, 13, 14 and we know which path that they are going to be on and their skills are what they go out with that have already been developed by the whānau, they can go well on those journeys of their education into the world because we know that they can do that because our tupuna did it because they were steeped in their stuff and they met the colonial world that came to Aotearoa, they recognised it when they went out in the world and they could go and they could learn and they could utilise but at the moment we are trying to recover what we lose in our babyhood when we are taken away from our whānau and from our mother's who teach us who we are. That was all, thank you.

JUDGE REEVES:

25 Ngā mihi. Ko tēnei te whakamutunga o te rā, mā wai e whakakapi?

(16:31) KAUMATUA: (MIHI WHAKAMUTUNGA)

Ko te mea tuatahi kei te haere tonu ngā mihi ki to tātou whare, ki to tātou kaupapa e whakawātea nei koutou i tēnei wā, nō reira me kī nā te karakia i tīmata to tātou huihuinga i tēnei rā, mā te karakia e whakamutunga nō reira kia inoi tātou.

KARAKIA WHAKAMUTUNGA (KAUMĀTUA)

WAIATA WHAKAMUTUNGA

HEARING ADJOURNS: 4.34 PM

HEARING RESUMES ON THURSDAY 22 SEPTEMBER 2022 AT 9.01 AM**(09:01) MR AFEAKI: (MIHI)**

Tēnā tātou katoa. Te mihi ki te tēpu, ki te whare, ki ngā tipuna katoa tēnā koutou katoa, huri noa tātou te hunga ora. Kei te mihi atu mō tēnei hōnore kia tū ake i
 5 tēnei kereru o Kahungunu kua rere mai ki roto o Te Waipounamu kia tukuna atu he inoi mō tēnei rangi hei whakatuwhera to tātou hui nō reira me inoi tātou.
[Nil.]

KARAKIA TĪMATANGA (MR AFEAKI)**HĪMENE (KA WAIATA KI A MARIA)****10 (09:06) JUDGE REEVES: (MIHI)**

Mōrena tātou. Welcome to Day 3 of our hearing. Before we move to our first witnesses for the day I just want to get an update on the matter that was raised towards the end of the day yesterday by Ms Sykes, what is intended in terms of either providing information to the Tribunal or wanting to convene for a JC,
 15 where are we at? Ms Roughton.

MS ROUGHTON:

Ma'am, Ms Roughton here. Just to provide an update, I've just filed a joint memorandum of counsel a few minutes ago. So, it sets out what we're seeking in terms of what to be covered at the judicial conference. We are also seeking
 20 for some information from the Crown to be provided in writing and a further judicial conference once that's received, but we'll go through that at the judicial conference.

In terms of timetabling, yesterday I engaged with claimant counsel, there is no
 25 time today, it would only erode either hearing time or breaks. So, we are proposing after Dr Wanhalla tomorrow that a short judicial conference could be convened then and if you are minded to do that, we can arrange that with haukāinga to – that would delay hākari and poroporoaki.

JUDGE REEVES:

All right, well thank you for that indication, I will talk to panel and with staff because I need to get some information regarding travel arrangements and so on and so forth. So, I will – and once I've seen the joint memorandum as well
5 so I will come back to you all on that, at the last after lunch, when we commence after lunch.

MS ROUGHTON:

Thank you, Ma'am.

MS SYKES:

10 Ma'am, if it helps, I'm going to be excusing myself today, there will only be two people on our side likely to speak to it, one is present Ms Roughton and Ms Coates. There's slightly different positions but I think we're all in some line. We could actually even postpone to do it at another time if it doesn't work around you.

15 JUDGE REEVES:

All right. Well, let me see, let me have a look at the joint memorandum in terms of what information you have at this stage and what you are wanting and balancing that out with other, you know, logistical, you know requirements as well.

20 MS ROUGHTON:

If I help, and I did outline in the memo, I anticipate as Ms Sykes has just indicated, it could be quite a short initial judicial conference because I don't think everyone can properly respond until we have further information.

JUDGE REEVES:

25 Sure. Yes, okay. Crown, want to add anything to that?

MS NGARONOA:

Tēnā koe e te Kaiwhakawā. Otirā ki ngā mema o Te Rōpū Whakamana i Te Tiriti o Waitangi. Ko Ms Ngaronoa tēnei hei māngai mō te Karauna mō te

toenga o te wiki. **I'm the rep for the Crown.** Ki a mātou, we haven't had the opportunity to see the joint memorandum from counsel as yet. So, we are happy to abide by the Tribunal's direction on that if it is to be held later or adjourned to after the hearing.

5 **JUDGE REEVES:**

Okay, all right well we will see where we get to later in the day, thank you. Any other matters that counsel wishes to raise?

MS CHESNUTT:

10 Yes Ma'am, it's Ms Chesnutt speaking. Earlier this week you did ask that any new counsel enter appearances on their arrival.

JUDGE REEVES:

Yes.

MS LUCY TOTHILL:

15 Tēnā koe e te Kaiwhakawā. Ko Tothill tōku ingoa. I appear alongside Ms Chesnutt today for Wai 745.

JUDGE REEVES:

Okay, tēnā koe.

MS SYKES:

20 Just a question. One of our witnesses was watching the video last night and it only started after Ms Kuka or Ms Te Rua. So, we're wondering if the video that's available could just make sure that when it's going out public that the copies that are being watched at night could include all of the proceedings. I think it's been fixed up now but last night it's just – I think it was a technical thing, but they had arranged for a whole hui to be there and they couldn't find it. So, that's
25 all I'm just saying Ma'am.

JUDGE REEVES:

That's beyond my area of expertise but I will take some advice from that.

UNIDENTIFIED SPEAKER: (09:11:46)

(inaudible 09:11:46) YouTube takes time to process it (inaudible 09:11:50). You'll only get four hours until it's fully processed so between eight o'clock and nine o'clock at night (inaudible 09:11:56)

5 JUDGE REEVES:

Okay. All right. You know (inaudible 09:12:02)

MS SYKES:

I'll pass that on but...(inaudible 09:12:02) thank you.

MR AFEAKI:

10 Your Honour, Afeaki here. In respect of the evidence of Dallas King for
Wai 2700 to be heard later on this morning in session two, I just wanted to say
with all parties present that I've filed an amended – I was instructed to file an
amended statement of evidence for Dallas Williams King and that that was filed
today. Sorry for the irregularity of that. I've spoken with the Assistant Registrar
15 and asked for assistance to get that printed if possible, this morning and just by
way of clarification, she hasn't deleted anything in her evidence, she's provided
some more context to support her kōrero in respect of the Tūāpapa kaupapa
and to elucidate and clarify those understandings from her kōrero tuku iho.
So, I just was – as matter of respect to your Honour, asking for leave to grant
20 the same.

JUDGE REEVES:

Well Mr Afeaki, you know it gets difficult for us to keep up with different iterations
of evidence if they have been filed during the week. I do not believe any of us
have received that as yet so we will endeavour to have a look at that at morning
25 break. See whether we can get copies of it or whatever. So, at this stage I will
advise whether or not leave is granted after morning tea break once I've had a
chance to have a look at it.

MR AFEAKI:

Tēnā koe Ma'am.

JUDGE REEVES:

Anyone else? All right, okay so I think Ms Mason we are in your hands.

MS MASON CALLS

- 5 Mōrena your Honour and Panel. We have two more witnesses under Wai 1940. The first one on this morning is Mere Skerrett and her evidence is document #A137. She should be appearing via AVL, hopefully she is. She's overseas so after Ms Skerrett will be Ms Paihere Clarke and that will be us for today. So, thank you. Mōrena Mere, its Janet Mason speaking, can you hear me?
- 10 We can't hear you. Right okay, we can now. So, if you could just provide your evidence to the Tribunal and then there will be questions at the end of that so if you could stay and answer that, that would be appreciated, thank you.

(09:15) MERE SKERRETT: (#A137)

- 15 Heoi anō, tuatahi ka – ki a koe te minita i te ata nei, nāu i tuku ngā whakamoemiti. Kei te mihi atu ki a koe nāu i whakatuwhera tēnei hui i te rā nei. Kei te mihi atu ki a koe. Ki a koe e te Kaiwhakawā o te Taraipiunara, nei rā te mihi atu ki a koe tae noa ki ngā mema o te Taraipiunara. I tēnei wā ka whakaaro, ka – wā tika ki a maumahara atu ki a Dame Aroha Reriti-Crofts, nāna i tono mai ki a au kia uru atu ki raro i te maru o tēnei o ngā kaupapa i te rā nei, nō reira
- 20 kei te tangi tonu ki a ia. Ki a rātou kua wehe atu, haere atu, hoki atu koutou. Tae noa ki a tātou ngā kanohi ora, nei rā te mihi, e hakoakoa te ngākau te kōrero atu ki a koutou i tēnei wā. **Firstly, the one who lead us with prayers this morning, thank you very much, ensuring our proceedings go well today. To the Judge of the Tribunal, good morning, greetings to you and**
- 25 **also to the members of the panel, the Tribunal. At this point I was just thinking about Dame Aroha Reriti-Crofts and it was her request that I become – participate in this claim and I still mourn for her, grieve for her and to all of them who have passed on. And those of us who remain and pursue this matter I'm pleased to be able to present today.**

30

Ka hoki aku mahara ki taku papa anō hoki nō Te Waipounamu nō reira kia mōhio ai koutou ko wai tēnei e tū ana ki te kōrero atu ki a koutou. Mere Skerrett, ki te taha o tōku papa nō Murihiku, nō Taukihepa. Kaha i a ia e hikoi ana i te

mata o te whenua, kaha ana ia ki te hoki ki ngā moutere tītī ia te tau, ia te tau, nō reira he hōnora kia tū ki raro i te maro o Aoraki i tēnei wā me kī. **And to begin who I am, I am Mere Skerrett from Murihiku, Mukihipa. When he was alive, he was often the one who would go and collect tītī, so I represent**
 5 **him, descendent of Aorangi Maunga.**

So ko au tētahi o ngā uri o Tahupōtiki. Ko taku tino kuia, Hana West, ko ia te – ka hoki āku mahara ki tana kuia a Hinetaumai ki a Tītapu ki Te Here ki taku kuia, Te Kurukuru Dorcas Honour, ka moe i Te Here ka whānau mai taku kuia
 10 a Hana West. Ka moe i a Skerrett, ā, ka whānau mai taku koro, taku papa anō hoki, Raymond. Ko ahau tēnei e mihi ana ki a koutou me te taha o taku papa. **I’m a descendent of Tahupōtiki. My grandmother Hana West and her other ancestresses, Titapu, Kurukuru. Who married Here West, gave forth my grandmother, Hana West.**

15 Taha o taku mama nō ko Matawhaura te maunga, Te Rotoiti te moana, Taurua Pā rāua ko Punawahakareia ngā marae me kī nō ngā pūmanawa e waru o Te Arawa. Tētahi taha anō hoki nō Kakepuku, Waikato, Maniapoto anō hoki ki te taha o taku mama. **On my mother’s side I’m from Te Arawa and also**
 20 **from Kakepuku from Waikato and Maniapoto.**

So i tēnei wā he maha ngā kaupapa ki te kōrero. **This point there’s lots of things to comment on.**

25 I’ll just work through, I’ll shortcut working through. Ka tono aroha ki a koutou, kāore au i tae ā-tinana atu ki a koutou hēoi anō ka haere tonu i runga i tēnei. **My apologies for not being there in person but things continue.**

30 Yes, Te Whakarawa and Hinetaumai, I just want to talk briefly about some of the issues I can take as being read and in my brief, today I’m going to sort of overview some of the histories of censor and erasure, impoverishment of my Ngāi Tahu tīpuna, they were living as outcasts on their own land, on meagre isolated reserves and so there was the loss of their mahinga kai and no births, the births of my koroua, Pokene, a rātou mā there were lots but at the time

when Pokene was challenging in the 1830s-40s the birth rate really dropped to lucky to have one so my kuia Titapu only had the one, Pehere. But with that next generation they built up again but that was largely because of the impoverishment and everything that was going on at the time.

5

Some of the issues around, you would have heard a lot of these issues around the silencing through marriage, women essentially being privatised in private spaces, women and children and the colonisation of our whakapapa, language loss, land loss, and the iwi tamariki, I'm going to refer to those – some of the items that my grandmother talked about and also go into kōhanga reo and the physical violence, the reason why I got into kōhanga because of – I didn't want for my children a lot – had myself going through the education system.

10

So I'm going to work through in terms of Te Pokene, we quite often hear stories about Pokene. My dad was a – he married Hinetaumai who had a half face moko and Pokene was from up there around the Banks Peninsula way, but it was through him and his wife Hinetaumai that both of them, they were related, that we get our rights to go mutton birding so we're quite privileged in that when that mahinga kai was protected but it's still you know these days under stress and duress.

20

But Hinetaumai is talked about in Shortland's, page 6 of my brief. Shortland wrote of Hinetaumai, my kuia who was my great-grandmother. My great-grandmother's great-grandmother and she, as I said, she had that half face moko kauae and this is what Shortland wrote of her, I'm going to read the quote,

25

"The old man had the oddest looking being for a wife I had ever seen. One half of her face was tattooed in every respect like that of a man, while the other had no more marks than her sex entitled her to; so that two persons, who stood opposite each other, each viewing a different side of the face in profile, while she, perhaps, sat wrapped in her blanket, with a pipe in her mouth, would have pronounced the object to be a man, or a woman, according to the circumstance of his position. I afterwards met with several other old women of this tribe, who had similarly

30

engraved on their faces many of the marks, which in the north island I had never seen but on males.

5 It may not be out of place here to observe, that the tattoo or "moko," as it is termed in native language, is neither intended to constitute a distinctive mark between different tribes, nor to denote rank, as has been variously stated. It is, in fact, only a mark of manhood, and a fashionable mode of adornment, by which the young men seek to gain the good
10 graces of the young women. It only so far denotes rank, that the poor man may not have the means of paying the artist, whose skill is necessary."

So, I'm highlighting this part of my brief because it has introduced a whole lot of racial grammar in terms of my kuia Hinetaumai being "the oddest looking"
15 person and that her sex had entitled her to wear the moko and referred to as "the object". Totally off the mark when it comes to wearing the moko kauae because it really does.

I wear the moko kauae. I was asked to wear the moko kauae by
20 Sir Timoti Karetu as a marker or to signify all of the great work that has been done in Te Panekiretanga o Te Reo and I was in the last group that went through Te Panekiretanga o Te Reo me kī te katinga o te kēti. So, he asked me if I would wear the moko kauae as a memory of that – the closing down of that program and so I proudly wear that moko kauae but it does you know – the way
25 that my kuia was objectified in the history books has had a huge impact on women of my tribe and the events that subsequently happened after that time.

So it is fairly telling that the discourses of those ethnographers of the time were derogatory towards women and harmful and I'll get into that a little bit more
30 when I go through, touch on the evidence of my grandmother who was one of the founders of the Māori Women's Welfare League and the things that she had to say when she was interviewed by Dame Mira Szászy.

But Hinetaumai was indeed a chieftainess and her moko denoted her whakapapa of Frank but the colonise thinking is that women, on women the moko made them look odd and today I think much of that same logic applies. As I've said in the brief, wahine Māori of that time were lucky enough to survive
 5 all the diseases deliberately introduced, the musket wars and the land alienations leading to impoverishment, were also subject to the objectification that underpins that western thinking that is evident in that quote of Shortland's as he wrote about my ancestors.

10 So, whilst I'm aware that this aspect of this part of claim is delving into the South, Te Waipounamu, it'd be a bit **(inaudible 09:25:50)** not to mention my grandmother and a staunch supporter of the Kīngitanga and because of her whakapapa and those connections. So, I'm descended from that side as I mentioned at the outset and my kuia Te Paea, she lived up at the Port and at
 15 Raglan and she was a strong wahine who went along pulling out the surveying pegs after they tried to open up the Waikato for roading. She knew that easy access into the King Country and into the Waikato was going to be problematic for Māori, so they too at that time were living under the duress of land alienations over a million acres of land alienated because when our kuia stood
 20 up to what was going on at the time they too were seen as rebels and therefore – yes, life was tough for them.

So, that was my kuia who lived up at the Port. My great-grandmother Waimarama Emery went North with her brothers to dig in the Kauri fields and
 25 remarried a Nathan, but I whakapapa to her brother, her Waimarama and all of those Nathans from up the North. Her brother and aunty went South and married into the Kereamas down the other end and of course her brother called Sammy loved Te Rotoiti and hence I whakapapa into Te Rotoiti.

30 I wanted to refer to page 14, institution of marriage and I know it's been talked about in terms of the fluidity, about gender relationships and whakapapa relationship and marriage, the damage that that did to our ancestresses in that privatised space relationship. I make the note that when studying these whakapapa lines, it's easy to get the genders confused because the language

is non-gendered and difficult to know whether the names are male or female unlike western names which operates along different lines and is very patriarchal. Western genealogical records invariably invisibilise and silence women as has been the case since early history, western history and that
 5 practice of invisibilising and silencing has continued on and into the way that we live our lives today. But it wasn't, it was much more fluid and less gendered in Māori society and traditional societies.

I've drawn on the example of my great-grandmother who was a great navigator,
 10 and it wasn't – and when they were going to, as they did annually trek across to the Tītī Islands, it was a rough night and they ended up getting lost and it wasn't with all the men on deck. The next morning, they didn't know where they were and said, "You better get the old lady up", and as soon she looked out, she said, "We're at the Solanders." Which did show the extent to which they'd
 15 been blown off course, but I always like to recall that story because she knew every nook and cranny, every little inch of those southern islands and around that activity of Mutton Birding, she was a tohunga in that respect.

So, I just want to talk about that quote, I mentioned a quote that I've got in the
 20 brief somewhere because it's **(inaudible 09:30:12)** here. Williams, back in the 1800s wrote:

Well, all of us know that according to Native usage and custom a Native woman can deal with her land without reference to her husband – and Native women who have had their lands brought under these acts have
 25 in very many instances dealt with them without their husbands signing the deed, they not considering that their husband had any voice in the matter and the husbands considering that they had no right to interfere.

Married women are now being told that according to English law they
 30 cannot deal with their own lands without their husbands being party to the deed.

And that was back in the 1800s but my experiences in the 1900s were exactly the same. When my grandfather wanted to sign over a half-acre section to four

of us, three sisters and myself, the two that were married, it went through not a problem. The two of us that were unmarried at that time the judge of the Māori Land Court deemed that it wasn't going to go through because we didn't have husbands to put the names on the deeds.

5

So, you know that whole institution of marriage has interfered with Māori women's relationships to the land as we've heard a lot of through these hearings.

10 So, you know, in terms of the pressure on land, I guess as the British settler numbers grew the balance power gradually swung from Māori social structures to British social, privatised structures. So, family, western economies and nationhood. So, and referred to as the colonial matrix of power. We can't do anything without looking carefully, analysing those, how that colonial matrix
15 took power operates and needs to be understood in terms of the economics, the political and the epistemic conflicts arising from the colonisation.

So, in our context those systems including marriage which had at the core the control and silencing of women in the home has prevailed. The centrality, a
20 quote that I want to draw on here, "The centrality of property within the thought of both peoples, however meant that the transformation of Māori into English property rights involved much more than land. Religious belief, engagement with the marketed economy, political organisation, all were bound up in a system by which both peoples organised property rights to inland, to anglicise
25 the Māori property system was to revolutionise Māori life." And essentially, that's what's happened throughout all the institutions. **(inaudible 09:33:22)** our lives have been anglicised.

In terms of the status of wahine Māori to challenge tāne Māori I'm going to draw
30 on the following example from my grandmother on my mother's side. It was an expert in whakapapa and often was called on with her, because of her knowledge around whakapapa. I mean, she was also an expert speaker of te reo Māori, knowledgeable across mātauranga Māori domains, absolutely emersed in tikanga and a force to be reckoned with. "Iti te kupu, nui te kōrero"

applies here. She wasn't verbose but what she said, you listened to. In terms of the whakapapa, she could actually read it on people's faces. So, my recollection is that whenever my mother and her sisters got together with my grandmother that's all they ever spoke about was whakapapa, who was
 5 connected to who and how. And a lot of that and that's because they were all steeped in te reo Māori.

So, with the Māori, with the pressure on Māori, the erasure of Māori, the silencing of women merged the privatisation of that space, women and children
 10 becoming **(inaudible 09:34:54)**, there was a huge impact on language, and I think that is one of the big themes that's come through in these briefs, is the impact of language and language loss and the trauma that that has – intergenerational trauma that has come about because of that. But in terms of what some of the work that my grandmother did, she talked about the iwi
 15 tamariki, you don't often hear that angle of te iwi tamariki.

We commonly think of iwi these days as a group of men you know making decisions. But Nana talked about te iwi tamariki and in turn she discussed various things around te iwi tamariki. She says, “e mōkaingia.” She discusses
 20 the issues of becoming enslaved to Pākehā norms, resulting in then loss of rangatiranga and the importance of holding on to reo Māori in all aspects pertaining to te reo.

So, she advocated for language regeneration which through sustained
 25 ancestral ways of thinking and being and she said:

E mōkaingia ana hoki tātou. Mā rātou e homai
 ngā tikanga e ora ai tātou. Mā rātou te whakaaro
 hei ora mō tātou. Me mau i a tātou tō rātou nā reo
 30 me ō rātou āhuatanga. Nā, ko taku tino hiahia kia
 hoki ngā tamariki ki te ako i te reo Māori. Kia hoki
 mai te mana o ō rātou tīpuna ki a rātou, kia
 kotahi ai te iwi Māori.”

She was talking about that working as a **(inaudible 09:36:35)** which she further discussed her fears of language loss to issues of identity crisis with children and the importance of te iwi tamariki and the importance of Te Tiriti o Waitangi, stating:

5

“I tēnei wā, kāre te iwi tamariki e mōhio ana ko wai
rātau, he aha rānei rātau ... he Māori? He aha
rānei? Koirā te tūmanako, kia tū tika te Tiriti ...
Nā te mea i hunaia mai tērā Tiriti...”

10

So, she was talking about how Waitangi had been obscured and that how children really didn't have that sense of identity because of language loss and this is way back in the 70's, 80's she was talking about these issues.

15 She has a distaste for what she referred to as Pākehā greed which crept into Māori society with their language and ideas of individualisation and selfish thinking when she said:

20

“He kore nō rātau e tū ana kia kotahi – ko te
ngākau matapiko kei te uru mai ki ētahi i roto i te
reo Pākehā – kua uru mai tērā whakaaro. Ki a
rātau, ē ko rātau anō, ko rātau anake!
Whakarangatira ana tēnā i a ia, whakarangatira
ana tēnā i a ia...”

25

So, she was talking there about not standing together in the coveters ways and the values that were creeping in too – through the English language. To some of them, well they were thinking selfishly of themselves. And she talked about how the government is feeding the hapū manu which polarised our communities and the competition for money and that it was – she claimed that it's a problem with our men and reasserted her mana wahine challenging men to listen to women's voices. To put them on the right path where she says.

30

“Mehemea rātau e whakarongo ana i ētahi wā ki

ngā kōrero a ngā wāhine, taku mōhio, ka tū rātau
ki te wāhi tika”.

5 So, her aspirations were that men would be much more vigilant to women’s aspirations and whakaaro, to move forward together in an enlightened fashion, rather than rendering women to work inside the private domain of the ‘household’. She noticed the unequal divisions between men and women and states the importance of working together and she said:

10 “Ōku wawata, kia tū ngā tāne, kia whakarongo mai
ki ngā mahi a ngā wāhine, kia tonono mai ki ngā
wāhine kia haere tahi atu ki te hoatu hoki i ētahi
māramatanga ki a rātau”.

15 So, I recall of hearing of an incident at Okataina, where she held up the meeting because she perceived her mana wāhine had been transgressed by a presumptuous man who was trying to silence the voices of wāhine Māori by preventing them from speaking at the hui, and by belittling the role of women in the karanga domain, which is why she questions the difference between the
20 two domains of karanga and kōrero. She responded by stating that it was her argument with the elders (the men).

They rely on women to karanga in the pōwhiri, by standing on the marae to karanga, but then turn around and say they cannot stand on the Marae.
25 She challenged them to think about that, about the difference between standing in those two domains of karanga and kōrero and of women giving their thoughts through their voices.

She also states that there was no reply. She further recalls that when she was
30 told to go out and karanga, and as I recall it, it was more the way she was told. She said, “no you do it.” The man who stands on the marae, he said, :no don’t be like that.” And she responded, “well you said it, what on earth would it take at this time if I were to go out and karanga?” And she said she was still waiting for a response to that question, and these were her actual words.

“Koinei taku tautohe ki ō mātou koroua. Ka tae ki
 ngā huihui, kua kimi wāhine hei karanga, hei
 pōwhiri. He aha i tukuna ai ko te reo wahine kia
 5 rangona, ka kī koutou karekau e taea e te wahine
 te tū i te marae. He aha te rerekē o tērā? O te tū, o
 te hoatu a ngā wāhine i ō rātau whakaaro? Nā, kāre
 anō ēnei kōrero kia whakautu mai e ōku koroua.
 Nā, he ope tā mātou i Ōkātina, ā, kotahi te tangata
 10 i waenganui i a mātau. Aue, he atua! Kua rawa te
 wahine hei kōrero! Ka karanga mai, ‘Ha! Haere
 ake rā ki te pōwhiri.’ ‘E kāo! Māu mā te tāne, mā
 te mea e tū ana i runga i te marae’. Ka mea mai,
 ‘Aue! Kua hoki hei pēnā rawa.’ Ka karanga atu
 15 au, ‘Nau anō te kōrero – he aha hoki i tika ai i tēnei
 wā kia haere atu au hei karanga?’ Ka whakautu
 mai, ‘He rerekē te karanga, he rerekē te kōrero!’
 Kei te tatari tonu au kia hoki mai [he kōrero] i aku
 tini koroua i te pātai.

20

So, there’s a great recollection of my grandmother exercising her mana wāhine when the complementary, or balancing roles were actually being compromised.

In terms of Rangatiratanga over Mātauranga Māori. Ki a au nei, all mātauranga
 25 Māori comes out of the lands, the seas, the skies and is reflected in te reo Māori.
 So, I believe it is important, in any discussion on matters of whenua, reo, wāhine
 and tamariki, to have a discussion about settler colonialism as we do. Not just
 understanding the contemporary issues but developing understandings of the
 historical positionings and how they are physiologically positioning – still
 30 actually psychologically violent these days through our system of education.

What impacts on wāhine Māori impacts on tamariki Māori. It is important for
 people to recognise, in my view, and understand that they are standing on
 stolen occupied lands much of the time – and part of what everybody needs to

understand ,even though it may be uncomfortable in some places – but that’s an important part of our education system – and to understand that settler colonialism, how that’s operated to privilege some and disadvantage others today. And raises them to challenge that in education.

5

So, the stories of language regeneration – how we think about languages – the discourses around languages – what is recognised with status, what is not, how we communicate, what is happening with our children, what we are finding out through research, providing counter-discourses around languages – whose languages count – reframing language use. I mean we’ve just come out of Māori Language Week and we haven’t after 50 years of celebrating the signing of the petition being presented by Hana Jackson Te Hemara back in the day. And it seems like we’ve still – the issues remain today and it’s an ongoing – whilst we’ve come a long way from Naida Glavish saying ‘Kia ora’ and getting the sack for that. We have come a long way from there, but we still have a long way to go in terms of language and mediating the inter-generational trauma that is prevalent within our communities still. And also, the collaboration needs to happen with Pākehā in terms of them being allies in the restoration of our reclamation of our language. There’s still a lot of debate about that at the moment.

20

The waiata anthems and various ones are learning to sing in our language, has highlighted a lot of the debate and the trauma and the mamae around language learning and language loss. But as an enthusiastic supporter of the regeneration of indigenous languages, I’ve dedicated much of my adult life to disrupting and dismantling those power hierarchies through working in kohanga reo, in kura kaupapa Māori. I’m the mother of five Māori speaking children all of whom are working in the space of te reo Māori either teaching or translating or mentoring young people. But I do have one grandson sitting there in Ōtautahi and his mother is Pākehā, and he doesn’t speak Māori. So, that’s a tragic, one grandchild who’s not speaking Māori because it’s still inaccessible for him in Ōtautahi.

30

I've been the worker in kohanga, establishing kohanga and kura kaupapa Māori as a result of what I experienced growing up, being part of the 1% that never had Māori language, although going back to Rotoiti all the time, hearing Māori language being spoken around me, it just wasn't directed at tamariki back in
5 the 50s, 60s, 70s. So, it wasn't until the birth of the kohanga where we really started to intervene in that language loss.

But I grew up with a sense of being displaced and **(inaudible 09:46:56)** aware of the asymmetry activities of the early childhood sector of schooling and hence
10 my movement. Didn't want my children growing without, as mono-lingual, English speaking children and unable to resist the prevailing racism of the system.

So, in the 80s and 90s I helped to establish and worked in several kohanga,
15 having spent numerous years working and naturally we didn't want to send our children to mono-lingual, settler-colonial English-speaking schools. After much political lobbying we stepped outside of the system in the establishment of our kura kaupapa Māori. We had to go to great extent to do that. We ended up squatting in a council house and getting the keys to that and changing all the
20 locks so that we were able to move in there quite seamlessly without much problem and that was when that house stood in Pembroke Street in Hamilton and then we moved from there, once we finally did manage to get status and get funding, we moved our kura to the university and it's still there thriving today, and I talked about that in my brief.

25

But I just wanted to note there that our kohanga are still fairly much underfunded. As a worker in teacher education through the university system, it's taken me about and across the country into many centres and bespoke the kindergarten movement gets these grand buildings made already for them to
30 move in, seeing that time and again but the kohanga is still pretty much under resourced and the linguicism that's still exist around that is shocking really and the work, I have to say at this point, the work that I did for about 10 years I worked in Kohanga reo, it was underfunded, didn't get paid working in kohanga reo and it was really a disruption to my own career having to step

outside of the system to have, to work hard to build up my own language proficiency to be able to pass it on to my children. That's a huge disruption to my ability to move ahead in my career.

- 5 But still, I don't see it as that, it certainly a worthy cause but it's something that we shouldn't have to fight for so hard and it should be as of right something that our children have access to –

JUDGE REEVES:

- 10 Tēnā koe whaea. This is Judge Reeves. I'm just aware that the panel does have some pātai for you and we want to have some time to engage with you with pātai before it's time for our next witness. So, are there any points that you want to make just in conclusion before we move into pātai?

MERE SKERRETT: (CONTINUES)

- 15 No, I think I've pretty much a lot of those themes in terms of what lead me to the space of kohanga reo and the need to continually be vigilant around, you know, these issues of language loss and where we need to go in the future. So, pātai mai.

JUDGE REEVES:

Kia ora. Linda.

20 **(09:51) PROFESSOR LINDA TUHIWAI SMITH TO MERE SKERRETT:**

- Q. Tēnā koe Mere. Lovely to see and hear you and read your brief. Really appreciated the whole brief but also the construct of childhood and the work you've done in that space. But my question really brings you back to the moko of Hinetaumai, I don't know if you were listening yesterday, 25 but we had a great sort of session on moko and you know, given, yes, the western account of what Shortland was writing about, my question is really, what's your theory then of her moko, the full facial part of it?

- A. Pātai pai tēnā Linda, nei rā te mihi atu ki a koe. **That's a very good question Linda, thank you for asking that.** I was travelling, so a little 30 jet lagged, I'm in Chicago and so I'm all over the show and a little bit dizzy

still from the travel so I didn't hear yesterday what was being said about moko. But moko, you know, they go deeply into our culture. The words around mokopuna, you know, the embodiment, you know the imprint of who you are on your face. You know, all your genealogical histories, all that ancestral thought, the sacredness of all of that knowledge that was intergenerationally passed on is all embodied in the moko. You know, all of the different designs had specific meanings for specific people in particular and so you know each – it's very difficult to generalise what they mean because they tell the whole history of a person written right there on their skin.

There was an element of adornment as well, but it was more than symbolic, the deeply embedded meanings of your journeys through life and your genealogy, really big thing, this whakapapa written on your face forever, imprinted. So, you just had to appear, and people would be able to read it, who you are, who you represented, where you come from, where you were heading to. So, that's it in a short answer about the importance of moko, moko kauae for women but the whole – there were a number of Kāti Māmoe, (**Māori 09:54:11**) around that part of the country of women that did have those designs and then with the way that they were written about and Pokene himself, you know, Shortland and Co. said, well he was just a disagreeable old (**inaudible 09:54:28**) not much like by anyone. I mean, that was the racial grammar that was introduced in all of that, you know, cannibals and naked savages and they were – it's an extinct species any.

So, you know they just wrote all sorts to discredit and undermine and shift the thinking around, bring their own Pākehā worldviews to what they were seeing, to write about all of that which was really so off the mark it wasn't even funny. Yes, so a lot of that kind of adornment stopped the way –

Q. Thank you. My second question is about the status then of – so I'm moving on around your comments on the concept of marriage or the imposition of marriage onto Māori and I guess I want to ask, well, have you thought about the institution then of the relationship between men

and women who had children together. You know if it wasn't the marriage of the sort of Western view, what kinds of responsibilities, obligations, did men and women have to each other if they were in a relationship?

5 A. Well, yes within the whānau hapū, see this is the totally different societal structure so there was a shared obligation to one another, and the relationships were much more fluid, but it was so really important who – that's why it was important to know your whakapapa, where you come from, and the way you – how you relate to people, it was really important.

10 But, that – yes, that whole system of marriage in terms of what in Te Waipounamu there, it really did disrupt a lot of the whakapapa lines and for example, one of the problems that we live with today is rights to birding because a lot of the people when they wrote the census, the blue book, a lot of the people who were away birding at the time and so they
15 weren't written and if you were – if you didn't marry you were illegitimate you know and unable to inherit a Pākehā name you know. So, it just – it did cut across a lot of our societal ways of being.

20 And I remember my aunt who would have been probably 100 now, she passed away a few years ago, she got into her '90s as well which was quite good that a lot of them did get into their '90s because we could question them, but she talked about having lots of different names depending on where you were. So, when she was in Te Teko she was Ata Ramanui, when she was at Rotoiti she was Matahona. So, it
25 depended on where she was as to what name she took, and it was all about the relationship to the whenua. So, she had about five different names that she went under, it made it very difficult when you're trying to track records.

30 But yes, a much more fluid system of naming, children would take on – would change names after different events, throughout the course of their life. You might have several names throughout the course of your life and from a Pākehā Western world view it is very difficult but from a Māori – traditional Māori societal view the way that they took that time to really

navigate that space of whakapapa in initial encounters then over generations – over 100s of years.

5 In fact, one of the – it was one of the ethnographers, it took seven days to write down the whakapapa. One of the korouas was giving all of the whakapapa and it took seven days to write it down, so it was steeped in that – in that knowledge of whakapapa.

10 And so, two totally different systems, we're so much – we're reliant on having a patriarchal going from father to son really. Different. Totally different worldviews around the responsibilities to rearing, they were much more collective and fluid rather than the mum, dad, and one or two children, and the privatised space of the family and household.

Q. Thank you, that's all my questions.

15 A. Ka pai.

(09:59) DR RUAKERE HOND TO MERE SKERRETT:

Q. Tēnā koe Mere, ko Ruakere tēnei. E pono ana tēnei kōrero ka pau e hia hāora i te pānui atu i ō tūhinga i te mea ka hoki ngā mahara atu ki tō mātua, ki a Uncle Ray, e whakaari ana i roto i ngā tūhinga me te mōhio tonu he tangata pono, he tangata arohanui ki te tangata e whakaari ana i roto i tō tūhinga nō reira tēnā koe. **Good morning Mere, this is Ruakere. Spent a lot of time reading your material and reflected back to your father, Grey. And how he's reflected in your work and the type of person that he was, honest and with integrity and it's nice to have the information in front of us today.**

20

25

Tērā anō kua paku pau te wā nō reira e kore kaha te ata ruku ki ngā whakautu pea, ko te ea o te – he nui ngā pātai engari ko te mea tētahi o ngā mea mātua, tērā pea mōu e whakautu a tuhi nō te poto o te wā. **We've only got a short bit of time for us today so we might need to be fast in finding a response and there may be something that is instead provided as a written response.**

30

Engari i kōrero koe mō te huna – mō te huna o te wāhine i roto i ngā tuhinga i kōrero koe mō Colenso, i roto i ngā tuhinga a Anne Salmond nē? Mō te whakatupu o ngā tāne i ngā tamariki mō te waiho mā ngā tāne hoki e tiaki i ngā pēpi, era momo mahi. Engari ko te whakaaro nui i au i au e pānui ana i tērā ka hua ngā wāhine i roto i ēnā kōrero nā te ka kī ana he “novelty” tērā o te tirohanga atu i ngā tāne i tiaki ana i ngā pepe engari e huna ana ngā mahi a ngā wāhine i roto i ērā mahi, pēnei tonu koirā te “normality” ko te waiho mā ngā wāhine. **But you made a comment about the erasure or the invisibility of women in writings and how men were also part of raising children but what I thought while I was reading this was there’s no reference to women and it was like it was distinctive or something unusual, unique for men to be looking after children. Where it was presumed for it to be left to women to look after the children.**

15 Ko te tino ia o taku pātai he aha tērā i roto i te kōhanga reo i ngā ECEs o nāianeia kia kaua e huri ki tērā momo whakaaro o te ao Pākehā mā ngā wāhine anahe e tiaki o ngā pepe, ngā tamariki? **So, I suppose the point of my question, within kōhanga today and ECEs and so on, what is the – how is the view managed that only women should look after children?**

Me te mea hoki kare koe i rongono nā runga anō i ō kōrero i tā wāhi nōu.

25 I rongono mātou i ngā kōrero o tētahi o ngā mātua ko Hira te ingoa, he takatāpui engari ko tana kaha ki te mahi i roto i te kōhanga reo. Pēnei, ko ēnei tētahi tūranga anō mōna. Ko te kōhanga reo tētahi huarahi kia kite i te whānuitanga o tēnei mea a te whānau, tōna katoa e mahitahi ana ki te whakatupu i ngā tamariki. I te pīrangiri au kia rongono pea i ētahi kōrero nā te poto o te wā me te nui o tērā kaupapa e kore pea e taea te ata kōrero engari he aha tērā te whakaaro i tēnei wā kia kaua e herea te mana wāhine, koirā anake te ao e tika ana kia kitea ko tēnei mea a mana wāhine arā ki roto e ngā kōhanga reo. **We had some evidence from Hira Huata the other day and his experience with kōhanga reo and how kōhanga**

work and it was very much geared around the whānau being directly involved and the values being promoted in kōhanga but I was interested in your view that women should only be set aside just to raise children only?

5

Ehara i te mea kei te whakaiti te tūranga o te wāhine i reira, engari kei te – kia hoki atu ki tērā te katoa o te whakatipu tamariki mai i te wā whānau mai ki te ao tae anō ki te wā ka tangata mai ki ngā tūranga o rātou mātua. Tērā noa pea he paku whakarāpopoto tō tana tau mō ngā whāinga i roto i ōu mahi ki roto i te kōhanga reo kua uru te katoa o te whānau? **It's not to belittle what women do in kōhanga but the whole idea of raising children, perhaps you have a summary of what that is about? Whether the whole family is involved?**

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Āe, tika ana ko ērā te – ka whakaāe au ki te katoa o tō kōrero. Tuatahi mihi atu ki a koe, maumahara ki tō papa anō hoki o ngā tahi ki tāku papa. Heoi anō ki te hoki ki tēnei o ngā pātai e pā ana ki te kōhanga reo ko era te take. E toru ngā tāne i roto i tō mātou kōhanga reo io tōna wā ko Tahu, mōhio ana koe ki a ia. Ko Gavin Anderson me tētahi tino tangata – tangata tino rawe ki a au nei, ko ia te mea rawe rawa atu o te ao ki te whakawhānau ki te tiaki tamariki ko Hurai White. Kua kī tō mātou kōhanga reo i ngā tāne e tiaki ana, e āwhina ana ki tēnei o ngā kaupapa e tika ana me pērā. **I agree with what you've had to say, thank you for your memory of my father but to return back to the purpose of this claim. We have three male sin our kōhanga. There's quite an exceptional man, Hurai White, but we have quite a number of males in our kōhanga looking after our children.**

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Me te mea anō hoki ko ētahi – ka maumahara au te wā i te hiahia a Cathy Dewes te uru atu ki te poari o Te Arawa, ko ngā tāne i taua wā kāre i te hiahia kia uru atu tētahi wāhine Māori, engari ko taku nan, ko tino kuia i taua wā rā, ko ia anake te kuia ki te tū ki te tautoko te urunga – tana urunga ki te poari o Te Arawa i taua wā ko Raiha Sergeant. Ko tana tū i a ia e tū ana ki te tautoko a Cathy, ko tana wero atu ki ngā tāne ko tana

kōrero kei te whakaāe au nā Cathy e riro tēnei o ngā tūranga ko tō koutou kei te whakahāwea koutou ki ngā wāhine. Tō koutou hiahia mā ngā wāhine e noho ki te kāinga e mahi kapu tī nō reira, he momo pēhitanga ki ngā wahine. I te wero atu ia i taua wā ki ngā koroua o te poari. I te mōhio – wētahi o wāna tuinga i roto i tēnei pepa mō koutou mō Te Taraipiunara, e āhua pērā hoki tāna kōrero ki te wero atu ki ngā tāne. I te mea, i a ia e tamariki ana e pēpi ana, i whakaatu mai ētahi o ngā whakaatu tawhito, i mea mai ia koirā te āhua o ngā koroua i tāua wā. Whai atu ngā tamariki. **And was critical of their view as part of being assimilated or having a colonised view that Kathy was unsuitable. And what I've written for the Tribunal, my evidence – ou kuia was very similar with challenging the status quo.**

So, there was a phot that she showed of kids swimming in the lake and it was a couple of old men that were on the side crouched down just watching the kids in the lake and she said, “Koirā te āhua o ngā koroua.” **That's what some of the senior elders did.** They were the ones that followed to make sure the kids didn't drown themselves or get into any danger with the – they had a big part, men in looking after young children.

So, yes kei te whakaāe ki kua e pērā ana kia wehewehe nā ngā wahine nei, mahi wēnei momo mahi i te tiaki pēpi mā ngā tāne e pēnei ana. Nō reira, he mea nui. **Yes, I agree that men should be a part of raising the kids as this was something that was done in the past and of great significance.**

Q. Kia ora mai Mere, ana me te mōhio tonu kua āhei koe i te kōrero wā roa mō tōna kaingākau nei ki ngā mahi o te Kōhanga Reo. Ko te ia o taku pātai me ngā hiahia ōku, kia rongō i ngā whakaaro pēnei tonu kei te whakahekea te mana o te mahi i te Kōhanga Reo i te whakatupu tamariki me te kī ana, mā ngā wahine tērā. Nō reira, mehemea āhei ana koe te kī, kao he whai mana tēnei tūranga ki te taha o te whakatupu tamariki e tika ana kia kī atu he mana tō ngā mea katoa, te katoa o te whānau. Nō reira, ka mutu atu i reira, te ia o waku kōrero me taku mihi nui nei ki a koe, te mārama o tō tuhi me te hiahia kia rongō tonu i ētahi atu whakaaro ōu.

5 Thank you Mere, I know that you're able to talk at length about your work involved with Kōhanga Reo. My purpose in my question, is whether there is a view that women are the only ones that look after the kids in the Kōhanga Reo or that your view is, no, it was both male and female and the whānau in general should be a part of raising the children. Your evidence was a pleasure to read, it was clear and thank you very much.

A. Kia ora, ngā mihi

JUDGE REEVES:

10 We have one last question from Dr Anderson.

(10:07) DR ROBYN ANDERSON TO MERE SKERRETT:

15 Q. Tēnā koe Mere. My name is Robyn. Can we go back to the moko that you have depicted in your brief of evidence and you said that we were told yesterday how moko was really a form of language rather than an art form and how and you said yourself that you could read the whakapapa of somebody by their moko. So, when you look today at that depiction, are you still able to connect with it in that way to read that language, or is that something that's now been lost?

20 A. I can't personally – wētahi. I can some – parts but there are – that's another element of our culture that's being revitalised and so we've got some tāmoko people, like Te Wehi who did moko kauae – really steeped in the knowledge of moko and no it's not my field unfortunately.

Q. But that knowledge is still held by some?

25 A. Definitely and being revitalised and yes, – and there was a lot, recently I visited the Bishop Museum in Honolulu and I noticed there was a book in there by Harry Dansey with a whole lot of sketches around moko. There's a lot – and right back in 1815, Kendall was – had actually written down – made a lot of sketches around moko and what he was hearing and understanding bearing in mind that he wasn't – he did learn how to speak
30 Māori but wasn't steeped in te reo Māori and I think in order to come to that full understanding of the meaning, there's an element of language

that goes alongside of that as well. But, yes, it's in – as our reo is being revitalised and reclaimed, so to our taonga like moko.

Q. Thank you. I enjoyed reading your brief very much, thank you.

JUDGE REEVES:

5 Kua mutu ngā pātai mō te wā nei. He tino mihi ki a koe mō ō kōrero i a mātou. He pai ana te kōrero, tēnā koe ki a koe. **This is the conclusion of our questions today and thank you for your presentation today and thank you again.**

MERE SKERRETT:

10 Tēnā koe, tēnā anō hoki koutou mō a koutou taringa whakarongo. Ahakoa kei te mōhio au he uaua ētahi wā i te mea, i te āhua ānīnī taku mahunga, heoi anō nei rā te mihi kaupapa ki a tātou. **Yes, thank you all for listening. And I perhaps may have been a bit confusing, but I'm pleased with today's presentation.**

15 **JUDGE REEVES:**

Ms Mason?

MS MASON CALLS

Tēnā koe your Honour. Ms Paihere Clarke is here as last witness for Wai 1040.

20 She'll be doing a presentation and then will remain to answer questions.

JUDGE REEVES:

Now just before you commence, just to note that we will be taking our morning break at 20 to 11. So, there's plenty of time before then and I will give you a nod when we have got to that time. But I see you are also with us after morning

25 break as well, there is time there too.

(10:12) PAIHERE CLARKE: (#A141)

I'm speaking to you of my inheritance today. Nō Waitaha, Tainui au. My name is Paihere Karaka Potatau. I understand you have read my brief, so I speak to that brief today.

Over a lifetime through no fault of my own, I've personalised my devastation and tikanga of my grandparents, they were allowed to take the oldest child and in was fortunate enough to be raised by them. My grandparents who I call my
5 Mummy and my Daddy because in those times of the 1960's most of us kids around that time referred to our parents as my Mummy and Daddy. And I still use that face today. So, when I hear that from other people, I know they come from my age generation.

10 Okay, so I'm going to go into – my grandparents – I was the centre of their world. Anything that they did evolved around me and my younger brother, but I won't talk about him, I'll just talk about myself. There was so much love in my family. I never saw my kuia and my koroua argue. They were always about what needed to be happening next in our lifetime basically. My grandfather, he
15 was deaf and dumb. There were no schools at that time. So, I became the communicator after my Mum left home and my little brother. So, our little whānau were the communicators for my Daddy, him being deaf and dumb. I lost my Mum when I was 13 years of age and taken without consent from my Father because he couldn't communicate. My world and life was over from that day.

20

I refer back to 1814, the mana and the aroha that I had of that time was lost when I lost my kuia. And so, the devastation of my life just became one thing after another. So, now I'm going to lead you into the most devastating part of my life.

25

I went to the shop one day in Otara, the most impoverished area of Auckland at the time and I went to get a paper for my koroua. I got a bit distracted and went and went along the bridge to the park and when I got there, I was throw
30 into a paddy wagon with a number of children, I can't remember how many children now. Kotiro, tāne, we were all between 12 to 14. We got no explanation why we were thrown in there, I didn't know anything at the time. So, basically, they took us to homes and when they took us there, I was the last person to be dropped off – So, I'm going to the shop and then I get picked up by them and I

remember the tree because that's where I was raped by the police. The tree is still there and I'm still here.

5 So, after I get raped, I'm the last girl to get dropped off so they take me to Allendale Girls Home. I don't know this place before because I've never been into any place like that. So, they lock me up and that time I go from rape to another rape because they do an internal check and the police are allowed to sit there and watch them, the wahine putting her hands up my whare tāngata, to search for whatever, I didn't understand what that was at the time when she was looking in my whare tāngata and then my grandmother went there, you know, kua māuiui au.

15 So, I'm – why are they doing that but I'm already like really, really broken from that, so they hose me down then they lock me in a cell. And then I become pōrangī because I don't know what's happening to me and I didn't know what suicide was at that time, but I just wanted to die.

20 So, life at the top and when I say life at the top, that's when you go from the cells up, that was no better, I was able though to sit at the window and smell the flowers because my grandmother grew me pink carnations every year. So, I connected through the window smelling those and that was the only thing that I had in a means of survival in this, that's how I felt at the time anyway.

25 So, I took about my whakapapa. That there was desecrated, right from there because I was a kid that was brought up with all these, so much beautiful tikanga and kawa that grandparents were able to give and things that I was taught from mai rānō and all of that was stripped from, but I didn't know that at the time, I didn't know what was happening.

30 But anyway – I don't know, I've been so much devastation but I'm able to handle that now, really, I am.

Kei kōnei. So, I just talk a little bit about my whakapapa. My great-grandmother, she was Puahaere, she was a puhi, third wife from Tawhio, that's my daddy's

mummy and so she was taken over to the Ngāti Te Ata area. Te Puia took her there to give mana and to formulate the hapū there. So, out of that came Ngāti Te Ata and that's my marae, Tahuna and my connection to there.

5 So, I am a descendant of Pōtatau. The **(inaudible 10:18:56)** to the loss of the reo and her inability to pronounce out tupuna, our tupuna names, that all came with it and so name changes through – as you know, the name changes like my name. Paihere Clarke ināianeī. He aha tērā? Engari, ko tōku ingoa tuturu ko Paihere Karaka Pōtatau. **My original name was Paihere Te Pōtatau.** So, that
10 name changed too. So, what I'm saying is the impacts of the colonisation, they are still here today, you know that we know that, and I see that in terms of us, that we as our own people need to govern our iwi, our moana, Rangi, Papa and with our legal processes to be able to do that. That just talks to that.

15 So, as a youth – I'll carry on – I met my husband when I was 16 years old, and it was beautiful because I have someone to love me and out of that union came our seven children. The turning point in my life was when I had my first child. Hoki mahara au ki te tiaki o tōku nei ruruhi ki a ahau. I have maintained that through that with my tamariki right up to today but that was the turning point,
20 and I knew, apart from all the devastation that I went through I could only return to that and I still hold on to the foundation of how I raise and that's the thing that's got me through all of this and it really is.

I mean, I had no say over my adoption. I was taken into a Pākehā court, said,
25 "You're going to be adopted to my family", all those sorts of things and have no say whatsoever and then there's no understanding of the process either as a young child, or even as an adult, even today, I still don't have the understanding of some of the process, take ACC, that's so difficult. You know, where does the breakdown come for our people to really understand what's happening in these
30 places for us? I can't do that.

So, I had seven children, I lost three. I still have four remaining sons today and they're doing the mahi that I do and that my tipuna had done before me and

before me and before me. So, my kids are doing that mahi now because I was raised on the marae anyway with my grandparents so that became easy.

5 I had so much to say but when you get in front of a panel like this it's so hard, you know, and I even – I mean, I know my story from day 1 what happened to me and I've had to repeat it through, or some of the processes that I've had to go through and I mean, when I come in front of you people I know what I want to say but sometimes my mamae overtakes the kōrero that you need to put up there and this mamae that I've carried I've carried since I was 13 and I never
10 really got to look at it until I was 36.

And so, my journey still continues, however my journey will continue because I need to do this for my whānau, hapū and my iwi and I want to be, for me as a wahine ināianeī, I want to be the best that I can, go back to my people and work
15 for them, that's it.

I have recommendations to the Crown. My recommendations, I'd say they're basically around what all these mana wahine have been getting up to kōrero about. And so, what I am asking is that, yes, we have our governance in
20 everything that we do whether that be the legal process, Rangi, Papa, we work hand-in-hand, that's how I see it.

So, I know I had half an hour to have this kōrero, but I knew it was going to be quicker than that because I've said my story a couple of times before, so I know
25 it off by heart. But what I wanted to say, yes, as if I could ask this, because I've held this story for so long, I'm not one to whāki atu ki te ao about my mamae that I carry. So, I ask you today, you can have as many questions as you want from me, but can I please take them away and answer them because I want to give real credibility to the question you might want to ask me. Because this
30 affect has not just affected me, my tamariki, no more for my mokopuna, no more. So, koinei tōku kōrero ki a koutou. Tēnā tātou katoa.

JUDGE REEVES:

All right. Tēnā koe whaea for your presentation to us today and I appreciate how difficult that was and that in the moment you said to us what you felt you needed to say so yes, we appreciate how difficult that was and we thank you
5 for your story and we've heard what you've had to say to us today as well as what you've written, we've read that as well. So, it may be that there are some pātai for you, but did I hear correctly that you would prefer for us to give that to you in writing? Is that preference?

PAIHERE CLARKE:

10 I just want to be honest, I'm shaking and yes, I want to make sure that I answer the questions in the best way that I can because most of my stuff comes from **(inaudible 10:25:37)**, when I ask, you know, when people ask me because I'm truthful.

JUDGE REEVES:

15 Okay. I'm sure that there are some pātai for you and we will deliver that to you in writing and you will have some time to have a think about it before you provide answers of us. Kei te pai?

PAIHERE CLARKE:

Yes, ngā mihi ki a koutou.

JUDGE REEVES:

20 So, we are in that case a little ahead of time. Ms Mason, Ms Mason, does that then conclude your witnesses for the hearing?

MS MASON:

Yes, your Honour, that's the end of the Wai 1940 witnesses. So, it concludes
25 their case, thank you.

JUDGE REEVES:

All right. So, that leaves us a little ahead of time. I'm not sure that the kitchen will possibly be ready for us, but I'll just check with counsel, Mr Afeaki, are you ready, is your witness ready to go a little early or your preference to wait?

5 **MR AFEAKI:**

Tēnā koe Ma'am. it is our preference to wait. The thing is that up in Hokianga, kei te huihui ai a Te Hikutu i runga marae kia titiro mai hei tautoko i a Dallas and some of Dallas's other teina, kei te haere hoki mai, teina, tuakana. **Our preference is to wait Judge because the people up North are assembling**
10 **to support Dallas's presentation.**

So, we were thinking that we were going to be starting in the second session so perhaps it might also provide an opportunity to get Dallas's evidence before yourselves for a look at the supplementary stuff she's put in.

15 **JUDGE REEVES:**

Good idea.

MR AFEAKI:

And if we could start your Honour if you please, and so that if we could start after morning tea that might be really helpful.

20 **JUDGE REEVES:**

Yes, I think the upshot of all of that is that we're going to have slightly longer break now and that will give us more time to read your revised brief of evidence.

MR AFEAKI:

Tēnā koe e te rangatira.

25 **JUDGE REEVES:**

So, we will adjourn now, and we will be back from morning break at 11 o'clock.

HEARING ADJOURNS: 10.28 AM

HEARING RESUMES: 11.04 AM**(11:04) JUDGE REEVES TO MR AFEAKI:**

5 Q. So, I'd just like to before we start address the issue of the amended or additional brief that's been filed. So, we've had a quick conversation about it, and I guess I had anticipated it would be the odd paragraph here or there, but I see we've received an additional 10 pages of evidence. So how we would like to proceed today is for the evidence to be presented today as if it's the original brief, I'm going to grant leave for the additional
10 or amended brief to be filed and we, because we have had no opportunity to engage with the content of that we will provide some questions to you in writing about that content because from a quick look it appears you there's some really interesting content there so – but we just don't have the opportunity to really kōrero much with you about that today. So, I think that pretty much walks the line in terms of how we want to proceed today.
15 So kei a koe te wā ināianei.

A. Tēnā koe your Honour, thank you for that. I'll just get the original brief from my briefcase.

20 Q. So just to clarify and I haven't had a chance to really engage with it, is there an additional section that's been added or is there additional information weaved through the whole of the brief?

A. The additional – firstly, the additional information is weaved through all of it, or parts of it. There's a section on Te Whare Wānanga o Hokianga which is Te Noho, that's new. There's a section i roto i – i raro i te
25 wāhanga Atua **and under that in the section Atua, there's another part there** also and there's a section added in that. Then later there's a section about tapu and tangi and that's where the three chunks are which, and I have to admit your Honour I hadn't actually realised it was 27 pages until after it was filed and again, my apologies for that but those are those parts
30 which are new, and the other parts are minor insertions for clarity amongst the pre-existing text.

Q. Yes, all right. So ideally, we would be able to kōrero with you about that today but that's just – we haven't had a chance to understand what additional things you wanted to say to us. But yes, we're happy for the

original brief to be now presented to us and then we will have time to engage with additional and further questions will be given.

A. And just in terms of technical practicalities your Honour, that would mean that I believe would this amended brief of evidence be #A150(a)?

5 Thank you.

Q. Okay.

A. I'm getting a nod from the registrar, thank you.

MR AFEAKI CALLS

10 Nō reira, kāre e kore me tīmata tātou. I te tuatahi kia mihi atu ki te haukāinga ki te Hikutū e noho marae ana, ngā kuia, me ngā koroua, ngā mokopuna o Te Hikutū, tēnā koutou katoa, ka huri kia hoatu ki o kaikōrero mō te rā nei ko Dallas King Williams. **So, thank you and it's best that we begin. I just wish to acknowledge the people of Te Hikutū are watching the Zoom, tēnā**
 15 **koutou and here's your uri presenting today.**

(11:08) DALLAS KING WILLIAMS: (#A150(a))

Tēnā rā tātou katoa.

"Tīhei Winiwini

20 Tīhei Wanawana

Tīhei ki te Wāhitapu nui a Kupe

Ki te tai i whakaturia ki te Tai Tamatāne

Tīhei he toa he toa

Whakaputa ki tua

25 Puta ki te whei ao

Ki te Ao Mārama

Tīhei wa mauri ora!"

[This is a tauparapara, chant to begin her kōrero].

30 Ko Te Ramaroa a Kupe te maunga

Ko Tūwhatero a Kupe te wairere

Ko Te Waitemata a Kupe te awa

Ko Whirinaki ai a nei

Ko Hokianga nui a Kupe te moana

Ko Te Tai Hauāuru o te ika te taha

Ko Matawhao te waka hourua

Ko Kupenuku te tangata

5 Ko Matai Aranui, me Pā te Aroha, me Mōria ngā Marae

Ko Te Hikutū te hapū

Ko Te Hikutū te iwi.

[Now explaining where she's from. Speaker's just presenting her pepeha from her area of Te Hikutū].

10

Tēnā rā koutou katoa. Ko Dallas King Williams taku ingoa. He uri ahau nō Hokianga. I te puaki au i roto i te paru tai runga te pata tai o Hokianga. **My name is Dallas King, I am a descendent of Te Hikutū, I'm from Hokianga.**

15 And I am here to share on behalf of Te Hikutū in honour of a promise made to my papa Anania Wikaira who recently passed away.

I imagine there might be a few **(inaudible 11:10:22)** and I've learnt to value them because soon the times when the emotions are here will be lessened and the emotions, I am reminded by my nan's teach us of the great place that the filled in our lives.

20

I am humbled bring this korero to the Waitangi Tribunal in these tūāpapa hearing not so much as a treatise on the kaupapa, but more to share some examples of how wāhine (and also tāne) of influence in my life have epitomised tikanga tuku iho, tikanga tūpuna and how they provided examples of mana wahine in the very ways they worked, served, nurtured and led our people.

25

Papa Anania was conceived, created, nurtured, developed, tested, galvanised, and he stood in and on behalf of Whirinaki, Te Hikutū and Hokianga.

30

The origins of the name Whirinaki describe how the tail of Tūhoronuku (the kite flown by Rāhiri to resolve the matter of birth right between his sons Uenuku & Kaharau) broke off causing it to fall to the earth where it was found leaning up

against a Puriri tree. That place is known now as Puriritahi, and in the years following was the site of Papahurihia's wānanga (a tohunga also known as Te Atua Wera).

- 5 In stage one of the Ngāpuhi hearings my Uncle Te Rema Edwards perhaps gave one of the greatest representations of – The kōrero goes;

‘Ka whati te taurahere o Tūhoronuku, ka taka ki te whenua.

- 10 Ka haere ki te rapu, ka kite a Tūhoronuku I whiri-naki-ana ki te rakau Pūriri’

After this event, the valleys where Tūhoronuku descended were known as Whirinaki.

15

I was raised in Hokianga to know of the balance between mana, tapu, noa and utu. Less spoken about but invariably accepted was the necessity for equilibrium between the male and female essence to achieve harmony as a collective.

20

It's a strange thing to present 'evidence' on te mana o te wāhine. As if it needs explaining, validating, or proving. It does feel awkward, culturally pervasive, and I really did find it difficult when I was writing this brief to figure out how I could get through the 'modus operandi' of this scenario and at the same time
25 maintain the continued cultural integrity of our people. I think continued cultural integrity is a really important thing.

Korero tuku iho and tikanga tuku iho began for us (in Hokianga) as seeds.

- 30 Some seeds of stories we would immediately understand in their entirety, and others (through trust) we knew we had to take and learn now, but wait for the time, season, or circumstance when those seeds, those stories would flower in their understanding and bear fruit to sustain us a people.

My grandmother's name was Te Whango, known to us as Nan Fay. She married Paraire Hauraki and together they had lots of children and one of which was my mother Paeo Hauraki, but her grandfather recorded her name in his book as Paeao Hauraki, so my daughter's name is Paeao. Nan Fay was the
5 eldest child of Aperahama Tutanekai Pokaihau Rogers, but we learned stories of his lifetime under the name Nanny Pera. He was matakite. He lived and learned in the world of the seen and unseen worlds and as his eldest daughter Nan Fay was also matakite, but she wouldn't like me saying that word, it's kind of, it's a little definitive, you know, limiting.

10

When I was a child it was common (as in several times a week at least) for me to see Nan by this particular rākau outside her whare talking to the manu. She would then come inside, pack up stuff straight after that conversation and put it on the table and then a little while later the phone would ring, she would talk
15 politely and nod and then a little time later a car would turn up and they'd pick up whatever she had packed up on the table and sometimes they'd pick up Nan too. I think when I got to middle school age, I remember being quite amused that she never let on in the phone call or when they picked her up that she already knew. But what could she say, that manu told her?

20

It was the same with tangihanga in our whānau. Nan always knew before she was "told", and she was very ordered and structured in the things she did. She would pack up kai and depending on the person and the situation, sometimes she'd pack up other things too. She had a specific role while she was at home
25 in her whare, and when she left her whare and went to the marae, that changed.

Wailing wasn't something I remember Nan Fay doing much. But I do definitely remember the way the world shifted around Nan when other women came close
30 with their grief. They would respond, their keening cries, the wails would become much more piercing as she came in as other wahine sometimes would do the same not just as a result of their connection to whoever, to the tūpāpāku, but sometimes in recognition of the puna roimata that was present in those whare, those tupuna whaea. The wails of the kuia would roll powerfully over the

people like waves, and they would elicit the deep sadnesses up and out of them. We would see them double over as they relented and let their tears and cries flow out. I was taught by our kaumātua that wailing as an expression has an essential function in healing grief. It's brought it up and out those sadnesses
 5 while we are together so that we can collectively share in the healing and powerful release. We were also warned that where we don't elicit those sadness's collectively when we're together, gathered like that, that it can sometimes stay inside individuals and make them sick later on because they might be alone or vulnerable. Wailing was just one of the manifold and vital
 10 roles that wāhine fulfil because coping with death and healing together was and still is essential to our wellbeing.

Our elders in the times i mua o Tuawhakarere, have always understood that these things were more than just rituals. They were experts in applying tikanga
 15 and kawa in the pursuit of balance and harmony for their people.

17. My dad Les King is the great grandson of Tare Wikaira. She raised his mother Doris in the same home that Papa Anania Wikaira (over here) was born, he was born on te hot rocks and so was my nan. It's part of birthing process at
 20 home. A home with Nan Tare that he would go on to take refuge in as a child. Tare was known by her many mokopuna as Big Nan, a name that in my life was given to another of my Nan Doris's cousins, Nanny Turu, Aunty Turu Lee. She was the Rihiri Wikaira, my dad's namesake and when we were still young Nan Doris died and Nan Turu stepped in sort of like a grandmother of sorts to us.

25 Nanny Turu's name was actually named Uru, but as I'm sure we've all experienced sometimes we didn't really find that out until she died and her coffin turned up with it on the lid and we were like, what's going on here? Who even is this name? Shot! That's her name, okay, ka pai. At Nan Turu's tangi Papa
 30 Anania sat on the paepae and along with the others he oversaw the proceedings of Big Nan's tangi.

I wanted to highlight this, I wanted to highlight wailing because all of these things, however small and however large, should be observed as levers that

extend from today all the way back into those ancestral times, those ancestral practices. I can't speak for other areas and other people with other whakapapa, but in Hokianga that is definitely so, humbly so but definitely so. Practices that began long before the coming of others and beyond that again. Beyond our
5 shores.

Atua

There wasn't much talk of Atua Māori like they talked about today when I was a child. We would see them in children's books, but they mainly depicted atua
10 that were male and where there were female atua mentioned it was usually only sort of in relation to the main character which was male or in the case of Māui something not quite an atua. They sort of sought to define him in those books as something like a semi demi-god of sort of not quite a god or, you know, all of these strange things. I want to say, you know, hauā. Who knows? I don't. But
15 I also want to clarify that that's not because I don't have knowledge, or we don't have knowledge in Hokianga of who Māui is and where he fits in. But it's more of a language thing because it never occurred to me to need to 'define' him as a god or a demi-god. That wasn't the function of those stories.

20 To us, his stories are explanatory and helped us to delve deeper into understanding the charisms of the different personifications of realms. That was something that was really important to me to say, that sort of translation and perception plays a big part in how we view atua Māori in Hokianga.

25 In Hokianga, atua Māori for us were the names, the personifications given to different realms and phenomena of this world and our past. When we learned about Tangaroa for instance, we learned about the sea and it was the stories that were shaped around each of those atua or persona that helped us to understand, you know, according to the maramataka, to observe the repeating
30 cycles of those atua or those realms, and to work in harmony with, and also accept the variances of the world that we were seeing and that our tūpuna had known.

So, initially, I learned about the realms of these atua more than the atua themselves. Of the sea, of the land, of the day and the night. We learnt differently in different places and at different times. It was natural and it was entirely responsive to the environment that we were in and the time that we were in that environment and the people that we were with. I realise now how lucky I am to grow up in that space with elders that enhanced every living thing in those spaces when we were in them. They brought them to life.

And it wasn't until we had, like, a lived experience foundation in those environments that we began to be introduced to the wider kōrero tuku iho about different atua that personified those realms. And by that time, because we had been living, engaging, observing, rongo, in those spaces, the stories made not only, you know, inspiring and memorable accounts and memories for us in the moment, they made sense. They made sense. Because they connected to what we had lived and observed in those spaces. In the same stretch, it also made sense for other areas when we travel to other rohe to have different stories for their atua because we knew by then that their places, their climate, their histories, their stories needed to be different, so their atua had to be different. Tangaroa could not be the same on te Tai Tamatāne as it was on te Tai Tamawahine.

And I have to also say, when we grew, because we're like west coast, te Tai Hauāuru, you know, te Tai Tamatāne predominately kōrero tuku iho about the moana revolved around Tangaroa which makes sense because we live on te Tai Tamatāne. And it wasn't until we got older, much older, we started to hear all of the – ngā momo āhua o Hinemoana from our whānau who lived over on Te Tai Tamawahine. **[Tai Tamatāne – the western coastline. Tai Tamawahine – the eastern coastline.]**

So it was very frowned on by our elders, by my kaumātua, kuia, to carry an egotistical attitude that others had it wrong or didn't know. Instead of judging them, we were encouraged to seek the similarities so that when we travelled to their spaces, we could understand how the stories applied to their whenua, to their wai. It was really frowned upon, really frowned upon.

I struggled to appreciate how others outside of te ao Māori couldn't see what we saw, and it wasn't until I got older that I realised the disconnect that comes from not only the translation of language, but also the translation of placement and perception. One culture's perception of place and role of atua being compared to another. Our living world view measured alongside their religious world view. It made me sad because they don't need to be competing ideologies too.

Uncle Patu Hohepa expanded on that for me from a linguistic point of view. We were at his home once. You know, I was trying to understand it and he said to me, you know, like ariki, they tāhae'd that kupu. You know, the Missionaries that came, they needed to translate the Bible and so they found the word that was the closest best fit to what they were trying to communicate. So, suddenly this word 'ariki' that was used for, you know, a specific type of leadership because sort of a supernatural thing suddenly. And so then of course lots of our whānau who had taken up the Christian beliefs felt it wasn't appropriate, like it was sacrilegious, you know, to hold up a human up alongside this supernatural atua, all-encompassing atua too, you know. So, he then went on to explain other kupu too that were also lost in translation – I wouldn't say lost, but you know, redefined in translation, like 'rangatiratanga'.

In the same way, seeking to draw parallels between a Māori worldview of atua and a Western worldview of God relies on the perspective of the person. Those two schools of thought are unlikely to coexist in a complementary manner when they're placed in parallel, not because they're in competition but because they're two totally different things.

It was the accuracy of our kōrero tuku iho and our individual and collective systems and an ability to retain that knowledge that equipped our people with the skill and empathy we needed to live abundantly in our world.

The ability to retain that kōrero tuku iho is often denigrated today. And I think you know, it's important when you think about citation processes in universities,

the provision of evidence in legal settings and even the arguing of land rights using Māori Land Court minutes, it's incredible to me that people can't see how subjective those things are. It's a little bit like when something's written it's preserved, it can't be messed with. Well, it can. And our kōrero tuku iho has
5 been so accurately retained. You know, it really amazed me. It's something like when we're talking about the accuracy of a kōrero tuku iho, there was, not that long, myself and two whanaunga went around and we were sort of talking about the stories of Kupe, the four Kupe who came through Hokianga.

10 We went to Pāpā Anania and then went to Uncle Patu and then went to – Pāpā Anania, Uncle Patu and Pāpā Rereata. All three of them had not talked about these stories but they recalled those kōrero tuku iho about those four Kupe with such precision that, you know, it blew our mind. We thought these – they haven't crossed notes, they haven't – and the reason for that is because the accuracy
15 is demanded when you're learning those types of kōrero tuku iho. There's no such things as a percentage pass. You get it right from start to finish every time and you are tested and it is retained, and you can recall it on the spot.

The providence around kōrero is often denigrated by people saying it's a little
20 like Chinese whispers. That is not okay actually. It's not okay to take how one person communicates to another and apply that holus bolus to how kōrero tuku of indigenous peoples and in particular te ao Māori is retained. I accept that that is the case for some situations but in Hokianga, I can't speak for everywhere else but in Hokianga there are definitely incredible profound moments that
25 demonstrate the accuracy of that.

So much so that there was a debate around the years. You know one had this year and one had that year for whakapapa. And when we sort of – when they got them together, we were like this is crazy how accurate this is and how the
30 same it all is. When we got them together, Uncle Patu and Pāpā Nia were talking and they figured out, "Oh I see, actually the only difference is 50 years because you're treating a generation as sort of 20 years and I'm counting it as 25." It was sort of a mathematical situation. It wasn't that the whakapapa was any different. That's how accurate it was.

I grew up aware of the difference between esoteric and exoteric knowledge. Kauae runga and kauae raro. Celestial and terrestrial. Some, but at times not all. Parts, and then the whole. And at the same time and in the same space we
 5 grew up being very aware of male and female.

I learned via osmosis for the main part there wasn't quite a lot of direct teaching, but they had a really great knack of exposing us to environments and kōrero
 10 tuku iho as we grew up and as we became mature enough to start to understand and interpret what was going on.

Some of the early photos of the Taumata Kaumātua hui for example, there'll be all the kaumātua there and then there's little me in between my Nan's legs like
 15 in the thing. You know we were exposed and that's another great example of the ways that we were taught and the ways that we learned.

I learned via osmosis and I want to say that I – admittedly I was a free an pretty wild you know child, but I was also taught that what Pākehā called the naivety
 20 and ignorance of children was in reality an essential passage of time where my ability to rongo was uninhibited. My Mother fiercely protected that. She was renowned for holding the opinion of a child higher than that of an adult and my grandmother was a stern and unmoving perfectionist who taught order and discerning interpretation.

Atua were the personifications of our world and the charisms of those realms
 25 could be male or female upon requirement and upon context, and the easiest way to clarify what was being discussed or taught or experienced was to name them differently or to give them a different gender or to make them uri. There was always a balance and the reason I'm bringing that up – like the example
 30 would be Tāne and Tangaroa and the role that Moana-Tū-Ki-Te-Repo plays between them as an intermediary. The example would be Tangaroa and also the dual representation of Hinemoana. There are so many examples that demonstrate from our ancestral kōrero tuku iho, the knowing of the mana ōrite of wahine.

Recently I learned from my Papa Ral Makiha of the ways that names of stars were also changed in a similar way. He taught me that single stars can have many names depending on what the learning or context was.

5

And the example he gave to me of this first was when he was telling me about a conversation that he'd had with to Pāpā Hekenukumai Busby. They were talking and sharing kōrero on the names of stars that were used for navigation and the names of stars that were used for you know ngā mea i roto i te mahinga kai. **Gardening.**

10

They figured out really quickly that they were talking about the same stars but different names. These two men of course both whakapapa to Hokianga so it's not a sort of situation where this is what they call it down there. you know it wasn't that it was – these are two different houses of learning.

15

He told me the story and he paused sort of looking at me expectedly and we play this like this. Then like a little 'light bulb' went on and I was like, "Of course! They have to be separate. That makes total sense." You know because food, mahinga kai is noa whereas you know ngā mahi whakaterere waka that's tapu.

20

Food is profane and sailing of waka is more sacred

So, one of the easy ways for us to ensure that the learners were knowing what they were learning – the kete wānanga that they were learning from was to – they're the same star but we give them different names and that way we know – it also helped us to have levers when we hear these star names, we know you know the tātai of that kōrero tuku iho. You know this is where this person has learned from or this teaching is coming from – you know this where wānanga, this kete wānanga or that kete wānanga **source of knowledge** because they're names that are synonymous with mahinga kai or you know ngā kaupeka o te tau **seasons of the year** as we apply them to mahinga kai. So, the seasonal shifts as we apply them to mahinga kai.

25

30

I understood that although the star was the same, by naming them differently,

our tupuna maintained the vital separation between tapu and noa, and in the same stretch they provided the people teaching and the learners with clear differences. It helped us to ensure that those houses of learning or those kete wānanga maintained that vital separation. They have to be kept separate so that we don't get this coagulation of ideas which can undermine the tapu of a kaupapa.

Through the whakapapa of Atua, we begin to see distinction between male and female and the resulting differences in the characteristics and stories of those realms. Those different names provide separation and it also meant that where those Atua would have uri **offspring** that we began to have an opportunity to talk about the deeper or the sort of the multi-faceted charisms of that space. So, ngā uri o Tangaroa **the offspring of Tangaroa** for instance. You know ngā mokopuna o Moana-Tū-Ki-Te -Repo **the descendants of the swamp**. We start to move beyond Moana-Tū-Ki-Te -Repo as a whole and we start to look at the things that live in those spaces and the connections between them. Every time we look at that, every time you step into the living world you can't miss the balance between tāne and wāhine. Apart from kōrero tuku iho the taiao was what taught us.

20

Tūpuna Whaea

It is not difficult to identify renowned tūpuna whaea in our Te Hikutū histories. I'm sort of really talking lots so I'll try and skip a few because I know you've got my brief of evidence, but you know one that really stuck out for me immediately when I thought Tūpuna whaea, I thought yes, Kura Marotini.

25

Kura Marotini was Kupe-nuku's wife, and our stories tell us that Kupe was the chief and navigator. Papatara was the tohunga, and Kura Marotini was also a navigator, whakatere waka onboard the waka **sailing canoes** Matawhao. They followed the flight path of the Kuaka to find te Ika a Māui and when they arrived in recognition of her navigational skill, we are told and taken to the place where the ceremony happened that she was given the new name Hine-te-Aparangi.

30

Kareariki, the wife of Uenuku, discovered the waiwera at Ngāwhā after losing her kurī named Kaipahau. Well after the death of her kurī she kept hearing his bark night and day and those sounds led her to the healing pools. Sometime later, after her own death Kareariki herself became a taniwha.

5

My nan would tell us all of these different stories and our kaumātua would tell us that when a tupuna was transformed into a taniwha that that was something that only someone with exceptional mana could do, exceptional mana, not just mana, exceptional mana.

10

Uncle Patu Hohepa also gave me an example of the position of women in Hokianga from recent times. His tupuna whaea had seven husbands and when I questioned him, I was a little bit intrigued I was like “woah” you know that that’s not that long ago, like how did that go down? And he just really succinctly – you know if you’ve seen his eyes just light up, he sort of just turned to the side and he was like, “women of great mana can do that”. You know, they’re totally allowed to do that. She had seven husbands and I was like “well how does she – like all at once?” These are my questions, like “all at once? She had seven husbands all at once?” And he’s like “oh no, when one didn’t measure up, she discarded up and got a – took another one”.

20

And then you know he told me stories of how she sort of discarded them and that was you know quite concerning and amusing all at once, but you know. I did have these wow moments that these were tūpuna whakaaro that were still here today but the way they were viewed was very different, I want to be clear about that.

25

So here we hear about our tūpuna whaea who has such exceptional mana that she was transformed into taniwha. We have tupuna whaea that achieved things that prompted her people to rename her. And we also had tupuna whaea still practiced the right to exercise her mana in the way that she was like “no, you’re not – it’s this –“ I won’t go into the whole story, but it was really intriguing, you know I’m talking like three days of like happy conversation about this one

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tupuna whaea, so much so that we popped down to the marae to have a look at the photo because I was like “I just want to see this woman’s face”.

I think the main thing is there was no position or role and status that wasn’t
5 afforded to wāhine in the histories of Hokianga. Certainly, there are things that were naturally more suited to tāne and wāhine, but I can’t find that there was a strict exclusivity around any role. It was more likely that the time, the place, the context, the need at the time was what determined those things.

10 In Hokianga there is a place called Wai o te Mārama. The river that flows through the forest there has long been a place of pilgrimage. And we can find there the pools that are set aside for healing and restoration. Our elders taught us that on the night of the whiro moon Hina bathes in the waters there, is restored, and becomes fertile again. After restoring herself there in the wai o te
15 marama she begins again her journey through the skies, a journey that influences and pulls and ebbs and flows the water in all living things on this earth.

The important thing about that story is that it reminds us that there are times
20 when we feel depleted of the cycles of our living life. The important thing about that story is that it’s such a beautiful story that it was retained and that the giving effect to the practices of those kōrero tuku iho were also retained. It’s still a place that we go to be restored in times of need for healing.

25 There are pools there for wāhine and tāne, separate pools and a pool also where wāhine and tāne can bathe together. It’s also a place where our kuia would gather rongoā and make rongoā in these – there’s these shallow indentations where the water flows through lightly and then into the pools below. The main point is that even Hina needed to take respite, so it gave us this sense
30 of assurance when we had times of depletion ourselves, that kōrero tuku iho.

These stories still direct and influence the ways in which we care for ourselves and each other through our transitions in life today.

Wāhine were also represented as – like all the time as whenua, as oneone at home in Hokianga. There are lots of whakataukī that capture that but one story that really represented it practically and the role that wāhine had and the mana that they can have was when I was a child, like four-five years, like a little kid
 5 and I was you know – I was little bit wild and you know, all over the place, but I was always there and Uncle Were Hauraki who is a descendent of Te Hikutū chief Hauraki and a cousin to my grandfather Paraire Hauraki. He was listening from the taumata to the kōrero and the whaikōrero – the kaikōrero of a whānau who had come to tono for the – you know to speak on behalf of the tūpāpaku
 10 and try and take them back to their home.

So, this is something and Uncle Were was renowned for whakapapa and his ability to not just hold on to but go and get tūpāpaku from other areas. He was very renowned for that at home.

15

As the kōrero continued and it became really apparent to those in the whare that the debate was on a precipice, all of the whakapapa had been laid to its full extent, the discussion turned to tikanga and kōrero tuku iho. In amongst it Uncle Were tapped me on the shoulder, my nana's on this side of the shoulder,
 20 he's on this side. He tapped me on the shoulder, and he said, "You know, go up, go up and sit at the foot of the coffin. Babe." You know like go up. I was like, "okay okay".

So you know being typical kid at the marae, growing up there, I just sort of in
 25 the middle of it all, you know I would be like dang it, "is that my moko?" if that was one of my mokos I would be like "couldn't she sort of walk demurely and sensitively up?" but no I didn't I sort of trotted straight down the middle of the marae, turned around, but instead of sitting at the foot of the coffin on the floor, I popped down on the feet of the coffin, like on it, I sat on it. You know, I was a
 30 child, I sat down, and I'll never forget everyone was like (gasp) "what's this kid doing? It's sat on the foot".

But even though I was like, I immediately sensed the disapproval in the whare, when I looked at Uncle Were, his eyes were twinkling man. They were twinkling and he just looked amused.

5 The kaikōrero that was standing on behalf of the whānau who had come to visit they stopped, they paused, and they didn't really seem to know what to do and then they sat down and Uncle Were was up like a light, immediately came
 10 kōrero tuku iho about wāhine, whenua, oneone, hapū, all of those things because for him the moment I sat on that coffin, on her feet, that tūpāpaku was already partly in the ground here. The crazy thing is everybody just accepted it. Everybody, even the kaikōrero on behalf of the whānau they were like “āe, he tino tohu, he tino tohu **that's a sure sign**”.

I didn't do that on purpose, I don't want you to think that this was some great
 15 sort of strategic move by my uncle, maybe it was, I don't know he probably knew I was nanake and would do that. But on that day, even though I was a child, because I was a wāhine I embodied in a very practical and real way kōrero tuku iho that placed wāhine as essential and as real as whenua in that whare and everybody knew of the kōrero tuku iho and everybody accepted it. She
 20 stayed, she stayed and was buried there.

In closing I wanted to just touch on the fact that Papa Nia and I were meant to present in Taitokerau but he was unwell, so we waited until the next hearing and he was unwell again. And then at the next hearing another person involved
 25 in the process was unwell and then here I am today saying I promised him I'd do this so I'm here doing this. When he asked me to come and share evidence, it happened in a strange way. It happened because the processes where he was going around, we were having hui you know just saying, “who of our wāhine want to share kōrero for Stage 1?”

30

Once they understood that it was Stage 1 like pre-colonial our wāhine were matakū **scared**. They weren't matakū because they don't know kōrero tuku iho, they weren't matakū because they were unsure of the mana o rite of wāhine pre-colonial times. They were matakū because they were overwhelmingly

aware of the great rafts of kōrero that oppose those views out there, views that have been provided in abundance because of the preferential treatment that men were given over women in how narratives about wāhine were socialised.

5 You've heard lots about that and I'm sure you'll hear lots about that in Stage 2, so I won't go on, but I wanted to acknowledge that because there are many wāhine and many tāne at home that have these stories but it's difficult to stand up in these spaces knowing that others have got sort of evidence, citable evidence to say but as soon as you realise that like you know the whakapapa
10 of how that came to be you start to understand.

And so, like Saturday night before I came down, before I flew down, I was – I shared this brief of evidence which is what led to me putting that extra section about Te Whare Wananga o Hokianga, I shared this brief of evidence at
15 Morea Marae. For me it was important for it to be heard at home before it came here. I needed to say that because I wanted to restore the feelings of inadequacy, not the feelings of loss of mana but there were feelings of inadequacy that many of our wāhine shared and I wanted to reassure them that I understood.

20 So, it might seem today that I have shared sort of stories that are hard to validate, but I want to also say that I didn't want to reference anything other than kōrero tuku iho and lived experience that have demonstrated those kōrero tuku iho being put into very real practice in my life. Not to say that I'm not acutely
25 aware of the loss that has also occurred, but I do definitely celebrate those small moments that's still evidence, the balance that we see in totality in the taiao.

When my tamariki asked me about, you know, "Mum, what are you going to say? He aha ngā mea o te mana o te wāhine?" "**What are you going to say**
30 **about mana wāhine?**". The first thing that came to mind was, you know, the taiao, the taiao **the environment**. The taiao existed before we came. I'd like to think it'll exist after we come (although, humanity is doing a really interesting job on that at the moment). But that is where we see the balance and that is also the source, the origin of all of our kōrero tuku iho, of all of our toi Māori.

You can see the fecundity that is represented in the forms here in this wharenuī.
The fertility that's represented in them.

5 In Hokianga there are houses of learning and ways of teaching for wāhine just
as there are for men.

As wahine Māori, I am grateful to be a descendent of beautiful, dignified and
insightful tūpuna, and Pāpā Nia famously would always say to me, "Kaua e
wareware, whakaiti, whakaiti, whakaiti." **"Don't ever forget, be humble,
10 humble, humble."**

And so, to come back to where I began, I think it's a strange thing to be asked
to present evidence on te mana o te wahine, it really is.

15 And you know, to me, to us, in Te Hikutū, you feel shy even explaining
something that's as real as it is all-encompassing.

So, I'll stop there because I know that I've gone probably way longer than I
should have done. Āe. But I do want to say finally that the process of
20 considering it was incredibly valuable. Nō reira tēnā koutou katoa. **Thank you
all.**

JUDGE REEVES:

Tēnā koe mō tēnā kōrero. **Thank you for that presentation.** I think we will take
some time just to have a few questions, but I think the majority of our questions
25 are going to come by writing because we will take some time to think about the
additional evidence that you have also given us. I am going to start down this
end.

(11:55) KIM NGARIMU TO DALLAS KING:

Q. Tēnā koe e te tuahine.
30 A. Kia ora.
Q. Kāre ngā kupu. Thank you for your evidence. It was mesmerising, it really
was.

A. Thank you.

Q. And this might be addressed in your expanded brief that you've put in this morning, but because I thought I'd ask it I'd ask it anyway and it's not about the detail of the kōrero tuku iho you've shared with us, but what I'm
5 wondering is how is that kōrero preserved and transmitted between generations in, you know, in nowadays?

A. Kia ora. Yes, I think that there are lots of ways that that kōrero tuku iho is preserved and transmitted. Te Whare Wānanga o Hokianga **The School of Learning of Hokianga**, there is still – it doesn't exist in the same way,
10 shape or form but there are wānanga that take place. I'm a classic example too of people in one generation being placed alongside, very purposefully and intentionally alongside people of another generation. That's been my experience in my lifetime. I'm probably now on my fourth if I'm not counting my nan and my mum who are just there the whole time
15 but, you know, like it is purposeful and intentional that some of us get placed alongside and we understand that role as kaiāwhina but also as kaitātaki. Because by listening and being around those environments all the time, we learn that kōrero tuku iho, we learn the different ways and context in which that kōrero tuku iho can be applied and we also begin to
20 understand implicitly the rhythm with which our kaumātua – the rhythm and the intonation becomes quite important, well, it's very important to me, it's been what has helped me to – so, that's probably my one example. Wānanga, oriori, waiata, but I think probably the most powerful would-be relationship and whakapapa. So, I think, you know, obviously
25 the ways that that kōrero tuku iho has been preserved has evolved significantly in relation and response to the world that we're living in today. But I do find that there has been – like, our kaumātua have definitely taken purposeful steps to collate together, like, there are some really essential ones and those have been beautifully preserved, but they have been
30 restricted in a way that they can be extrapolated out into our whānau whānui like they would have been in an ancestral setting. So, I think still – I know that there are other ways of preserving kōrero tuku iho, like, in written form and stuff, but if you're asking me in Hokianga, that's how we preserve kōrero tuku iho. Āe, ngā mihi.

(11:58) DR ROBYN ANDERSON TO DALLAS KING:

Q. Tēnā koe Dallas.

A. Kia ora.

5 Q. I believe people are listening and looking in. We can't see you but ngā
mihi ki a koutou. I wish I could see you. Look, I'm not going to ask – you're
going to be annoyed with me. I'm going to ask about you and you saying
your discomfort at talking about this topic maybe at all or perhaps in this
forum, and this question is partly prompted by reading a *Herald* article
10 headed Mana Wāhine in the weekend and I think there was one Māori
wahine within a whole group of important and strong women. But are you
fearful that this discussion and the terminology, if you like, is going to be
misappropriated and misinterpreted? Or do you think this is something
that can be overcome, and we should be talking about anyhow.

15 A. I 100 percent believe in the capacity of my people to overcome anything.
But separate to that definitely there are concerns around the way that
people perceive the kōrero tuku iho that we share and also how they view
our lived experiences. It requires for people to have an empathy to
attitude towards the continued cultural integrity of others and I haven't
found that has always been the case.

20 So yes, I am concerned but I also feel that – about how it will be
interpreted but I also feel that it you know to experience a shift in
paradigms, sometimes there has to be combat, that's the reality I believe.
And so, the reason I felt uncomfortable about writing and speaking and
25 providing evidence on mana wahine was mainly about – you know it
would be like telling my Dad about grass and you know the river at home.
Like he's – like it's you know he knows it and I feel like it is an astounding
idea to live in this world and not innately recognise just a s a human as a
living form even. It will be – you know like my kids were like Mum, you
30 know like what are you going to say down there.

Like in my head I was like it would be like watching – going to visit my
whanaungas over in Kenya and looking at a herd of zebras and saying,
“oh the men have got way more mana.” In that situation over there in that

hers of zebras than the women. The reason I felt uncomfortable primarily was because I felt like I was explaining something that everybody should already know. But I do believe that they have been taught to deny and it was the recognition within myself that the society has taught them to deny something that they inherently know that I felt was the reason for

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me to speak and to share. But also, because Pāpā said. Pāpā called me and asked about my Nan's plums and one thing led to another and he said, "Babe I need to share the kōrero. I need you to share what you've learned growing up." Does that make sense?

10 Q. It does make sense. So, thank you for that and I will hand over to other people so that they get a chance to kōrero with you. But expect some more questions in writing. Thank you, Dallas.

A. Āe.

(12:03) DR RUAKERE HOND TO DALLAS KING:

15 Q. Tēnā koe e te pou kōrero o Te Hikutū. **Thank you, descendant of Te Hikutū.**

A. Kia ora.

Q. Kua tū te hiku o Puhimoana-Ariki. **The tail of the fish has definitely stood proud today.**

20 A. Āe.

Q. I suppose I don't think there's enough time for – to be able to respond to the sorts of questions that I have unless – the questions I have are in three areas. I think – I don't have the background around the four Kupe and those sorts of things. That's obviously a kōrero that's really strong in Hokianga and places in Te Taitokerau but one thing that's really stood out for me is the kōrero about Hine-Te-Aparangi and the fact that most iwi refer to Kura-Marotini and yet the reason why a name is bestowed upon a person is because of some achievement and some recognition of some skill or expertise and obviously that has been recognised in

25

Kura-Marotini by providing the name Hine-Te-Aparangi. And obviously that comes with a whole body of knowledge of navigation, of karakia, of keeping people safe. And I'd like to know a little bit more about that if it's possible to find that?

30

A. Yes.

Q. And in particular about her areas of expertise and the fact that it isn't common knowledge throughout the country. The fact that it isn't something that I would have liked to have heard that kōrero and I'd like to be able to see that recognised in some way as well. The other one is the – and it sort of leads into the next one. We talk about Hokianga whakapau karakia.

A. Aē.

Q. And I'm sort of passionate about the idea that karakia were a part of everyone's lives and I'd like to hear more around how Hokianga whakapau karakia were wahine fit within and that sounds like your kuia and then the whole thing of being able to see things before they occurred. There would have been that sense of karakia or that connection to a taha wairua, that – is it possible to talk a little bit more about the sorts of things that she may have done in terms of verbal expressions that may have been passed down to others? I'm not sure.

And then the last one is really – I've lost it now. Ka waiho atu te kōrero – there was – and it was such a good one too. Sorry, whaling, that's what it was. I've got it right at the top of my paper, I was looking down the bottom because I was reading downwards.

Is that sense of expression of grief. You're the only one that has provided that kōrero so far and it would be really easy to just simply say that that's just the mahi that wahine do and it's an expression of grief and that's all that it is. But in actual fact the way you've talked about it and I know most of us that have experienced that know that there's a lot more involved there.

And that's one of the things that I've been grappling with as well and we've been discussing it is, how do we find sort of practises that we do now that actually can be traced back that perhaps were really – that were a part of mana wahine that have now been in some ways constricted into something that becomes quite narrow and simply saying that's whaling

when in actual fact there is – I'd just like maybe a little bit more information around that and if you could talk to others maybe if there are?

A. Yes, there are. Now or?

Q. It may be best.

5 A. Can I share a little bit now or no, after, haven't got time?

Q. We may not have time sorry.

A. I mean the short answer to that is yes, it's all really cool kōrero. It's one of the tough things about these situations, how you have to sort of try and touch on things, but you know like you can't grow up around these great people like I just I feel like I really lucked in in the whakapapa space. And not connect deeply to all of the thing's and those three things were really – there's a reason why they're in there because they were really significant, I believe in this process, particularly whaling.

10

15 That's why it was sort of the first ship off the bat you know. I think that that was a really – that for me is one of the most poignant moments that we still get to experience today. Yesterday, I could hear the puna roimata in the kuia's voice that sang. Just the way it moved through. Man did it open up the ara wairua. You know and for me it was meaningful because it was the first time, I'd heard that here on this motu, on this whenua.

20

And immediately you get the sense of a collective psyche, a collective consciousness of the puna roimata and I don't mean to say that that is exclusive to gender but I, 100% know that the potency and our familiarity with the puna roimata as wahine Māori, I can't deny that. Yes. I'm happy to answer more, sorry.

25

Q. Ka pai. Ko te mea nui nei, I'd like to hear how that reflects mana wahine **(inaudible 12:09:00)** expression.

A. Yes, ka pai.

30 Q. Nō reira, tēnā koe me ngā kōrero.

A. Tēnā koe.

(12:09) PROFESSOR LINDA TUHIWAI SMITH TO DALLAS KING:

Q. Tēnā koe Dallas. I'm sure there are many wahine Māori who are really pleased to have heard you this morning.

A. Thank you.

5 Q. And that you've told us and shared with us a beautiful kōrero that you had. I have one question then hopefully you know you can answer. I'm not sure if you were here to hear Naomi Simmonds talk about the journey of Māhinaarangi, but also the sites that were important to her that were then sort of degraded and they couldn't get access to that kōrero and so I'm asking this in relation to Te Wai o Te Mārama?

10 A. Āe.

Q. Is that a place that is now still within the hapū's authority and it's still looked after in a good space? Is it a wāhi tapu or is it just something that it – a place that is known by the hapū and there's no public access and things like that?

15 A. Sorry. The short answer to that is it's in the middle of – that the Crown is controlling that at the moment. It's DOC managed paths and accessways to it and it's a place that's frequented down below the falls, it's a place that's frequented in Hokianga by lots of manuhiri.

20

The place – the specific pools that I'm talking about and the kōrero tuku iho in relation to those pools has been passed down but has also been protected when we talk about you know the story of Hine bathing there is a well-known kōrero tuku iho, but the use and the ritualistic and also practical access and usages of those spaces is not something that would be commonly known amongst tangata whenua and Hokianga. But it is known and there are times like not just for myself, where I will take others, where I've gone with other kuia and rōpū to go there.

25

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So no, I mean on the surface, I mean on the surface it's managed by the Crown but we still – I have never been cut off from accessing it neither would they cut me off from accessing it. We could just say that. It's a little bit radical but you know like they – nobody has tried but they definitely exercise the right to manage that footpath and stuff like that but you know

we know that ngahere, we're not just talking about something, like we know that ngahere, we know the plants, we recognise when a tree has you know gotten dehydrated over that – we recognise it.

5 So, we're very much still active there. I would not say that we are able to exercise our you know, exercise control over that space like we would like to and because of that we have safeguarded aspects of that kōrero tuku iho so that others who may not understand how those things work go there and desecrate that space.

10

So, it hasn't been desecrated that I – well it sort of has, it's been diminished in some ways, but in a way, we've protected it by protecting the kōrero tuku iho and by protecting the practices and by making sure that they're carried out in a way which isn't you know – some whānau are like “wow really?” you know and then “oh okay come on” and then they're like “oh man, actually we've all got stories connecting us to that place”.

15

So, it's like anything on the surface it's managed by DOC but the wairua of that place is connected to by us.

20 Q. Would you like it back?

A. I feel like on the surface they think they have it. In te ao wairua we have never lost it, but we absolutely want it back. We want it all back, we want everything back because then we will be able to bring it to its true fruition so that it can have effect on the wellbeing of our people like it did in times before. Yes, we would love it back.

25

Q. Kia ora, thank you.

A. Kia ora.

(12:14) JUDGE REEVES TO DALLAS KING:

30 Q. Kia ora, well I'm going to wrap up this session in a moment but just to indicate I had some questions which are similar to the ones that Linda's just put to you which are really around some of the stories that are associated with those places that really exemplify the relationship of wāhine with the whenua and also you know, I think you were here on the

first day you would hear Naomi Simmon's evidence and I guess your stories about te wai o te mārama you know brought that strongly to mind as well.

- 5 But the other one which was in my mind as well was your kōrero at paragraph 47 around Ngāwhā. And it's just in my mind and although I wasn't involved in the process, I think I can recall that you know in the processes around the proposed building of the prison, you know there was kōrero there about the effect of that on the – on the wairua and on
- 10 the taniwha who were in those places so it would be good to have if that –

I'll ask the question in writing to you and if you have that kōrero and you're willing to give it to us that would be good to have that.

- 15 A. Absolutely. Yes, I would like to share on that.
 Q. Okay kia rā.
 A. He tino mihi ki a koe mō ō kōrero whakamārama ki a mātou, he tino pai te kōrero. So ngā mihi ki a koe. **Thank you very much for your presentation today, it was very insightful.**
- 20 Q. Kia ora.

WAIATA TAUTOKO

JUDGE REEVES:

Ms Thomas.

MS THOMAS:

- 25 Tēnā koe Ma'am, ia tātou e whakarite ana i tēnei wāhi kei te tū tonono mai i a au e noho ana ki te whakarongo ki taku teina a Dallas i toko ake te whakaaro i roto i a au e tika ana kia kuhu mai a Ngāti Rehia i tēnei wāhanga o te rā, ka whai i ngā kōrero a Te Hikutū, a Hokianga Hakapau Karakia, nā, i tae tō tātou waka ki te tai tamatāne. I tēnei wā nei e rere atu nei ki te tai tamawāhine nō roto i te
- 30 rohe o Te Kerikeri ki te whare o Te Pou o Manako a Ngāti Rehia me te kaikōrero whai mai nei ko aunty Nora Rameka e tātari nei, e noho nei me taku kite i ngā

hapū e karapoti ana i a ia, e tautoko ana i a ia. **Following the presentation of Dallas, I thought it was quite appropriate that Ngāti Rehia should follow her. And we have heard from the west side, tae tamatāne and now we're going to listen to the female side or the east side with our**
 5 **Aunty Nora Rameka waiting for us to turn to her.**

Nō reira e te Kaiwhakawā, ka hoatu te wā ki a Ms Herewini engari i mua i tēnā kātahi anō te mata e whakawhānui ake, nā, ka kite au i āku ankara me taku aunty a Moka, a Hine, nō reira a Ngāti Kupa Patukeha anei a tō kōtiro e mihi
 10 atu nei ki a koutou mai i Ōtautahi, a tēnā koutou katoa. **Therefore Judge, I'd like to pass the opportunity to the presenter for today, I can see my aunties and uncles there. So, you can see on the AV. I thank you all very much.**

MS HEREWINI:

15 Tēnā koe e te Kaiwhakawā, otirā e te tēpu. E rongō mai ana koutou i a ahau? **Thank you Judge and those who are assembled there. Can everybody hear me?**

JUDGE REEVES:

Āe. Yes.

20 **MS HEREWINI:**

Tēnā koe, otirā tēnā koutou. E kite ana kei konei mātou, kei Te Kerikeri i tēnei wā. Kei te taha ko aku kuia, ko aku kaumatua, kei muri ko taku whānau engari i tēnei wā ka tukuna ahau i tētahi paku wahanga ki to tātou kaumatua ki te whakataki, ki te tuku mihi ki a koutou i tēnei wā. **As you can see, we are in**
 25 **Te Kerikeri at this moment with elders and my whānau to support – a statement of claim by our Kuia Nora Rameka.**

(12:21) KIPA MUNRO: (MIHI)

Tēnā rā tātou katoa. Koinā anō tēnei tū whakaiti kei mua i a koutou katoa e te Taraipiunara. Tika tau, tēnā kōrero nā te mea he tū whakaiti tēnei nā te mea ko
 30 tēnei hui ko te mana wahine, mō te mana wahine tēnei. Nō reira, kei ahau te

waimarie, kei ahau te hōnore hei puaki tēnei kōrero o tāku kuia kei te tū atu i mua i a koutou muri ake i tāku tū i tēnei rā me kī. Nā, i runga i tēnā mana anō e mihi ana ki wā tātou tini mate, e ngā mate kua huaki i roto i a tātou katoa, i herea ki tērā o te wairua, te wairua o te mate e mihi kau ana ki a rātou, haere.

5 Ka hoki mai ki a tātou, ngā kanohi ora, tātou kua tū ki mua i te aroaro i te rā nei, i te wiki nei, i ngā wiki kua pahure ake nei. Nō reira, e waimaria ana mātou i te rā nei nā te mea kei konei e rua o wā mātou nei wahine whai mana ki roto Ngāpuhi nei, kotahi kua tukuna atu wana kōrero kei mua i a koutou, kotahi kei te tukuna atu i wōna kōrero i te rā nei. Nō reira haere mai mātou ki te tautoko

10 mātou wā rāua nei kōrero hei whakamana i a tātou katoa i roto i te reo o te wahine, nō reira e mihi kau ana, e mihi kau ana, e mihi kau ana ki a koutou katoa. Tēnā koutou, tēnā koutou, tēnā rā tātou katoa. **I will just start with – I want to open our proceeding at this end. Greetings to the Tribunal. This is a very humbling opportunity to be participating in the mana wahine**

15 **hearing. It’s definitely my privilege and my honour to be able to open with a statement before my kuia Nora. Acknowledging the many who have passed on. Always remember them and returning to ourselves the living. We are very fortunate to be with noble women, to be able to present some kōrero, some information to the Tribunal today. So, we are here to support**

20 **their statements and to acknowledge them as our senior women amongst our people. Thank you all.**

MS HEREWINI CALLS

Tēnā anō koutou katoa. I mua i tāku tuku i te rākau ki a whaea Nora, ko tana tuhinga ko te #A152 me te whakapākehātanga ko te pū iti (a). Nō mātou te waimarie kua tuku i ngā kōrero i tēnei wā nō reira, āe, ka tukuna te rākau kōrero ki a koe e te whaea. **Greetings again. Before I hand it over to Whaea Nora her statement of claim is #A152 and the translation provided is #A152(a). So I would like to give this to her now.**

30 **(12:23) NORA RAMEKA: (#A152, #A152(a))**

Tēnā, tuatahi hoki e mihi atu nei ki a koutou katoa. Kua tae mai nei te hōnore o Ngāti Rehia ki ahau he kaikōrero mō tō mātou tupuna, a Matire Toha. **Firstly,**

I'd like to acknowledge everybody here and here is Ngāti Rehia. I wish to acknowledge everybody's presence.

5 Ko wai ahau: Ko Tokerau te maunga, ko Takou te moana, ko Takou te awa, ko Mātaatua te waka, ko Ngāti Rehia te hapū, ko Ngāpuhi-nui-tonu te iwi. Ko taku whakapapa ko Te Whata ka puta ko Te Kowhai, ka puta ko Tareha Te Kowhai, ka puta ko Tame Tua, ka puta ko Waitai Tua, ka puta ko ahau te kaikōrero e tū ake nei i mua i a koutou. **[Just explaining her genealogical connections within Ngāpuhi.]**

10

Tino tautoko tonu hau i tē kaupapa o te mana o te wahine, kī atu pēhea te aha, inā kore te wahine, kua kore he kaha i roto i ngā āhuetanga o te whānau me te hapū. Tautoko tonu hau kia kaha tonu te reo o te wahine, kia **(Māori 12:24:32)** te pēhea te aha. Nā te mea hoki, i roto wēnei mahi a tātou ko te mana wahine e tū teitei tonu ana i a rā, i a rā, i a rā. He aha atu, kei hea? Kei roto rātou o rātou kāinga, ki roto rātou hapū, ki runga o wā rātou marae, nō reira rongo tonuhia te mana o te wahine. Nō reira ka tautoko nui i te kaupapa i mua i a tātou i tēnei rā. **I support this inquiry on the Mana Wahine and without women there would be nothing. I very much agree that the women's voice should**

15 **be heard. The tasks of a mana wahine is always busy every day amongst their homes, amongst their people within their marae. You will always here the authority or feel the authority of women and so that's what I would like to present today.**

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25

Ka tīmata aku kōrero ki ngā wā o mua i roto i te Tiriti o Waitangi. E mōhio ana tātou i wērā wā e kaha ana tātou te iwi Māori i mua i te taetanga mai o te Pākehā. Ka mauria mai rātou o rātou pū. Ka tīmata hoki wērā mahi i waenganui i a tāua. Kī atu au pena e hiahia ana ki te rongo i wērā hītori, ko ērā hoki ngā hītori i mua whakarerehia mai nō o tāua tupuna. **My evidence begins at the**

30 **time before the Treaty of Waitangi, Te Tiriti o Waitangi. So, in those times we were very industrious as a people before the arrival of Pākehā. They fought within the guns and we are very aware what occurred after that.**

Te taetanga mai o te Pākehā, ko wērā o rātou mahi ki a tātou te wahine. He kaha nei tātou ki te mahi wā tātou anō mahi. Korekau kē rātou i patu o tātou wairua i roto o to tātou tūranga mana wahine. Ko te mana o te wahine. **When, the arrival of Pākehā they treated our people, our women very poorly. But they did not diminish our spirit and our roles of women and the mana of women.**

Hoki waku kōrero ki tā mātou tupuna, ki a Matire Toha. E hiahia nei hoki te mea atu ki a koutou e noho nei waku tini whānau o Matire Toha. Tāku kaumātua a Moka e noho nei, ko ia hoki, Ngarewa, e mihi atu nei ki a Dallas i roto i wana kōrero mō Hokianga. E noho nei tana whaea, he kotiro a Whina Kupa, a Hine me tāku matua i muri i a ahau nei. Ko tana pāpā ko Uncle Tū Kemp, i roto i wērā mahi tana tuituitanga ka hau mai tērā Matire Toha ki a mātou. **I refer to our ancestor Matire Toha. My elder Moka that's here and to Dallas who spoke about Hokianga whose mother is here. A daughter of Whina, Hine, and my uncle behind me, his father Tū Kemp and through Matire Toha it's how we all connect.**

E mōhio ana mātou i tēnei tau i mahia i roto i te pakanga o Waikato me Ngāpuhi ka tū **(Māori 12:27:29)** mahi tērā mahi te whawhaitanga i roto o Mātakitaki. 1822, ka oti, ka mahia tērā mahi. **You know, amongst with the battles between Waikato and Ngāpuhi. A war in 1822, a war at Mātakitaki Pā.**

E mōhio ana ahau i roto i ngā kōrero, ngā kōrero o wāku tini kaumātua horekau konei i tēnei rā. I roto o wā rātou kōrero ka meangia i whakarerehia te Ngāpuhi, Te Kanawa i roto i Mātakitaki, ka mahue atu Te Kanawa tana hoa rangatira ki reira. Tērā tohu nā Ngāpuhi, he tohu tērā mā rātou kia mōhio mai ai a Waikato kei te hiahia a rātou o Ngāpuhi ki te hauhau te rongō. Kia puru ai te toto. Kia puru ai te toto i waenganui i a Ngāpuhi me Waikato. **These battles are known as the Musket Wars and thousands of Waikato people reside in there with their Chief Pōtatau, Te Kanawa and other chiefs alike. There was a point in time in which it was necessary for Waikato and Ngāpuhi to make peace, connect the bloodlines.**

Nā reira, te hoki mai a Kati Takiwaru me tōna rōpū o Waikato ki roto o Ngāpuhi i wērā tau 1822. I te haere mai ki te kōrero ki ngā rangatira o Ngāpuhi me pēhea tēnei mahi kia mutu ai te whawhai tonu i waenganui i a Ngāpuhi me Waikato. I roto i tērā mahi i a rātou ka tū rangatira ana Kati Takiwaru anō i mau mai tōna rōpū i Waikato, i Waikato ki waenganui i a Ngāpuhi. Ka noho rātou ki te kōrero o wā rātou kōrero, o a rātou hui. I te whiriwhiri haere me pēhea, me pēhea, me pēhea. Ka oti i a rātou, ka tonohia tā mātou whaea tupuna rangatira a Matire Toha ki a Takiwaru, ki a Kati Takiwaru. He teina hoki a Pōtatau Te Wherowhero.

5
10 **Kati Takiwaru returned came to talk to the chiefs of Ngāpuhi, how we may be able to cease, how they are able to stop the fighting between Waikato and Ngāpuhi. Kati Takiwaru brought his team from Waikato, sat down with Ngāpuhi to talk how this may be able take in. At the conclusion it was determined that Matire Toha were to marry Kati Takiwaru, the younger**
15 **brother of Pōtatau Te Wherowhero.**

Oti a Ngāpuhi, ko tēnei tā rātou hiahia kia moe tō mātou tupuna a Matire Toha ki a Kati Takiwaru. Ka hoki muri mai ngā kōrero mō tērā kuia ki roto o Te Tii. I tērā wā i kona anō a Rewa me wāna tamariki hoki, Kerei Mangonui rāua ko
20 Matire Toha. Ka oti i a Ngāti Rehia te tono a Ngāpuhi me Waikato, ka whakaae rātou ki tā rātou kōtiro kia moe ia ki roto i a Waikato, kia moe i a Kati Takiwaru. Ko tēnā te tīmatatanga o te hikoi i roto i ngā kōrero kua rongu hau. I noho a Matire Toha ki roto o Te Tii rāua ko Kerei Mangonui. E rere nei tō mātou moana i roto i Te Tii, te ingoa tonu ko Kerei Mangonui. He maumaharatanga tērā mā
25 mātou o Ngāti Rehia, ki wērā tūpuna o mātou. I mahi rangatira ai te tautokotanga o tēnei mahi e mahia nei e mātou mō Matire Toha. Ki roto o mātou ko te ingoa nei ko Putakowhiti, horekau tawhiti tō mātou marae. I reira ka tukuna a Matire Toha e Ngāti Rehia. **It was also satisfactory to Ngāpuhi that Matire Toha be married off to Kati Takiwaru. [It's just some background info**
30 **about Matire Toha] Ngāti Rehia considered the agreement between Waikato and Ngāpuhi that their kōtiro, that their girl be married into Waikato, to Kati Takiwaru. That was the beginning of the journey. From what I have heard, Matire Toha resided in Te Tii (inaudible 12:31:44) of Kerei Mangonui. It's important to remember those acts of our important**

ancestors, the significance of union to resolve issues. Putakowhiti, it's not far from our marae, Ngāti Rehia. Matire Toha gave Ngāti Rehia, gave Matire Toha an area.

- 5 I roto tōna rōpū ka haere Ngāpuhi me Ngāti Rehia i runga tā rātou hikoi te mau i a Matire Toha. Kia mau ki Waikato. Kia mutu ai tēnei whawhai i waenga nui i a Ngāpuhi me Waikato. He whakapuru i te toto ki waenga nui i a Ngāpuhi me Waikato. Nō reira, he wahine rangatira ki a mātou o Ngāti Rehia. I roto i a ia anō tōna anō mana, nui tōna nei mana i roto te āhuetanga horekau kē tōna
- 10 kōrero mō te iwi me te hapū i kōrero mōna, ka oti i a ia, ko ia te mea ka haere. Ka mōhio e ia, ka haere e ia ki roto i a mātou i Tāmaki. I roto Tāmaki ka mauria e ia – ka hikoi ia i wāna hikoi kia tae ai ia ki tana tāne, ki tana hoa, ki a Kati Takiwaru. **As part of ensuring the (inaudible 12:33:11) of the fights moving to within Waikato was necessary, how the binding the blood ties.**
- 15 **It was through her power, her authority, Matire Toha, that enabled peace to reign and determined her movements too at that time. She came amongst us in Tāmaki, in Auckland, coming up on Kati Takiwaru who was there too.**
- 20 Mōhio ana au kua tiro kē koe ki wō koutou pepa e te Taraipiunara, e mihi atu nei ki a koutou. Engari i roto i wāna hīkoitanga kua kite hau i roto i wērā hīkoitanga āna, he kaha e ia, he kaha e ia. **(Māori 12:34:41)** tonu ia te mana o tana iwi me tōna hapū ki roto wāna hīkoitanga. Tae atu ia ki roto Ōrākei, tae atu ia ki roto ki a Mangere, wērā wāhi katoa i hīkoingia, i nohohia e ia. **Part of her**
- 25 **journeys she was very strong and carrying the aspirations of her people in all her endeavours. Wherever she went in Tāmaki, in Mangere.**

Horekau kē atu wā mātou kōrero mō tēnā wahine rangatira ki a mātou o Ngāti Rehia. E tū nei au ki mua ia koutou te Taraipiunara i tēnei rā mō tēnei

30 whaea Matire Toha. I roto i ngā kōrero kua tuhituhi atu ki a koutou e hia taima i hoki mai anō a Matire Toha ki roto, whakapae ana ahau e Moka, horekau kē i hoki mai ki roto i Te Tii, i hoki kē atu ki Rawhiti i roto i ngā hīkoitanga e hia taima i hoki mai e ia ki roto o Te Tai Tokerau, Ipipiri te ingoa tika, Ipipiri. Ka hoki mai e ia ki wāna mahitanga, tana kaha, inā titiro koe ki roto ki roto i wāna haeretanga

e mahi kai, e pupuri ki wāna tamariki me tōna whānau. **There's so much to say about our kuia, Matire Toha, unable to fit that all in today. What I have submitted to you, to the panel, Matire Toha wanted to return to the north, I'm pretty sure it wasn't to Te Tii my cousin, perhaps over to the eastern side, to Ipipiri. Came back to do her deed and what she was well-known for, look after the garden and to raise her children.**

Ka kite tātou i te kaha o tēnā mana, te pupuri i tana iwi, tana hapū, tana whānau. Tērā te mana e kore kitea nā te mea hoki kua rerekē i tēnei wā. Ka **(Māori 12:36:47)** tonu **(Māori 12:36:49)** ka **(Māori 12:36:47)** tonu mātou ki tērā rangatiratanga o tō mātou tupuna. I roto wāna hīkoitanga, e kiite ana tātou – e kōrero noa iho ana au i tēnei wā, te hīkoitanga o tērā kuia a Matire Toha, tō mātou rangatira, tana tōtanga i tana waka, i tō tō haere rātou wā rātou waka kia tae rātou ki wō rātou kāinga. Kī atu au, kei hea tana haeretanga i reira ia haere ana? He tini ngā pakanga o tērā wā, ka whakahokia mai e Matire Toha ki roto o Rawhiti whakawhānau ai e Moka. I tau mai ngā whawhai, ka makutu pea **(Māori 12:38:00)** ka mate tana hoa, ka whakahokia mai ki roto o Takou. Engari ka hoki mai anō Kati Takiwaru ki te tiki tana hoa rangatira, a Matire Toha. Ka hoki nei rāua ki roto o Tāmaki, ka whakakāingahia e rāua e Ōrākei. He aha atu i tīmata mai raro i roto Takapuna kua karangahia i tēnei wā ko Devonport engari wērā hīkoitanga āna e tiaki tonu i tōna whānau me tōna hapū me tōna iwi. **So you can see just in her deeds and her effort, significant energy she spent on retaining the mana of her people and even to this day, her descendants aspire to do the same as what she modelled. In her journeys, Matire Toha, there was a lot of activity in those times. Matire used to get herself there, there were incidents here and there and Kati Takiwaru used to be concerned for Matire Toha, his wife. On one occasion he went to go and see her and get her to return to Auckland, to return to Tāmaki, and resided in Ōrākei. But still, even on that occasion she was determined to still look after her people.**

Kua **(Māori 12:38:42)** tonu e ia i tana mana mō tōna iwi me tōna hapū. He aha atu, me pēhea te aha mō tō mātou tupuna a Matire Toha. I roto wāna hīkoitanga, ka tae anō atu ia ki roto o Mangere, mutu atu ki Mangere. I mate

hokia Kati Takiwaru ki roto o Ōrākei, e tanu nei i tēnei wā ki roto o Mangere, St James. Whare Karakia o St James. Horekau te roa o te hoki o Matire Toha ki roto o Mangere, ki reira ia noho ai, mutu noa, mate noa e ia. Ka whakatakotohia e ia i te taha o tōna hoa rangatira. Tēnei kaupapa he mea nui

5 ki a mātou nā te mea hoki **(Māori 12:40:25)** tana tuakana, nē Moka, tuakana hoki a Kerei Mangonui ki a Matire Toha. Ko tēnei ngā kōrero o wētahi o aku kaumātua i roto ia mātou. E tuitui tonu ana mātou i a mātou i roto i ngā hīkoitanga a Matire Toha. Ko tērā hoki te mana o te wahine, he kawē e ia i tōna mana. **In all of her journeys and that one in Mangere, Kati Takiwaru died**

10 **in Ōrākei and is buried at St James Anglican Church in Mangere. It wasn't long after that that Matire Toha returned back to Mangere where she died also there and was buried beside him. This union or these aspects, Kerei Mangonui was Matire's senior. And this lot of information about her movements and what she did to support her people. A very good example**

15 **of the mana of women.**

I roto i wērā whakaaro kōrero, i roto i wērā whakaaro kōrero ka hoki mai anō ki wāna teina, e tuitui nei mātou i a mātou i roto i ngā kōrero o Kerei Mangonui. **In**

20 **light of those expeditions of our ancestor many of her tēina, her youngers, have retained the kōrero to give some explanation about her deeds.**

Nā te mea hoki i roto i ngā kōrero o Kerei Mangonui he poti i hoatu ia Te Tii. Ko te Kāwana i reira i tērā wā engari i rongo e ia, ia pō, ia pō te pao a te kaumatua nei. Horekau kē ia e mōhio ko Te Rauparaha. I roto i ngā kōrero o

25 Kerei Mangonui me tāna awhi i tāna teina o Matire Toha, ka puta wāna kōrero he tuituitanga i roto i a Ngāti Toa.

I roto wērā kōrero e pēnei ana. Ka rongo e ia, ia pō, ia pō i te kāinga i Te Tii te tangi a te pao a te kaumatua nei, tāna hiahia, tāna mokemoke, tāna hiahia te

30 hoki e ia ki tōna iwi, a Ngāti Toa. Ka oti i a Kerei Mangonui i tērā wā i roto i ngā kōrero kua rongo hau wāku kaumatua e kōrero ana. Ka haere e ia ki te kōrero ki te Captain o te tīma pea, o tērā tīma i roto i tō mātou moana, ki runga i tō mātou moana. Ka mōhio ia ko Te Rauparaha tērā. E whiriwhiri nei hau wāku kōrero pēnei nei nā te mea hoki hīkoi tawhiti a Matire Toha me Kerei Mangonui,

tana tuakana. **Going back to Te Tii at the time in which Te Rauparaha was detained on the boat, he wanted to be able to provide support to Te Rauparaha, he could – at Te Tii he could hear the cry of the old man, Te Rauparaha, crying for his people, for his people of Ngāti Toa and**
 5 **Te Kerei Mangonui, went to go and see the captain of the steamboat and he was aware that was Te Rauparaha and I talk about this example because Matire Toha and Te Kerei Mangonui were contemporaries but of the same generation.**

10 Ka haere e Kerei Mangonui, te kaumatua nei, ka haere ia ki Tamaki ki te tohetohe te Kāwanatanga. Ka mea mai te Kāwanatanga ki a rātou pēnā, “homai whenua pea ki a mātou, tukuna mātou a Te Rauparaha, ka whakahokia māku”. Ka oti, ka hoatuhia e Ngāti Rehia tētahi whenua horekau tawhiti atu ia mātou. Horekau noa hoki mai te whenua. E tātari tonu nei kia hoki mai tō mātou
 15 whenua ki a mātou. Kei konā tonu he miriona pea, e miriana, **(inaudible 12:44:26)** noho ana ki reira ināianei. Engari ko tērā te hīkoitanga i mahia e Kerei Mangonui rāua – me tāna, te awahi tāna tēina, e whiriwhiri, e whiriwhiri, he whakakotahitanga, he whakakotahi i te whanaungatanga. Tērā pea te mea nui. **And so, he went off to Tamaki to Auckland to say, “Give us Te Rauparaha, give to Ngāti Rehia this person Te Rauparaha of Ngāti Toa”. They negotiated to release a portion of land for the release of Te Rauparaha, but it wasn’t returned nor was Te Rauparaha released. This is just an example of how our people negotiated and used that means to affirm relationships and connections.**

25

I roto wērā kōrero āku ki a koutou e tohu atu nei i te mana wahine o Ngāti Rehia, ko ēna whakatakototanga o wāna mahi e mahia tonu nei mātou i roto i tō mātou hapū. Ka mahi tonu mātou i tō mātou kaha me ngā āhuetanga o te mana wahine. Awahi tonu nei wā mātou tāne i a mātou, he awahi tonu nei a mātou tāne
 30 i a mātou. **So, in my brief that I’ve presented regarding mana wāhine, it’s something that we continue to maintain in our people of Ngāti Rehia, amongst our women of Ngāti Rehia, these aspects of mana wāhine. Even our men support us to give expression to our mana as women.**

Ka haere mai nei te tamaiti – te mokopuna a Rewa ki te tautoko i a mātou i tēnei rā. Ko rātou hoki ngā mea i tiaki i a – i hoki a Rewa ki tō rātou whenua, tō rātou whenua tupuna. **The mokopuna of Rewa came to support us today.**

5 Ki a mātou o Ngāti Rehia pēnei ana, whakatūhia mātou tētahi whakairo i roto tō mātou whare, tērā whakairo ko Matire Toha, kia mau tonu wā mātou kōrero ki wō mātou whānau me wā mātou tamariki me wā mātou mokopuna. E kore ia e warewarehia. E kore ia e warewarehia. I roto i wāna mahi rangatira e kōrero nei tātou i tēnei rā. Nāna te hīkoi, nāna te hīkoi. Nāna te hīkoi i takahia ai a
10 Waikato me Ngāpuhi. Nāna te hīkoi rangatira horekau wāna āwangawangatanga, he kōrerotanga o tāna iwi ki a ia. Ko koe te mea e tonohia nei mātou. Ko ia te mea i puru te toto mō Ngāpuhi. Ko ia te mea i houhou te rongong mō Ngāpuhi. **We erected a carving piece in our house, that carving was Matire Toha, it's a great symbol for our whānau and our people that she would never be forgotten, and in particular her deeds and her accomplishments in her lifetime. It was her journey, her union between Waikato and Ngāpuhi, it is of significance to us as a people. She was the one that connected our bloodlines, that created peace between our iwi, between our tribes.**

20

Kia mahara hau i tēnei tau ka tū tētahi hui ki roto o Mātakitaki (**Māori 12:48:08**). Koinā tā te kōrero 1822 engari tēnei tau ka whakatū tērā hui. He maumaharatanga ki a Waikato anō hoki, e mihi atu nei ki a rātou, o mātou tini whanaunga e noho mai nā ki roto o Waikato. I roto i ngā toto i tākuhia, i
25 tākuhia e Matire Toha, i Matire Toha mō tātou, mō mātou kia kōrero tonu mātou ki a ia mō ōna mahi nui. **I know that there was a big hui earlier, Mātakitaki Pā by Pirongia. Now it's 100 years on of those battles, of the Ngāpuhi and Waikato Musket War. And her – how Matire Toha and her union ensured our existence today. It was a significance contribution.**

30

Nō reira e te Taraipiunara, aroha mai, horekau au i mihi atu ki a koutou i te tuatahi. Anā, I was nervous kē hoki. Ki ahau nervous i te tuatahi nō reira e mihi atu nei ki a koutou e whakarongo mai tēnei kōrero a mātou a Ngāti Rehia o tō mātou whaea tupuna i tēnei rā mō te mana wāhine. I tēnei taha te

whakamututanga atu taku kōrero e tātou mā, e te Taraipiunara, tēnā koutou, tēnā koutou, kia ora anō tātou katoa. **So therefore, the Tribunal, apologies I didn't acknowledge you at the beginning of my presentation. I was a bit nervous initially. But thank you for listening to my presentation, to the**
 5 **kōrero of Ngāti Rehia and ancestresses, in particular the one that I raised. This is where I think I'll conclude so to you the Tribunal thank you very much.**

MS HEREWINI:

Tēnā koe e te Whaea. Otirā tēnā tātou e te tēpu, e titiro ana ahau ki te wā me
 10 te mōhio kua āta hipa i te wā mō te tina mēnā e pai ana ki a koutou ka haere ki te wā kai kātahi ka hoki mō tētahi paku wāhanga tuku ahau i tētahi pātai ki a Whaea Nora kātahi ka hoatu ki a koutou mō ētahi pātai. **Thank you Aunty. To the panel I am aware of the time and I can see the time for break is now or has already lapsed and we may be able to reconvene after that to be able**
 15 **to respond to questions.**

JUDGE REEVES:

Āe, tēnā koe e te Whaea, ko Kaiwhakawā Reeves ahau. Ngā mihi ki a koe. Ka maumahara ahau i tērā tau i tīmata te uiuinga o te mana wahine ei roto i te korowai manaaki o Ngāti Rehia kei Kerikeri and ka kite au i a Hine rāua ko
 20 Moka, tēnā kōrua. Heoi i te rā nei ka noho ki te Waipounamu engari he pai ki te kite i a koutou Ngāti Rehia anō and he pai ki te rongō ki a koe Whaea so tēnei te mihi ki a koutou. **Thank you Whaea, this is Judge Reeves. I remember the beginning of the mana wāhine inquiry amongst Ngāti Rehia and Te Kerikeri and I recall Hine and Moka and although in the**
 25 **South Island we still Ngāti Rehia in the North so thank you for your presentation and thank you all.**

The time has come for us to take our lunchtime break so we will return again with some pātai for you Whaea, and we will return from our lunch break at 1.30
 30 and for some pātai.

HEARING ADJOURNS: 12.52 PM

HEARING RESUMES: 1.32 PM**JUDGE REEVES:**

Tēnā tātou. Ko tēnei te wā pātai ināianeī. **We come back together.**

(13:32) KIM NGARIMU TO NORA RAMEKA:

- 5 Q. Tēnā koe whāea, otirā tēnā koutou. Tēnā koutou e noho ana kei roto i te wāhi o Ngāti Rehia. **Some questions for those of you who are there in Ngāti Rehia territory.** I do just have a couple of questions that I would like to ask you and it's about the marriage to broker peace and the first one is that I just wanted to ask you about the mana associated with an
- 10 action like that and whether or not that mana is not just about the individuals concerned, but whether it also reflects on and is shared by the iwi concerned?
- A. Can I hear that question again? Thank you. Can I hear the question again please?
- 15 Q. Can you hear us?
- A. Aroha mai, Ms Ngarimu, are you able to repeat the question please?
- Q. Āe, kei te pai. I was just – I was wanting to ask you about the arranged marriage, and I was hoping that you could just talk to us a bit about the mana associated with an arranged marriage and particularly not just the
- 20 mana of the individuals but whether or not that mana is sort of shared and reflected on by the iwi parties concerned?
- A. E rua ngā whakautu ki a koe mō tērā pātai āu. Tētahi, he rerekē hoki ki te tomo o Kati Takiwaru, he rerekē te tomo i ngā rā o mua i **(Māori 13:34:32 tāima i)** waku mātua e ora tonu ana, waku karani, he tomo rerekē kē tērā. I roto wērā tomo horekau kē e, pēnei nei, he tomo noho i te whanaungatanga kia nui tonu, kia rere tonu te whanaungatanga waenganui ia hapū, ia hapū, nē, e tomo tērā. I roto i te tomo mō
- 25 Matire Toha rāua ko Kati Takiwaru, he rerekē ki tērā. He aha i pērā ai taku whakautu atu ki a koe? Nā te mea hoki nā te iwi, nā ngā rangatira
- 30 kē i kōrero tērā kōrero. Nā rātou kē te tomo, ko rātou e puritia ana i a Ngāpuhi me ōna hapū. Ka rerekē tērā tomo o Matire Toha ki te mea e kōrero nei ahau i roto i ngā tāima o waku karani. E rongō ana ahau i ngā

āhukatanga i pā ki a rātou i tērā wā. Engari i roto i wērā tomotanga, mōhio ana tāua i oma wā tātou wāhine, horekau e pai ki ngā tāne, ka oma rātou. He tomo anō tērā. He tomo tērā ki ahau i roto i ngā whakaaro e mea nei nā tēnei whānau, nā tērā whānau te kōrero. Nō reira tērā tomo i waenganui i a rātou. **Two responses to your questions. It's definitely different from an arrangement with Kati Takiwaru. And in the times of my grandmother, the arrange marriage or tomo was quite different from the arrangement with Matire Toha and Kati Takiwaru. So, a tomo is about ensuring relationships maintained amongst hapū and other hapū. But the union between Matire Toha and Kati Takiwaru is quite different. It was the people, the rangatira at that time, the people who represented Ngāpuhi, the wider Ngāpuhi, they decided for this to occur. The times of which my grandmother lived or my nannies. But in those arrangements of arranged marriages in the times of my nannies was quite different. You could run away if you were determined to do som. But those arranged marriages are between two families that decide the union.**

Ina titiro ahau ki waku tīpuna i tō rātou wā, e whā atu wā rātou wahine. He aha kē i pērā ai? Tērā pea he whakaroatanga atu o tō pātai. Whakapai ana mātou nā te mea kia ū tonu te whenua ki te wahine. Nā te mea hoki inā kore wā tātou wāhine, e whai wahine rātou i tērā rohe, i tērā rohe, i tērā rohe, kore kē e taea ki te whanaungatanga kia haere tonu me ngā toto haere tonu, haere tonu i waenga i wērā āhukatanga te tomo. Ina au kōrero ana mōku anō, i tomohia au i tōku wā, engari i tōku tomotanga me taku hoa rangatira, kua haere mai katoa taku hapū ki te whiriwhiri kōrero i waenganui i tōna whānau me tōku whānau. Ko ngā rangatira i whakautu, ko wā mātou mātua ngā i whakamutu te kōrero. Nā rātou i oti te kōrero. Hanga rite tonu pea ki te āhukatanga 'engagement' pea. E mea ana te Pākehā 'engagement', but ki a mātou he tomo. He rerekē hoki tērā tomo ki tōku wā. Yes, whanaungatanga nē, i roto i te whanaungatanga, **(Māori 13:38:10). And then we had arrangements where they had four partners. The significant matter being about securing the land. The woman secures the land. If someone didn't have connections to**

that woman in different areas, it'd be quite difficult to continue. When I was arranged with my husband, my hapū came to negotiate and discuss things with his whānau and my whānau. The rangatira, our parents, it was them that had the final word what the arrangement or engagement was going to be. And the engagement or arrangement in my time was quite different, quite different from that of old arrangements.

Q. Kia ora. Kia ora mō tēnā. Kia ora.

(13:38) DR ROBYN ANDERSON TO NORA RAMEKA:

10 Q. Tēnā koutou katoa. Ngā mihi ki a koutou. **Greetings to everybody.** Tēnā koe, Nora. It's Robyn Anderson here. Very nice to see you all. We've heard quite a bit about marriages for peace making during the course of the hearings and mostly they have been about the – a high ranking woman of a defeated party being married to a high-ranking man amongst the victors. What you've described here with Matire Toha seems like a different situation and is that just a surface reading of it or is it just that it's a different way around this time or were there different obligations and rights coming from that marriage?

15 A. **(Māori 13:39:30)** mihi atu ana ki a koe mō tō pātai. E mihi atu ana ki a koe i tō pātai. I roto i te, i a Matire Toha me tōna mārenatanga – tana moetanga ki a Kati Takiwaru, he rerekē anō tēnā. He rerekē, pēnei nei, horekau nāna te kōrero. Nā te iwi me te hapū kē te kōrero. Nā ngā rangatira o Ngāpuhi i tohu, karekau kē nā te whānau o Ngāti Rehia anake i mahi tērā mahi. Nā te iwi kē tērā mahi ka tautokohia atu e Ngāpuhi, kātahi ka tautokohia atu e Ngāti Rehia. Nā ngā rangatira o Ngāpuhi i tohu, karekau kē nā te whānau o Ngāti Rehia anake i mahi tērā mahi. Nā te iwi kē tērā mahi ka tautokohia atu e Ngāpuhi, kātahi ka tautokohia atu e Ngāti Rehia.

25
30 **Thank you for your question. In the marriage of Matire Toha to Kati Takiwaru, it was very different. It was considered and deliberated on by the leaders of Ngāpuhi. It wasn't determined by Ngāti Rehia, but the chiefs of Ngāpuhi and Ngāti Rehia supported the decision.**

Q. Thank you, and you talk about their movement around the motu, and you describe how Kati Takiwaru takes her to Ngāruawāhia when tensions escalate and then they go up to the Bay of Islands and then he goes back to the Waikato, and then he comes and takes her down, even though
5 when things were at the height of tension. And was there a strategic purpose in that action?

A. I roto tera kōrero – i whakaaro mātou – i roto i wōkuna whakaaro. He mahi tiaki tētahi i tētahi, tiaki ia i tana hoa rangatira i a Matire Toha. Ko ū rāua ki a rāua anō, korekau kē wehetanga o rāua i tērā wā, nō reira ka hoki
10 tonu mai a Kati ki te tiki tana hoa rangatira a Matire Toha. I roto o i a ia anō ka kite koe te rerekētanga o tērā tiaki, manaaki i tana hoa rangatira. Kī atu i tomohia rāua engari ko tērā āhuetanga i roto tā mātou titiro. Korekau kē – mahi tonu ana mātou i wā mātou rangahau mō tā mātou rangatira. Engari i roto i wērā whakaaro ka kite mātou i te ū o Kati
15 Takiwaru ki tana hoa rangatira ki a Matire Toha. Nō reira ka hiahia ia kia noho tahi i a ia i ngā wā katoa. Kī atu e mōhio ana tātou i tērā wā ko ngā pakanga nui o tērā wā. **In that explanation, and it was of my view in particular, this was deliberate for the safety of his wife, of his partner. They weren't scared of anything. It was a matter of protection and he would return to get Matire Toha and to take her amongst his own people feeling confident that she would be looked after. That's how I observed, how I understand the information of what was recorded. But I think it was essentially – his devotion to his wife that they travel to all those different places especially during the times of war, so that she'd be protected.**

Q. Okay, thank you and just one last question, right at the beginning of your brief, you talk about the decision to leave the wife of Te Kanawa at Mātakitaki and could you tell us a bit more about the meaning of that decision and the implications of it and also the affect on her. Does her
30 mana remain intact and despite that battle and the losses that had been inflicted upon Waikato in that situation?

A. If you mean the time before Matire Toha actually was, 'cos there's a hui after Mātakitaki. There was a hui after Mātakitaki for Ngāpuhi to meet with Waikato, but when look at Mātakitaki and we look at what Ngāpuhi left

5 behind and one of them was actually he left Te Kanawa's wife, wahine rangatira, he wahine rangatira, that was a sign for Waikato to ensure that – for them to know from Ngāpuhi that Ngāpuhi would not return unless we wanted to have a kōrero, and that's why Kati Takiwaru actually after the Mātakitaki part pakanga, he decided, well whole of Waikato decided I would say, that they would come up to Ngāpuhi and have that hui. Kia hui tahi rātou me Ngāpuhi ki te whiriwhiri i ngā kōrero. **To meet together with Ngāpuhi to discuss matters.** I guess that's the sign that Ngāpuhi left, kore whara tana hoa rangatira, kua patua kia mate me ērā atu rangatira i mahue atu i a rātou ki roto tērā te pā o Mātakitaki i roto i wērā mahitanga a rātou ka kite rātou e tino hiahia ana a Ngāpuhi kia mutu te whawhai, kia puruhia te toto, wērā whakaaro i tērā wā. **That's probably why they left knowing she would not be hurt or for victim to – anything untoward. And Ngāpuhi was determined to ensure peace would reign amongst the peoples.**

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Q. All right, thank you Whaea, those were all my questions, very nice to see you again, thank you.

A. Thank you.

(13:45) DR RUAKERE HOND TO NORA RAMEKA:

20 Q. Tēnā koe e Kui e Nora, me te reka anō te rongō i tō reo maringi mai ana, hīrere mai ana te kupu me te mārama o te kōrero, tēnā koe. He pai kia rongō atu te reo o Ngāti Rehia i roto i te whare, anā, kua rongō atu i roto i ngā wiki. Engari anō, he reo kuia tonu kua whai mana ngā kōrero. Ko te ia o āku pātai, kāre pea koe i rongō i ētahi kōrero i a Puti Corbett inanahi.

25 I te kōrero ia, anā, i runga i te mea i te kōrero koe mō Matire Toha me te kī ko ia te kōtiro o Rewa nē? Me te mea hoki ka rongō atu i te kōrero a Moka ka huri ōku whakaaro ko Moka, ko Rewa, ko Wharerahi tērā me te kōrero mō Te Auparo me āna tamāhine me ōku whakaaro tino rerekē rawa atu te āhua ko tēnei momo hononga moe wahine, moe tāne o iwi kē

30 me te mōhio ko Te Patukeha, ko Ngāti Kuta. Kei reira ngā kōrero, kāre e kore ko te whakaaro o Rewa i te tuku i tana tamāhine kia moe tahi nei me Kati Takiwaru, i reira ngā āwangawanga kia kore ai e hoki ki tērā āhuatanga o te tūkinō o tana tamāhine. Nō reira, he aha o whakaaro ki

tērā? Engari ko te ia o te pātai tuarua, ko tō kōrero mō te tomo, ko te rerekētanga o te tomo i te wā e kōtiro ana te wahine, nē? Ki a mātou, koirā te rerekētanga o te tomo me te hohou rongō. Anā, ko te tomo, i āta whakaarohia i te wā e kōtiro tonu ana, e whakariterite ana kia moe a tōna wā. Engari ko te hohou rongō, i taua wā tonu e ea ai tētahi raru, tētahi nawe, tētahi pakanga rānei e noho tonu i waenga i ngā iwi e rua. Nō reira ko te āta kite atu i tērā āhuatanga i te pakanga i Mātakitaki me te mōhio ko Turikatuku anō. Nō koutou anō tērā kuia. Arā anō ngā uauatanga i waenga i a Waikato me Ngāpuhi, he moe nui nei tērā i waenga i a rāua me te mōhio tonu ko tērā rongō he rongō mauroa, he tatau pounamu tūturu nei i roto i ngā whakatupuranga. Nō reira ka aroha he nui ōku pātai engari ko te mea matua i te tuatahi, ko tērā whakaaro, he aha ki ōu whakaaro tērā i a Rewa e tuku i tana kōtiro kia moe i a Kati Takiwaru me te mōhio tonu ko tōna whaea tonu tērā i patua mō te kino o te noho ki Ngare Raumati, nē? Ngare Raumati te... **Greetings kui Nora, lovely to hear your presentation, the clarity which you spoke and the language – the version of Ngāti Rehia which you presented to us today. And coming from an elderly woman, that was even more revered. Perhaps earlier yesterday, we didn't hear from Puti Corbett when she spoke of Matire Toha, a daughter of Rewa. The number of names that was referred to. And I thought, well how different all of these arrangements these unions were and connections that are widespread. Without a doubt the thoughts of Rewa for her daughter to marry Kati Takiwaru, was that her daughter wouldn't be abused or mistreated by her husband. Secondly, your fascination about tomo is that you mentioned about tomo when somebody is young, while the wife or the lady's younger. Whereas with the tatau pounamu as you mention, the greenstone door, the peace. That's something that is discussed and determined at a point of time. There's other examples and scuffles between Waikato and Ngāpuhi where unions occurred to ensure peace. And that's considered an enduring peace, rongomauroa an enduring peace similar to the tatau pounamu. But that aspect about Rewa giving her daughter to**

Kati Takiwaru bearing in mind that her herself was mistreated by her husband. Do you have a view on that?

A. Tata hoki au te wareware ki tō pātai. **I have a problem remembering your question Dr Hond.**

5 Q. Ahau hoki. **So, do I.**

A. Tata te wareware i tō pātai. Engari e whakarongo atu ana ki te pātai me o kōrero. He tika tonu hoki. I roto i ngā kōrero kua rongu ahau. Ehara noiho nā Rewa anake te kōrero, nā Rewa te tamahine, engari ko Ngāpuhi kē i kōrero, i tautoko i te – must be pai, beautiful hoki ngā wāhine o
10 Ngāti Rehia e hoa. **But as I listen to what you had to say, yes you are correct. What I have heard and then where. It wasn't up to Rewa to determine that. It was Rewa's daughter, and it was for Ngāpuhi to decide. Must be the beauty of women in Ngāti Rehia**

Q. Kāre e kore, kāre e koe.

15 A. E kite nei au i roto i tēnei pātai mā Rewa ki te mahi i tērā mahi me ko tana hapū me tana iwi anō te mea i kawē te mututanga o te whakaāetanga mēnā e pērā ana ngā whakaaro e wāku kaumātua kia meamea ki a au ēnei, “heke ana ahau e hoa”, engari i tēnei wā i taku tirotanga i a Rewa e mokemoke tērā āhukatanga tērā pea kau hoki au i reira i tērā wā. I was
20 only a thought at that time but i nā whakaaro taua ki tērā whakaaro i nui atu, i nui kē atu ngā kōrero mō tērā kaumātua rangatira a Rewa ki te whakaāe ki tana kōtiro kia haere. **It was for Rewa to do that for her people, but it was for Ngāpuhi to have the last say and to decide. Hope I don't get told, “you're wrong” I'm wrong with my explanation. Yes, so it was there probably a lot of deliberation and consideration given by Rewa and his daughter to be given to in this arranged marriage.**

25 Q. Ko te mea nei i pea ko te ea o taku pātai tuarua tērā pea i te wā kōtiro ana te wāhine e tukuna ana hei tomo nā te iwi kē tērā whakatau, nā rātou e whakatakoto tērā rautaki kia ea ai tētahi take engari ko te mea ki a Matire Toha nei te ea nei koia tonu tērā e whiriwhiri e whakaāe ana nō reira he reo tōna, he mana tōna i taua wā tonu ehara i te mea kei te kōrero mō te wā kei mua i te aroaro. E pai tonu ki a au nei kia kite i taua rerekētanga, he wā anō ka whai mana te wāhine ki te whakatau i tōna
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ake huarahi ehara i te mea ka waiho mā te iwi e tohutohu noiho nei, heoti anō ko te mahi o te wāhine nei he “āe”, kare he kāo i roto i tana kōrero nō reira... **A further aspect of my question was about the tomo, arranged marriage, as a person was it used to resolve issues at the time and it seems with Matire that was something that she was also involved in, participating in the decision. There’s quite a difference when there are times when a woman are able to decide direction or determine their fate and in other situations it is the people, the iwi.**

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Heoi anō ehara tērā i te pātai engari he whakaaro noa i runga i te pai o ōu kōrero mārama ana me tāku mihi tonu ki a koe e Kui e Nora, otirā te tēpu koutou e noho mai nā, tēnā koutou. **Sorry, that’s not the question but I’m just impressed and pleased with the clarity of your question and enjoyed it and I really appreciate that.**

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A. Tēnā koe.

(13:52) PROF LINDA TUHIWAI SMITH TO NORA RAMEKA:

Q. Tēnā koe e Nora, ko Linda Smith tēnei. Tēnā koe Hine, tēnā koutou katoa. Good to see you all again. I think I last saw some of you in a hauora claim so lovely to see you. Thank you for this account of Matire, your tipuna and I was just thinking really its 200 – about 200 years ago, you’re talking about the 1820s. And so, my question is well in two parts, 1, has peace held for 200 years? And 2, how do you keep that story of her alive in your hapū?

20

A. Tēnā koe, tēnā tātou. E ora tonu nāu o mātou whanaungatanga ki a Waikato a Ngāti Rehia me Ngāpuhi. E ora tonu me kaha tonu ana mātou. I tae mai rātou ki waenganui i a mātou i roto o Kororiko nei i – wērā tau kua paneke? – rua tau kua pahure nei ka tae mai koutou ko rātou me te kōtiro e kōrero nei pea i kōrero inanahi rā e mokopuna nā Matire Toha. Ko taua **(inaudible 13:54:03)**. Nō reira e kaha tonu ana mātou ki te pupuri ki tērā wairua o te manaakitanga i waenganui i te awahi me tētahi ki tētahi. Ka noho tonu mātou i roto i te kaupapa i Whakatōhea e Matire Toha i tōna wā. Mātou katoa i whanaunga katoa mātou katoa, nā nāu mātou katoa o Ngāti Kuta, Patukeha a mātou katoa me Ngāti Rehia e noho nei i muri i

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ahau. E mihi nui tā mātou o tēnei kaupapa kua whakatakotohia nei ki mua i a koutou i tēnei rā. **Thank you for that question. Yes, our relationships with Waikato are still maintained and we are very close. A couple of years ago Waikato came and we gathered, as well as the mokopuna that spoke yesterday, so the intent of that arrangement, that union, had very much been maintained. So what was determined was the fate for Matire Toha in her time had been upheld and all of the many branches that Matire Toha connects to or her many unions.**

5
10 Q. My second pātai is they obviously had a long relationship and they had children. Did those children settle – it sounds like they settled more in the Waikato rohe or were any children sent back to live in her hapū?

A. Kia ora kia koe mō tērā pātai. I consulted with my kaumātua next to me a Moka. Nā te mea kau au e noho ana i Rāwhiti Me pātai ahau ki taku
15 kaumātua i a Moka. E mea mai ana a Moka, “Āe, hoki mai ētahi ngā mokopuna a Matire Toha ki roto Te Rawhiti. Kua hoatuhia e Ngāti Kuta he whenua mō rātou kia noho mai ai rātou. So, kua oti tērā mahi. Kua mahia te mahi e mātou i waenganui i a mātou. **Because I’m somebody on the east coast. I need to consult with my relative. There was land given by Ngāti Kuta for her children to return or for their family to return.**

20
Q. Kia ora mō tēnā and my final question you might need time to think about this rather than answer it straight away. But – so, when it was decided by the rangatira that this marriage or that these two people would be joined
25 together, you said the hapū didn’t really have a say in that, that the rangatira of Ngāpuhi ultimately decided. So, I guess my question is more about and I’ll take it as given that your hapū had beautiful wāhine, but what does it mean for the hapū to have to offer up one of your beautiful wāhine for this political agreement?

30 A. Kaha ana tō mātou hapū ki te mahi tā rātou mahi i roto i wō hapū rangatiratanga. I tērā wā pea, nā te mea korekau au i rongō i ngā kōrero hoi anō ko ngā kōrero tukuhia mai ki a mātou ngā mea i rongohia e mātou. Nō reira i tērā pātai āu, whakapae ana au i roto i ngā mahi a Ngāpuhi me ngā hapū o Ngāpuhi ko rātou katoa anō e whakaae ana ki tō rātou huarahi

- 5 kia ora ai a Ngāpuhi me wōna hapū. Hiahia ana pērā ana te whakaaro i
wō rātou wā. Arā kē te mea karekau a Hapi i whaikōrero engari i roto i
wērā mahi a rātou, ko rātou anō ngā mea e awahi ana i tōna iwiika tiro ai
rātou ki a rātou anō i roto i te mana o te wahine pea, e kōrero tātou mō
Matire toa. Nāna anō wōna – e titiro atu ana ki te āhuetanga o tērā wā e
10 titiro atu ana ki tērā wā, engari e whakapae ana ahau ko te hapū e ū ana
ki tōna iwi ki a Ngāpuhi. Nō reira ka oti i a rātou i waenganui ngā rangatira
katoa o Ngāpuhi, nā te mea hoki i wērā wā nōki e kōrero kē ana tātou ki
a tātou anō i roto wērā kōrero mahi i te mahi, mahihia ana ngā mahi i
15 waenganui ia hapū me te iwi. Kei roto i a mātou o Ngāti Rehia he tikanga
nui, he manaaki, he manaaki, he awahi hoki, tiaki i tētahi i tētahi. Nō reira
he tino tohu o te manaaki ki a mātou o Ngāti Rehia, he tonotanga, he
kaupapa i oti i a Ngāpuhi mō Matire Toha. Tērā tōā mātou manaaki i a
Ngāpuhi i roto i ngā whiriwhiri kōrero rapuhia nei te āhuetanga i riro nei a
20 Matire Toha ki a Waikato. **Our hapū is very much engaged in how we
run our affairs, and perhaps that time perhaps – and I haven't heard
everything, but what I have heard and in relation to your question,
I'd say that all the hapū and iwi of Ngāpuhi determine its future. I try
to think about their time, the context in that period, but in that time,
the deeds, always in support of their tribe of the iwi. In the case of
Matire Toha, it was her observation which she perceived to be the
circumstance of the time and the view though that the hapū is very
much supportive of iwi decisions, iwi determinations. To remember
25 in those times, we were always discussing matters amongst
ourselves as hapū and iwi. And in amongst ourselves in Ngāti Rehia
it's very important to us to manaaki to look after and be supportive
of one another. So manaaki is very significant to us and it could be
seen that was a way in which we could manaaki the purpose at the
time and for Matire Toha to be betrothed to Waikato.**
- 30 Q. Ngā mihi, thank you for that and lovely to see you all.
A. Lovely to see you.

JUDGE REEVES:

Tēnā koe Whaea, kua mutu ngā pātai mō te wā nei. Ngā mihi ki a koe me te rōpū tautoko hoki. He tino pai ki te rongō ki a koe me tō kōrero whakamārama i a mātou i te ahiahi nei. Tēnā koutou katoa. **Thank you that's the end of our questions for this time. Thank you for your presentation and your supporters there with you. It's very much a privilege to hear you and for your presentation to us this afternoon. Thank you very much.**

MS THOMAS:

Ma'am it's Ms Thomas here, I know that Ngāti Rehia have a waiata that they are going to sing hoi anō i mua i tā rātou tīmata i te waiata, ei au e whakaaro ana ki ngā kōrero i puta ake i toko ake i te whakaaro i roto i a au e tika ana kia mihia a Aunty Nora ake, kia mōhio ai koutou i a māua ko Ms Herewini whakariterite mai i te wā kia tae mai a Aunty Nora ki te tuku i ēnei kōrero i kaha pātai mai ia, "Āāhea tū ai? hHe hui anō taāku hei te ata, he hui anō taāku hei te ahiahi. Nō reira e tika ana kia mihia a ia, ka mutu hei āpōpō e tū ai tētahi hui whakahirahira kei waenga nui a Ngāti Rehia me te Karauna me te whakahoki atu i tētahi pā tawhito ki a Ngāti Rehia, ki a Ngāpuhi, ki ngā hapū katoa e whakapapa ana ki tērā pā. E tātou e kōrero ana mō te mana o te wāhine nāna, nāna ērā hui, ērā whakaritenga i ara kēake mai. Nā runga anō i tōna mana, nā runga anō i āna pūkenga kia tū mai hei mana wāhine me taku kī atu he tohunga ia ki te whanaungatanga, he tohunga ia ki te taha o te manaaki, he tohunga ia ki te taha o te āwhina. Nō reira tātou e kōrero ana mō te mana o te wāhine, ko ia te whakatinanatanga o tērnā. Nō reira kāti ake i konei, hoatu ki ngā manu tīriori o Ngāti Rehia. **Judge I know that Ngāti Rehia joined us by the AV we will sing a waiata but I would just like to say that I would like to acknowledge Aunty Nora and her presentation, myself and Ms Rameka, in preparing her presentation she was very busy and it was quite a big effort for her to be able to avail herself today to help. There's a big hui tomorrow as well with the Crown and so regarding to a village, a place of reverence in there and as we talk about the issue of mana wāhine it's a clear expression of that today by Aunty Nora and to be able to give explanation based on her authority as a woman, her expertise to be able to provide support and to bring clarity to this – to the hearing and bring her evidence today. Back to Ngāti Rehia.**

WAIATA TAUTOKO**MS ROUGHTON:**

Ko tēnei te mihi ki a koe e te Kaiwhakawā, tēnā koe. Kei te mihi ki a koutou ngā mema o te Taraipiunara o Waitangi, tēnā koutou katoa. **I would like to acknowledge the Judge, greetings. And to the members of the panel of the Waitangi Tribunal.** We now have two claims presenting, the first being Wai 1196 and the second being Wai 1886. Both claims are presenting via AVL, we have my learned friends Ms Alty and Mr Chan assisting the claimants as they present their evidence. I believe it's the Tamaki Legal that's there that the claimants are ready to start their presentation.

JUDGE REEVES:

Just before we start Ms Roughton, so your witness who is going to be giving evidence in the closed session, is she sitting at the ready? Obviously, we're not going to get to her –

15 MS ROUGHTON:

She will be by the time that we get to her, I don't think she's ready right now.

JUDGE REEVES:

Okay. I am just enquiring in the – if it happens that we finish earlier than the time indicated, I don't know.

20 MS ROUGHTON:

I am keeping in touch with Mr Chan who will be with her and I believe he will arrive at her office during the afternoon break.

JUDGE REEVES:

That's fine. We will commence the next group of witnesses and there will be an afternoon break at 3pm.

MS ROUGHTON:

Thank you, Ma'am.

MS ALTY CALLS

May it please the Tribunal, counsels name is Ms Alty appearing for Wai 1196. A claim by Merle Maata Ormsby, Daniel Ormsby, Tiaho Mary Pillot and
 5 Manu Patena for and on behalf of themselves as members of Ngāti Hikairo iwi, Ngāti Tamakōpiri and Ngāti Hotu. Ms Pillot, Mr Ormsby and Mrs Ormsby are presenting today as a panel. They have filed evidence in this inquiry as #A091 and #A133. Ms Pillot will present first followed by Mr Ormsby on behalf of themselves and Mrs Ormsby. The presentation time should take about an hour
 10 which should leave about an hour for questions from the Tribunal. I will also note that Mrs Ormsby does have a cough so she might have to get up from time to time just to clear her throat. I would like Ms Pillot to present her evidence.

(14:09) TIAHO MARY PILLOT: (#A091, #A091(a))

Hello. Thank you for having us. My name is Ko Tiaho-o-te-maramatanga
 15 Mary Patena-Pillot but my preferred names are Tiaho Mary. I was born at Taumarunui Hospital on the 1st of November 1956 and grew up at Tokaanu, the location of the last Ngāti Hotu settlement. I currently live in Tauranga with my partner Kerry.

20 I am a named claimant for the Wai 1196 claim in the Mana Wāhine Kaupapa Inquiry along with my sister, Merle Maata Ormsby, and my nephew, Daniel Whetu Ormsby who are presenting with me today. My brother, Manu Patena is also a named claimant and is here today to tautoko our evidence.

25 We affiliate to Ngāti Hikairo, Ngāti Tūwharetoa, Ngāti Te Aho, Ngāti Ruakopiri, Ngāti Tamakōpiri and Ngāti Hotu, now known as Ngāti Hikairo by Ngāti Tuwharetoa since the early 1960s.

At the outset, I would like to acknowledge three influential people in my life:

- 30 a) my grandmother, Tiahuia Ruby Te Ahuru (née Tohi Raukura) shown on slide 2;
- b) my mother, Rauaiterangi Mary Patena Mariu (née Te Ahuru) shown on slide 3; and

c) and, my father, Te Taawhi Patena Mariu.

They are why I am presenting and sharing their oral history and their recollections through my eyes. Our evidence focuses on the significant role that
 5 Ngāti Hotu women and their daughters practised daily within their clan prior to colonisation and traditions that have been passed down since pre-fleet times.

To begin with, I would like to discuss the following topics:

- a) Whakapapa;
- 10 b) Significant Ngāti Hotu wāhine;
- c) Spiritual relationship of wāhine as custodians with their local mountains, rivers, and streams;
- d) Role of wāhine in the whānau;
- e) Knowledge and healing gifts inherited from our tīpuna.

15

I will be highlighting certain examples from my written brief to clarify and support my understanding.

Whakapapa (Slide 4)

20 Through our lines of descent, we whakapapa to pre-fleet clans Ngāti Tamakōpiri and Ngāti Hotu, and also Tuwharetoa. Our pepeha is:

Ko Tongariro te maunga
 Ko Rotoaira te moana
 25 Ko Motuopuhi te pā
 Ko Te Wharerangi te tangata
 Ko Ngāti Hotu te hapū

Through my mother, Rauaiterangi, we whakapapa to Te Wharerangi, a
 30 prominent Ngāti Hotu chief, and to Rangikowaea, a chieftainess who is a direct descendant of Kupe. We also have links to Rangikowaea and Te Wharerangi and their daughter, Te Maari, through my father, Te Taawhi. My whakapapa is shown up on the slide show.

Through whakapapa, our whānau have always been humbled by our Ngāti Hotu heritage, referred to as the pre-fleet people, Ngāti Hotu were the original human inhabitants of much of the land at the southern end of Lake Taupo.

5

Some people say that Ngāti Hotu was conquered and then annihilated. I have always known myself to be Ngāti Hotu. We grew up hearing about Ngāti Hotu all the time from our parents and others. Our Koro Patena and Kui Maata identified strongly with their Ngāti Hotu side.

10

Tiahuia Ruby Te Ahuru (1895-1971)

Tiahuia was my grandmother. She was born in 1895 and died in 1971. Tiahuia was Kie Kie Matuaahua's last surviving daughter and, like her older sister, she had inherited nobility. Tiahuia's people loved and respected her for her thoughtful, spiritual and considerate opinions or advice.

15

Although Tiahuia was born 55 years after the signing of Te Tiriti o Waitangi she was an old historian who shared much of what she knew through stories. Hinekapa, Rangikowaea Te Wharerangi (née Raeroa), and Te Maari II were three women whom Tiahuia would sometimes mention. I loved listening to these stories about our tīpuna, who were "spiritually gifted", respected, and of noble heritage.

20

Hinekapa

Hinekapa was the Ngāti Hotu chief of a population of approximately 300 people at Tokaanu. Tiahuia describes this ancestor as being fair-skinned, blue-eyed, and with long white flowing hair which almost touched the ground. However, she was born with golden-red coloured hair. Hinekapa was a distant cousin to Tara, as in Whanganui-a-Tara. Across the Tokaanu Stream from my home were two thermal pools called "Hinekapa's puia".

30

In my written evidence I describe how two younger lovers used the forbidden pools and later became ill with a fever and began frothing at the mouth. Hinekapa had the power to let them live but it was too late. By the time the

parents of the young people arrived at her home to ask her forgiveness and help to save them.

I have also described how Tara came to Tokaanu looking for Hinekapa. Tara was disrespected by the local men and showed them her powers by bringing forth a spring named Te Mimi a Tara. As a result, the elders and their wives disciplined the young men being disciplined by their mothers in front of their people who were now laughing at them, it was an embarrassing lesson learned about being respectful to elders.

10

Hinekapa died. When Hinekapa died her bones were placed in a cave at the entrance and the entrance was sealed at the turnoff to the Waihi Village. Years later in the 1960s the Ministry of Works was doing road construction and tried to use explosives to remove the remainder of the rocky hillside where Hinekapa's bones remained. The area where Hinekapa was buried was so tapu that the explosives would not ignite.

15

Hinemihī (circa 1650 – date unknown).

My parents shared the story of Hinemihī, another prominent wāhine who forms part of the history of my people. She lived around the mid-1600s and came from Whakatane. After tasting the native pigeons from Rotoaira she decided to travel there after being told about a Ngāti Hotu chief named Tutetawha, who was known for the tasty pigeons he would catch and preserve. Hinemihī ended up falling in love with Tutetawha and decided to live with him. After a while, the Ngāti Hotu people fell in love with her: not only was she helpful in food-gathering but also, she was very happy to share her weaving skills. Even though she was a high-ranking person, she enjoyed their company. Tutetawha would become so jealous because his people loved Hinemihī more than him that he would physically punish her. Hinemihī would escape by walking over the Ponanga hillside to stay safe with her son Te Rangihūta at his marae for a few days. The Ngāti Hotu people felt sorry for her and decided to improve the track making it easier for her to escape. When I was young, my parents took me for a walk down a small part of what visibly remains of that track, now known as "Hinemihī's Track."

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25
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The mountainous area used to be rocky and barren. Hinemihi was popular among her people for the sweet-smelling herbal aroma in her little satchel around her neck where she carried a dry arrangement of scented flowers. The satchel was made from harakeke which allowed the aroma to permeate the person and the area around her. Hinemihi had a great love for birds and for flowers. The birds would follow her scent and brought flowers to the area. You can see her trail with the Clematis flowers that are there to this day.

10 **Rangikowaea Te Wharerangi (née Raeroa, circa 1798 - circa 1886)**

Rangikowaea is my great grandmother (x7). Rangikowaea was a rangatira tohunga (matakite) married to Te Wharerangi. She was a wife, mother, and humble mentor for her people who loved and admired her. She is a direct descendent of Kupe and Kuramarotini and well respected because of her inherent mana that came from her whakapapa. With all the stories I heard about her, I grew up to love her even though I did not know her.

Prior to colonisation, chiefs' daughters were important as "gifts of peace" to prevent any further bloodshed among warring tribes. During times of conflict, it was important to have supportive tribes on your side. Personally, my understanding is that when it came to promising a chief's daughter to another chief's son, it was because of her noble heritage. During those days, maternal and paternal lines of descent carried mana or noble ranking. For example, Rangikowaea's marriage to Te Wharerangi was because of her nobility. Acknowledged as a chief in her own right, Rangikowaea and Te Wharerangi would create a high-ranking aristocracy. Rangikowaea had three husbands, from two of whom I am a direct descendent.

It was easy for me to understand Rangikowaea's mana because that tradition ran through my parents. There was no issue around her being a woman and having control. Like her husband, Rangikowaea would be shown respect for her decision-making. The same was true for my parents: whenever we went to any marae around the Lake Taupo or other parts of the North Island, once people

understood Rauaiterangi and Te Taawhi's whakapapa, greetings always ended with acknowledgement and mutual respect.

Ngāti Hotu lived as a collective unit and even though there were times when
 5 Te Wharerangi had his own role with his spiritual followers in prayer, Rangikowaea and Te Wharerangi worked together when there were decisions to be made or having the opportunity to use their spiritual abilities as matakite, for example respectfully calling on Mount Tongariro to send his spiritual cloud down to Motuopuhi for Te Maari II.

10

In Tūwharetoa history, Rangikowaea is known only as the woman who sat on top of her nephew Te Rauparaha who was hiding in a food pit. However, to Tiahuia, her great-grand-mother (x5) was admired and respected for being involved in saving her nephew's life from some Waikato scouts who were
 15 responsible for helping colonial soldiers track and then attempt to kill him. Tiahuia's story relates that, after Te Heu Heu refused to protect Te Rauparaha, he was told to go and ask his relative Te Wharerangi at Motuopuhi to help save Te Rauparaha. When he arrived there, Te Wharerangi was reluctant to help for fear of endangering his family and people. The problem was that
 20 Te Wharerangi knew that Te Rauparaha's enemies would be arriving at Opataka Marae soon; there was no time to lose.

Te Wharerangi asked Rangikowaea to help save her nephew and asked him to hide in one of the cool, dark food storage pits. Te Wharerangi then asked some
 25 of his people to put some "wooden boxes" in front of the entrance. Some were stacked, and one or two were not. Rangikowaea chose one of these boxes to sit on and wait.

I have drawn my interpretation of my grandmother's story in slide 5. Show them
 30 slide 5.

When the Māori scouts arrived, they noticed a woman sitting on a box and started walking towards her. One of them rudely asked her why she was sitting there. As she looked up at them, the scouts suddenly stopped in their tracks

when they realised to whom they were talking. They were afraid and turned to return to their group, informing the colonial soldiers that no one was hiding in the food pit, which contained only food.

5 On that day, Te Rauparaha understood and witnessed the meaning of sacred women. Rangikowaea's mana and spiritual ability were derived from her whakapapa. Her role as a Rangatira tohunga was not specific to any gender. There was no question about her rangatiratanga or her ability to protect her nephew in that time.

10

Archaeological excavations of the food pit

In 1971, Archaeologist Trevor Hosking had completed excavations at Opataka marae. He contacted my parents, asking if they could perhaps take Tiahuia there to confirm if the food pit he had discovered recently and excavated was
15 in the correct location and that its structure was as Tiahuia remembered.

When we go there, my sister, Merle, remembered listening to our mother discuss the unusual shape of the food pit and asked, "So Rangikowaea was sitting in front of the food pit and not on top as is written in the *Tuwharetoa*
20 book?", Tiahuia's reply was, "Rangikowaea was a woman of high ranking; Te Rauparaha was a leader of high ranking too. Why would she want to belittle him?".

Daniel was five years old, and I was eleven when, with Tiahuia's permission,
25 we were allowed to step inside the food pit as shown on slide 6. I remember having to walk down three dirt steps and being able to stand inside. The temperature was so cool and had a calming effect on me. The structure was exactly how Tiahuia remembered during her childhood.

30 **Te Maari II (born 1817 – died 1829)**

On slide 7. One of Tiahuia's stories was about her great-grand-aunt (x4), Te Maari II. Te Maari was Te Wharerangi's daughter. Our oral histories have her living a short but worthy life between 1817 and 1829. To her family members, she was born a spiritually gifted tohunga.

From birth, Te Maari was given the role of Tongariro's custodian by high-ranking religious officials. Te Wharerangi adored his daughter and would call her his "beautiful flower". By the age of twelve, her spiritual connection with Tongariro had grown; she called Tongariro her grandfather. The small crater located on the North-East side of Tongariro, North-East side of the mountain is known as Te Maari's puia. The bath was named after her grandmother, Te Maari I. Whenever Te Maari wanted to take a bath in her grandmother's puia, she would respectfully call out to her grandfather Tongariro. Te Maari and her people could see a thick white plume gradually floating down from the mountain towards Motuopuhi, landing softly at Te Maari's feet, covering them. She would be carefully lifted and transported from her marae, rising high above and across lake Rotoaira and even higher across mountainous vegetation until she arrived at her bath. The day she was killed with her people on Motuopuhi, Te Maari's bath/crater erupted. My understanding is that Tongariro was grieving for his beautiful Te Maari.

Te Maari was a Matakite like her parents. She was loved by her people as well. Respect among the people seems to be a general theme across Ngāti Hotu wāhine rangatira. Her mana was rooted in her abilities and her whakapapa.

Te Maari was eventually killed on Motuopuhi, as shown on slide 8, with her people when they were attacked by Ngāti Maru. Her father, Te Wharerangi, had dreamt of the attack and warned his people to leave Motuopuhi and get to safety. She could have escaped with her mother and brother to Whanganui. Instead, she stayed behind with her father, Te Wharerangi, and her people. She stayed because of her love for the people and the mountain.

SPIRITUAL RELATIONSHIP OF WĀHINE AS CUSTODIANS WITH THEIR LOCAL MOUNTAINS, RIVERS, AND STREAMS.

Ngāti Hotu clans existed as a collective society, living in close proximity to each other, managing both land and resources. Tiahuia always referred to her ancestors as being clan leaders of higher-ranking families. Within the Hotu community, both men and women shared their roles as custodial mentors for

their people. Ngāti Hotu did not hold land; they just managed their environment according to their respectful beliefs. Female Rangatira were respected as mentors and decision makers for their clans. Kaitiaki ensured that those decisions were followed and respected. Everyone knew how to be respectful of each other and the natural environmental resources they depended on for their survival. Challenging those sacred laws and beliefs usually did not end well. Problems were discussed and solved as a clan.

Tiahuia never talked about land boundaries, but she mentioned the clan living off the land around them. Tiahuia would say that, as kaitiaki, we have no boundaries. In my mind there has to be a boundary but, for Tiahuia, they did not exist. She always said “The land does not belong to you. You look after it.” In that same spirit, we would share resources with neighbouring hapū. With that understanding, it makes sense why Ngāti Hotu never fought amongst each other: because it was not their land to fight over.

Chores were sometimes shared between clans during seasonal harvesting. Tiahuia mentioned that there would be times when Ngāti Hotu men and sons would be hunting or helping other local Hotu clans who were at war with invading Māori colonisers, or otherwise helping with local harvesting. Tiahuia talked about how they went from one clan to another to help each other. That is how they lived their lives: after they finished doing their harvesting work, they would go and help the others. It was always mutual assistance. This included the men and the women. Tiahuia experienced this in her lifetime. Tiahuia lived with her great-grandfather Matuaahu, who is shown on slide 10, from birth until the age of six when he passed away. When she was three years old, he would often take her to the peninsula of Motuopuhi where he would talk to his great granddaughter or sometimes just watch her amuse herself (she thought he was boring). Her father Tohi would care for his daughter after Matuaahu's passing. Tiahuia would go with her father and all the elders to help the other clans. There were people who remained at their settlement to look after the elderly while everyone else was away. Every mother and daughter helped one another with some of their men's chores. This tradition goes all the way back to

Rangikowaea's times. During these times, the social ranking or roles were not as important as teamwork was.

5 One example of sharing land and resources with other clans goes back to the days of Hinekapa who was a Ngāti Hotu rangatira for Tokaanu. When Ngāti Hotu settled there, the existing "supernatural people", Patupaearehe, shared their knowledge of the land and resources with Ngāti Hotu, ensuring their survival. Hinekapa learnt where the resources were, where the Ngāti Hotu clan could and could not go for food and hunting, and things that had to be
10 respected. She passed that knowledge onto her kaitiaki. The kaitiaki then shared that knowledge with the people, and it became common knowledge as Ngāti Hotu clans adapted to their environment. In many cases, it would be the wāhine transferring the knowledge, but it seems like the men also knew that knowledge. The men shared their knowledge with their sons and the women
15 shared their knowledge with their daughters. In some cases, it was shared amongst both. For example, fishing and foraging were a collective chore.

Ngāti Hotu clans practised Animism. The land was respected as it provided sustenance. Like our tīpuna before us, my grandparents were kaitiaki and
20 passed that role on to my mother and father. It was amazing, the knowledge they had which had been passed from generation to generation. It was normal for women to be kaitiaki even back in the day. My parents Rauaiterangi and Te Taawhi were a team, and they shared their roles. They shared everything.

25 My parents started teaching me animism when I was a young girl. They were preparing me and Daniel for that role as kaitiaki. In tikanga, it did not matter that I was wāhine.

30 When it came to food resources, men and their sons were skilled hunters, fishermen, and gatherers, while women and their daughters were also skilled at doing some of their men's chores, plus family chores. However, there was one specific chore which could be performed only by eleven or twelve-year-old girls of high status: harvesting mutton-birds on the Western side of Tongariro during the autumn season; a chore Tiahuia detested.

Certain girls were chosen to go and collect mutton-birds off the mountain because of their whakapapa. They were mentored and had knowledge passed down from the old people on how and when to get the birds. Wāhine were
 5 respected as mentors to pass this on as mātauranga. It was important that, during this journey, those women did not have their menstruation. Tiahuia and my parents said it was because virginity was a sign of purity.

Tiahuia and Rauaiterangi were chosen for this task as young girls. Rising before
 10 dawn, Tiahuia and her father Phillipus Wiripo Tohi Raukura, as shown on slide 9, would join the group of girls with some adult women as guides. Whether rain, wind, hail, and sunshine they had to go. Rauaiterangi would be the last young teen chosen to collect mutton-birds for her elders, in about 1930. The following year, European settlers also discovered how tasty the birds were and eventually
 15 hunted them to extinction.

Another example of chores that could be performed only by wāhine was food preparation for Te Wharerangi. I whakapapa to Te Wharerangi as my great
 20 grandfather (x7). I have described in my written evidence how Te Wharerangi was tapu and therefore untouchable and a virgin girl would be given the honour of delivering his meal from Opataka marae to Motuopuhi and feed him with a newly cleaned sharpened twig, as shown on slide 11. Being a young female prior to puberty meant spiritual purity. Being chosen for this task was a lifetime honour for the girls and parents.

25

The other name for Motuopuhi is Virgin Isle. It was and is a spiritual where
 Te Wharerangi, his family, high priests, and their families lived. The only other people permitted to go there were the young girls who took the food and did
 30 some house chores. Tiahuia described Motuopuhi as a spiritual paradise for her Hotu people.

ROLE OF WĀHINE IN THE WHĀNAU

Apart from household chores, most chores within clans were shared. In general, as a collective society, being respectful of each other meant avoiding being

accountable to the rest of the clan and their leader. Children were cared for by parents, older siblings, and sometimes extended family.

The mana of wāhine did not only come from their ability to have children.

5 My great-great-grandfather, Kepa Te Ahuru/Rangataua, was a Ngāti Hotu chief who had two wives, but his first wife was not able to have children. His second wife was able to have children yet the status of the first wife remained the same. She held mana and was respected as his first choice despite not being able to have children.

10

I did not hear much about the violence that might have happened prior to colonisation like men being abusive. It is possible there were abusive men among the old people, but Tiahuia did not talk about Ngāti Hotu males disrespecting women. However, my parents told me about Hinemihī's people protecting her from abuse from her husband. Tiahuia also told me that Patupaearehe men often fell in love and kidnapped Ngāti Hotu women, always causing conflict between their husbands or lovers. She said that said the Patupaearehe were there before Ngāti Hotu, so Ngāti Hotu had to live alongside them as peacefully as possible.

20

In one of the stories, one of the husbands saved his wife from being kidnapped and she ended up having an offspring from a Patupaearehe man. In the story, the child becomes a problem because he sleeps during the day and is awake at night and so it was difficult for the child to be accepted by his mother's people.

25 The child had to go back to his Patupaearehe father. For me, being kidnapped and forced to have another man's child would be considered sexual abuse, but for Tiahuia it was just part of life then. During her lifetime, it was common for them to come across Patupaearehe. She never talked about the wife as being degraded because in this situation the husband continued to love and respect her. But Tiahuia did not talk about how the husband cared for or treated the son.

30

Knowledge-wise, I can describe the intellectual intelligence of the high-ranking Ngāti Hotu people only as gifted encyclopaedias. This has carried through the

generations since pre-fleet times. Like her ancestors, Tiahuia could recite her family's history in chronological order as well as share their knowledge of the future.

- 5 From Tiahuia's stories, I understand that only certain women of high-ranking status through their whakapapa inherited the gifts of knowledge.

10 These spiritual gifts are something that have been passed through the generations in my family. I was born second sighted too. My parents told me it is a gift that is inherited from Te Wharerangi, Rangikowaea and Te Maari II. Both my grandparents and my parents were also gifted. My grandfather, Tamamutu Te Ahuru, gave me my name when Rauaiterangi was only 3 months pregnant with me. Despite being told by his father-in-law, Te Taawhi thought I was going to be a boy and had boys' names lined up for me. My father even
15 had a leather football ready for me, but my grandfather knew. My grandfather named me Ko Tiaho-o-te-maramatanga, which means bright light to show the people the way. As I grew up, I started hating my name and wanted to change it because my mother kept reminding me that it is a spiritual name. She kept saying "one day you'll know", and I did not want to know.

20

In my family, Rauaiterangi inherited her spiritual gift from Tiahuia. I remember watching Tiahuia and Rauaiterangi conversing among extended family and people at meetings, sharing their knowledge, or sometimes using their diplomatic skills during heated discussions, bringing peace among themselves
25 until next time. Tiahuia respected all people that she encountered.

(You didn't show the photo of my grandmother).

She would sit and listen to them. She never differentiated –

30 **MS ALTY:**

Apologies, there seems to have been an omission in the slideshow which is an error on our part. We can file an amended slideshow with the photo of Tiahuia.

TIAHO MARY PILLOT: (CONTINUES #A91, #A91(A) FROM PARA 59)

Tiahuia respected all people that she encountered. She would sit and listen to them. She never differentiated those with high intelligence and those with other roles in the community. For her, they were the same. They all had different roles and they were all gifted in those roles. Now, I can understand why, during the Māori Wars, chiefs from warring tribes chose their daughters as a "peace offering."

Merle, Daniel, and I all inherited gifts from our tīpuna. I like to think we are all gifted, it is just that some had a different gift. Daniel is gifted in whakapapa and ancestry. Merle and I were gifted in helping people. As a child, I used to do a lot of healing mahi with Uncle Kapi Adams who had amazing spiritual healing gifts for a blind man. I still have those kinds of gifts but differently. I sometimes use it today without realising helping people and just sharing knowledge with them.

In conclusion, Hotu women and their daughters had a major role both physically and spiritually in their clan and within the whānau. Animism was the centre point of how they lived their lives and women were sacred. From the examples I have shared, it is clear that, in certain circumstances there were certain chores that the men could not perform, and others that they could share. It is an honour for me to say that my parents also passed on some of their spiritual skills to me; it is always a blessing for me to feel a part of nature.

Young females were seen as spiritually pure and were given the honour to serve their leaders. People of high rank served an entirely different role as custodians: Te Wharerangi and his family, the priests who had predicted his leadership before his birth, and their families reinforce that role. Te Maari and her spiritual connection with her grandfather Tongariro; Rangikowaea, and her role in saving her nephew are remarkable aspects of their spiritual gifts.

Women's significant custodial relationship with the management of land and food resources provided the people with enough food for everyone. As a child, Tiahuia had never heard of her people ever starving or becoming stressed and

violent within families; the only time loud voices could be heard was when parents had to discipline their children.

JUDGE REEVES:

Kua mutu?

5 **TIAHO MARY PILLOT:**

Kua mutu.

MS ALTY:

Your Honour. I now invite Mr Daniel Ormsby to present his evidence and then the claimants will be happy to take questions from the panel if that's suitable.

10 **JUDGE REEVES:**

All right. Just before we start, we are scheduled to take afternoon break at 3 so in terms of the pātai, do you prefer to have pātai from the Tribunal after the panel is finished and is Tiaho going to be part of that panel in terms of pātai?

15 **MS ALTY CALLS**

Yes, your Honour. If Mr Ormsby could present and then the full panel will be available for questions.

JUDGE REEVES:

20 I see, okay. All right, we've got 10 minutes until our afternoon break so we can continue, let's see how we go, we can continue with Mr Ormsby's presentation after the afternoon break if – I'm not wanting to rush you if you need to take longer but there will be a break at 3. Kei a koe.

(14:52) DANIEL ORMSBY: (#A133)

25 Tēnā koutou, tēnā anō tātou katoa. I'm going to read this brief on behalf of my mum and myself. I hope my learning from Hato Petera will make me speak a bit quicker.

My name is Daniel Whetu Ormsby. My mother Maata Merle Ormsby and I filed a joint brief of evidence which is recorded as #A133.

In this evidence we have drawn from oral histories shared by my grandmother
 5 – I'm talking on behalf of my mum here. So, this is my mum's grandmother, Tiahuia Ruby Te Ahuru, my grandfather, Tamamutu Te Ahuru, my mother, Rauaiterangi Mary Patena, my father, Te Taawhi Patena, my sisters, Tiaho Pillot, Phyllis Blake and my brother Manuera Patena.

10 We are the family settled in (**Māori 14:53:25**) Ngāti Hikairo, Ngāti Tūwharetoa, Ngāti Tiaho, Ngāti Ruakōpiri, Ngāti Tamakōpiri and Ngāti Hotu and we have been here ever since.

15 Ko Ihoa to piringa, ka puta ka ora. Mai te maru o te aroha a Te Tama a te Matua-Ora. Ko te aroha ngā tangata-hou. Ko te Rangimarie te waka.

Our ties to the land in the Taihape District also come through our Kuia Mere Te Iwa Iwa, mother to both Rangikowaea and Maata Kanohi Te Wherowhero Pīwhara. My mother, Merle Maata Ormsby is
 20 named after Kui Maata. The name Te Wherowhero is a reference to her thick, red hair. It was so read that it was auburn. Our kōrero is that she had a pet shark that used to swim right up the Whanganui River from the sea. It was a mako shark.

25 A kaitiaki role we inherited from our tipuna is still alive. This role was shared by wahine and tane prior to colonisation the same way Rauaiterangi and Te Taawhi shared their kaitiaki role. Their roles were different but equally important. Te Taawhi and Rauaiterangi's kaitiakitanga role also included calming the physical expression of the land, of mana whenua with the unseen
 30 expression of wairua.

Our parents and grandparents raised us to be familiar with the special relationship with the world around us. The rhythm of prayer was a natural part of our lives. We learned from whānau that not everyone lived like that. Our

parents and grandparents taught us to see the whenua as exercising its own kind of kaitiakitanga over us. We do the job of looking after the whenua and the whenua exercises a kaitiakitanga of its own over us. In unison, the world around us becomes a living and breathing organism uniting us in the Spirit, as we view
 5 through the eyes of understanding. Kaitiakitanga is an important factor in maintaining balance. In doing so our people are ensured their future is not hindered by things unsettled from the past.

We also grew up learning about the closeness of Kui Tiahuia and our
 10 Kui Maata. Wherever Kui Tiahuia is, Kui Maata is. Wherever Kui Maata is, Kui Tiahuia is. Even though Kui Tiahuia and our Kui Maata are in modern day, that essence goes back to Rangikowaea and her mother, Mere Te Iwa Iwa. Because Kui Maata is half-sister to Rangikowaea and Kui Tiahuia is a descendant of the first marriage of Rangikowaea, Kui Maata is as Kui Tiahuia's
 15 māmā and they share Mere Te Iwa Iwa. Kui Maata inherited the role and status of a rangatira by whakapapa, from her mother, Mere Te Iwa Iwa, and could talk for her mother. Kui Tiahuia also inherited a strong mana wāhine essence which was different to the one Kui Maata had.

20 **Parerohi Sullivan (Born Hurinui)**

Matuaahu was originally married to Kui Kui but there was no issue from that marriage at that time. As a result, Matuaahu was bestowed with another chieftainess, Whakarongo, and their first child together was Parerohi. Despite his second marriage, the marriage between Matuaahu and Kui Kui remained
 25 senior, and they ended up having children.

Parerohi was a well-recognised and highly born Chieftainess of Ngāti Hikairo. In our written evidence we have provided the story of how Parerohi's great mana was shown in the way she was interred. There we've also included the
 30 story of Kiekie who was so loved and respected by her grandfather Matuaahu that he lifted her casket himself to the urupa of Otukou Marae refusing help from others.

Rangikowaea was an esteemed leader of her people. She was married to Te Wharerangi and together they had two children, Te Maari II, a daughter, and Matuaahu, a son.

5 Tiaho has referenced the attack on Motuophui and how Te Maari II decided to stay with her father and people. There is lot of grief and sadness for the loss of the great rangatira, Te Wharerangi and our people. Te Wharerangi was matekite and knew of the attack. He sent Rangikowaea and their son to safety of his father's (Tu Kaiora) people in Whanganui. Rangikowaea left her son
10 Matuaahu in the protection of Te Maari I and Tu Kaiora.

I must add that even though I'm referring – Mum's referred to Tu Kaiora, the koroua's name was Pikikōtuku Tu Kaiora and went to **(inaudible 14:58:49)**. In those days it was fairly fluid in terms of being accepted back to extended family.

15

After the death of Te Wharerangi, Rangikowaea re-married to Pikikōtuku Raeroa and they settled in the Taihape District. All marriages were honourable. Rangikowaea had lots of children with her second marriage and our great-great-grandfather is one of her descendants. When you have a lot of
20 children, you are exercising that essence of health and wellbeing.

Te Maari II

Te Maari II was the daughter of Rangikowaea and te Wharerangi. In acknowledgement of her high status, she used her nan's pool, named
25 Te Maari I. it is located on the northern side of Tongariro, not far from the Ketetahi Springs. This pool exploded on her death and is now just a crater.

Our Kuia, Tiahuia said that Te Heuheu had asked Te Wharerangi for the hand of his daughter Te Maari II, in marriage, Te Maari was only 12 at the time.
30 Te Wharerangi recognised that what Te Heuheu really sought was prestige. Therefore, he offered the pātaka.

HEARING ADJOURNS: 3.02 PM

HEARING RESUMES: 3.27 PM**JUDGE REEVES:**

Tēnā tātou, we seem to be thinning out rapidly. Before we begin with our panel I just want to remind everybody there's a closed session. The last session of the day is going to be a closed session and before we go into that closed session, I think we probably need to just have a little bit of a discussion about a couple of things for tomorrow so we can either do that now or we can do that after this session and before the closed session because I'm presuming that once we've closed the session that all of those who aren't required or are not required to be here for that session will want to leave for the day. Given that we probably do have a bit of time now, why don't we just do that right now.

HOUSEKEEPING – REQUEST FOR JUDICIAL CONFERENCE (15:28:18)**HOUSEKEEPING – HAKARI RSVP (15:31:46)****HOUSEKEEPING – CLOSED SESSION (15:32:55)****15 JUDGE REEVES:**

We are now going to have some pātai for the Panel. Is that correct Ms Alty is what you're expecting?

MS ALTY:

Yes, your Honour, thank you.

20 (15:33) JUDGE REEVES TO TIAHO MARY PILLOT:

Q. I'm just going to start. I have one question and this is in relation to Tiaho's evidence and there was some kōrero, I think in paragraphs 22 of your brief and also paragraph 54 in relation to Hinemihi and Tutetawha and if I go to paragraph 22 of the brief – so the kōrero there was that she came from Whakatāne and that she travelled to Rotoaira after being told about the prowess of Tutetawha in relation to the pigeons and that they fell in love and she decided to stay and that subsequently he became jealous

of her and there were some physical abuse that resulted. So, the brief there says, “because his people loved her, he would physically punish her”. Now, I’m just looking at the kōrero also on paragraph 54 in relation to that and there you say “my parents told me about Hinemihi’s people protecting her from abuse from her husband, so I guess I’m trying to just tie those two things together. First of all, she was living away from her own people as far as I can work out, she was living with his people. Were there consequences for him as a result of his conduct towards her because the people loved her it seemed that they took some steps to try and assist her by allowing her or enabling her to travel to stay with her son at his marae but were or would there have been consequences for Tutetawha in terms of his conduct.

A. As far as I know, grandma never mentioned whether he was **(inaudible 15:36:43)**, she was focussing specifically on Hinemihi as she was talking to me so I wouldn’t know.

Q. Okay so thank you for that.

(15:37) PROFESSOR LINDA TUHIWAI SMITH TO TIAHO MARY PILLOT:

Q. Tēnā koutou. My question also is for Tiaho o te Maramatanga. And you give quite a few examples of wahine in your whakapapa who exercised mana and then in paragraph 52 you make the statement “the mana of wahine did not only come from their ability to have children”. Do you remember that in that part of your submission?

A. Yes.

Q. So, I was just wondering if you wanted to then tell us what the other components of that mana was. If they weren’t able to have children, what else, if you like, how else were they able to express their mana?

A. Because they weren’t able to have children?

Q. Yes.

A. As far as I – grandma didn’t mention that bit but from my research, even though women could not have children, they were still respected. There was no belittling them. There was still a function within the hapū.

Q. Thank you. So, I guess the question is then, their support system, if you like, because if a woman does have children then A, she has a line of uri

who will support her, provide her with resources as well but for women who were not able to have children then what's her support system is one of the questions, I think I'm trying to ask. Is she alone? Because he took, Kepa Te Ahuru Rangataua took a second wife, correct?

5 A. Mhm.

Q. Who did have children? So, while you're saying the first wife maintained her status, did she cast a lonely figure?

10 A. No. The example is my great grandfather built a house for his two wives and he had two bedrooms. One for the first wife, one for the second wife which is our grandmother. The wife that couldn't have – he had to please both of them. He respected both of them.

15 Q. Yes, it's kind of interesting, isn't it, for us thinking about it in their terms and what it meant for them in those days but thank you. Thank you for all the work that you've also put into your brief, there are a lot of stories in there and I really appreciate them so kia ora.

A. Thank you.

(15:40) DR RUAKERE HOND TO TIAHO MARY PILLOT, MERLE ORMSBY, DANIEL ORMSBY:

20 Q. Tēnā hoki koutou e whakarongo mai ana ki ēnei kōrero me mātou e whakarongo ana ki a koutou, tēnā koutou. I also found the range of stories to be very diverse and at the same time, very insightful. One of the things that got me thinking quite strongly around the way in which when we look at te mana o te wahine and te tapu o te wahine, there are a number of –

25 many of your stories are based around that places are set aside, tasks are set aside, activities and the roles are set quite distinctly aside from men so we've got the situation at Motuopuhi where Wharerangi and the need for Puhi to serve Wharerangi in that place and there's also the narratives around ngā mahi tītī a (**Māori 15:42:09**) te Rangi and the need that that needs to be done by wahine. I was wondering if you could

30 provide more insight of how all of that works in terms of the distinction between the role of wahine, the tapu of the wahine, the mana of the wahine and how that is perceived by Ngāti Hotu. Is that an essential part of recognising mana wahine for that to continue. Like, if you don't continue

with those practices, if you don't continue to recognise te puna o te – Hinekapa and other things like that then does that diminish the perception of mana I suppose is – koirā te ia o taku pātai.

A. [Merle Ormsby] Can I respond to that?

5 Q. Pai ana.

A. [Merle Ormsby] We have good pointing in terms of Hinekapa's pool that is non-existent at the moment only because the fisheries, they reclaimed land and buried it so we're all mindful about where our kuia's pool is but you're right, we no longer use that. That is just one example. Is that what
10 you're asking?

Q. I suppose I'm looking broadly around – as you've just described then, if you don't have those places how does Ngāti Hotu then recognise mana wahine in the same way that it was recognised in the past? Are there other things that you do now that continue that recognition?

15 A. [Tiaho Pillot] Personally what we've been taught by our parents and grandmother, we continue to practice that but in a wider manner we're still fighting to be recognised that we exist.

A. [Merle Ormsby] For myself being a health professional, I've retired now. I was able to actually apply some of those healing lessons that I had from
20 our uncle (**Māori 15:44:43**) Adams and from our koro (**Māori 15:44:47**) learned from the old people, apply that to the people that I was caring for in my role and so is it still alive? I guess one of the purposes that I feel that our briefed evidence was intended to highlight was the fact that these skills didn't die with the tupuna, they were left for the future generations to actually also (**inaudible 15:45:19**). We may be practicing things a little
25 bit differently but the intent of keeping those (**inaudible 15:45:25**) and those skills alive is still there today. Does that answer your question?

Q. Āe, e pai ana. I think the main thing is that with the loss of some practices and the loss of the tītī on the maunga and the like, then there must be
30 other ways for wahine to express tērā mana but kei te pai tērā whakautu, that response is good. The last question I've got is really to you Daniel, there is a statement that you made that Te Heuheu wanted to marry Te Maari and that was disapproved of by Te Wharerangi, I didn't quite

understand what was going on there exactly. In particular, there was the statement about Te Pātaka. Te Pātaka is - the maunga itself is Te Pātaka.

A. **(inaudible 15:46:24)**

Q. He offered Te Pātaka instead of Te Maari or... Can you just –

5 A. [Daniel Ormsby] Yes, I can. First off, I will talk confidently to Te Heuheu because through my mums father, we directly to Herea. We belong to the other wife, he had two wives too. The first one, you get Manunui. Well, we're the second one, you get Kerehi and then Kerehi marries the family from over the hill which is Te Wharerangi's family. So, that's my koro's āhua without – alongside the āhua, our nana. That's our Te Heuheutanga and I will talk confidently to it because yes, we did pursue the hands of our kuia that wasn't looked favourably and the koro offered up instead the pātaka that he had on the island.

Q. Okay.

15 A. [Daniel Ormsby] There was a pātaka, yes, its name was Te Wharerangi actually and when you brought it over to Waihi it became Hinana ki Uta, Hinana ki Tai.

Q. Hinana ki Uta, Hinana ki Tai. **(inaudible 15:47:46)**.

A. [Daniel Ormsby] That was **(inaudible 15:47:46)** the name of the pātaka.
20 And then that pātaka ends up down where you fellas are sitting now in the South Island in the museum.

Q. Āe.

A. [Daniel Ormsby] And our koroua ended up following it with his wife Tarihira (the Biggs), her and her husband, they become part of the church. But yes, the pātaka –
25

Q. I suppose **(inaudible 15:48:08)** –

A. [Daniel Ormsby] The pātaka was more than just an essence pertaining to his daughter. It was also pertaining to Te Huri and Te Huri was his younger brother and Te Huri had married more than one wife of which
30 one of those wives' uri was also looking to be betrothed to Te Heuheu at the time. So, the koroua, why he was offering that as a essence to distract Te Heuheu, it was more of an essence to give a bounty to the many wives that Te Huri had. Te Huri married four wives. He had Ngā Hau e Whā which is also the tekoteko on top of Tāpeka Marae, but they take the

name Herea now. But he offered that up for the āhua of those bigger family as a whole. The younger brother was the – he was the āhua of the pōhiri that came into the Central North Island, he was the one parked up on the lake and Te Wharerangi was over the hill. So, when we make reference to the pātaka being offered, it was more than just an essence of stability for a distraction to marriage, it was more of a āhua of mana that went with the wives of the younger brother that were all from those directions.

5

Q. Ka pai. Obviously very, the very complex in relationships and I was wondering whether the pātaka itself, Hinana ki Uta, Hinana ki Tai or Wharerangi actually held a significance in relating to betrothal or with a tono, but kei te pai, ko te mea nui, you've described it as a distraction from other complexities that were going on in relationships between Te Huri and wives.

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15 A. [Daniel Ormsby] Yes, that's right.

A. [Merle Ormsby] Can I just add something to that too please, Dr Hond. My understanding of the gift of the pātaka also was that our koroua Te Wharerangi, because Te Heuheu was asking for the maunga and we know what's attached to the maunga, the mana and knowledge and all that, and my understanding of him gifting pātaka, while people don't hold a lot of essence to that, in actual fact my understanding is that he was actually asking "you care for my people, you look after my people". That to me is his essence of the pātaka. Not just to store food. It's to look after, care for his people. At that, Te Heuheu was really – he took offence to that really and he didn't see the significance. But for us, it was significant. He was offering his people to him.

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A. [Tiaho Pillot] And the other thing is that Te Maari, when he wanted to take Te Maari as his wife, Te Maari was only 12 and grandma said Te Heuheu was 65. Te Heuheu was 65. So, that's a no-no.

30

Q. I think, yes, pai tērā whakamārama and I think with that further explanation it's certainly given more significance also when the Kīngitanga at Pūkawa spoke about the Hinana ki Uta, Hinana ki Tai, and that idea of providing sustenance, providing resource kia haere tonu. That's provided more background to that. Tēnā koutou.

**(15:52) KIM NGARIMU TO TIAHO PILLOT, MERLE ORMSBY,
DANIEL ORMSBY:**

- 5 Q. Tēnā koutou. It's Kim Ngarimu here. I just want to pick up on what Dr Hond was talking about with you in terms of lost resources and what I want to ask you about is lost mātauranga and how you are going about preserving the mātauranga of Ngāti Hotu?
- A. [Tiaho Pillot] Are you asking me?
- Q. Any of you. You're there as a panel, so whoever wishes to answer.
- 10 A. [Tiaho Pillot] With me, after writing up this evidence my partner is encouraging me to write a book to explain our culture and to pass it on perhaps that way.
- A. [Merle Ormsby] Can I just add something to that?
- Q. Āe.
- 15 A. [Merle Ormsby] We know as a nation of this place, with all the modernised systems and process of that, they've been introduced into our Māori way of life. When we were asked to come to the Tribunal in our own area, we were asked to identify certain marae. Ngāti Hotu wasn't one of them. However, in the kōrero, and you would have record of that, we were supposed to be annihilated. We just wanted to let people, reassure them that we're still here and, you know, we haven't gone away. We may not be exercising our right if we're going to call it that the way that our old people did, but we still respect what we had and we never let anybody forget that we did exist, and we do exist today. Does that answer your question?
- 20
- 25 Q. Yes, no, I accept what you're saying there, and I guess just, no, that's fine. I did just want to also ask about your reo and from what, Tiaho, what you said in your brief it sounded like this is lost to you now and I was just wanting to confirm that and also whether there is – whether you have got any sense of the origins of the reo?
- 30 A. [Tiaho Pillot] I have been researching that and it's taken me to Euro Western Asian. Keltic Euro Western Asian connections which originate in, which originally started in Persia, and that's as far as I got because it's really mind boggling.

Q. Okay, and is there, like, are there other members of your whānau who are involved with that or have any sense of the Hotu reo?

A. [Tiaho Pillot] Well I realise that our Aunty Monica Mataamua, she spoke the language and she was the one that traced the DNA back to Persia as well.

5

Q. Okay, thank you, kia ora.

A. [Daniel Ormsby] May I please add something please?

Q. Certainly.

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A. [Daniel Ormsby] In my time of growing up, and I'm a '64 baby, born in '64, nan was asked by old people to go to go over to Motuopuhi to whakanoa the place in my time when I was young and that's only one of the things that both nan and koro were later on asked to go to certain places and because of who they were (**inaudible 15:56:40**). Some places they never went by themselves as a couple. They also went with other old people.

15

And when we make reference to the Motuopuhi Tribe, that was under the guidance of Koro Kapi Adams at the time, and then to have those things come down to now. My aunty gets visions and has to go around and walk around the place and go bless it and that's without a word being said, it's just something that other people of the rohe don't have that āhua, so they

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come and ask us to go and do those type of things. We're not the only family, there's like a group, a family of us and nan and they never worked alone if that's what you were talking about, the Hotutanga of us. And I see similar things being passed down to my sister, my cousins, they are already viewed to be seen to be having those gifts when my nan was

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around. So, I don't even, because we've only had a limited time from the whole time that we've had, and I wish we had more which is why we were asking to go to Whakatāne then Ōtaki. But our (**Māori 15:57:58**) takes us into the Muaūpoko country, so quite well down there. But that's the āhua of the rangatiratanga o te wāhine that we associate with, and I know we're talking a lot about Rangikowaea and them, but Rangiuruhi, we share whakapapa to her because Te Maari is her daughter and so is Tūtānekai is her son. So, I share those things with the families over there at Te Arawa.

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Q. Ka pai, thank you.

A. [Daniel Ormsby] And the gifts are still going, the gifts are going, and the gift is we just have a **(inaudible 15:58:35)** to go to a place and give nothing but **(inaudible 15:58:38)** to it in the most humblest way you can do that without a word being said.

5 Q. Thank you. I will pass across to Dr Anderson.

(15:58) DR ROBYN ANDERSON TO TIAHO PILLOT, MERLE ORMSBY, DANIEL ORMSBY:

10 Q. Tēnā koutou. It's Robyn Anderson here. My question is for the Ormsby whānau. In your brief of evidence, you talk about Tarihira and could you tell us a little bit more about her? Is she Pākehā?

A. [Daniel Ormsby] Āe.

15 Q. She was. It wasn't clear to me; you say that that whāngai Tarihira set the process of awareness for the mana wāhine that they would be excluded from the ownership or recognition of land tenure until they were baptised. Can you explain that a bit more, that link a bit more?

20 A. [Daniel Ormsby] When her family came to look for her, because they're the ones that brought the steam generator over to Waihi over here at Te Tāpeka for the milk factory and they belong to a people called **(inaudible 16:00:00)**. Later on, they wanted to set up a co-working partnership with Tūwharetoa were set up after school over there at the **(inaudible 16:00:10)**. But when they found their – all of those things came with them for her and they weren't Biggs's family, they were her mama's family.

Q. Right, okay, and so when is this happening? Sort of a what?

25 A. [Daniel Ormsby] Well, good that you say that because Kerehi and Te Huri's daughter, 1826, Te Wharerangi's passes, they keep on going **(inaudible 16:00:48)** 18 –

Q. Okay, just approximately is all I require really. I don't need an exact date I just want to know kind of round about when.

30 A. [Daniel Ormsby] It's more exact when – it's more exact when Biggs arrives because he's like written about got sent over for to go and join the **(inaudible 16:01:05)** didn't he?

Q. Mmm.

A. That's why he was asked to go. He was naughty, our people didn't like him.

5 Q. Okay thank you and I have one more question and it's on your paragraph 12 and you're talking about Kui Mata and Kui Tiahuia and you say that they both had strong mana wāhine essence, but they were different. Could you explain that a little bit more?

10 A. Even though they shared the same lineage to the same kuia which was Merete Te Iwi our kuia Mere Te Iwi were through to Te Huia through Rangikowaea, Aunty spoke about her Kupetanga. I only actually learnt the Kupetanga of Mere Te Iwi, I never learnt of Rangikowaea, she was instead I felt in her own esteem by the Raukawa family and our Kui Mata, she's the one who takes us into the place called Te Mātakitaki a Kupe in Te Raukawa Moana down there at the Whanganui-a-Tara.

Q. Mhm.

15 A. So, they both had the same interconnectivity except one was more to the āhua of – 'cos Kui Matau's āhua came through Ngāti Koata when the **(inaudible 16:02:54)** boy came, when he come in – he come in the 11th Century so how many – **(inaudible 16:03:01)** migration come in the **(inaudible 16:03:06)**. We still had the miniature roads when the **(inaudible 16:03:09)**. Yes. They were united by the kuia's āhua to Kupetanga but they were very different in how they actually get to come to us, one through a Celtic Scottish influence into the Koata family and the other one is the āhua – she never ceded her āhua for Kupe. That's Mere Te Iwaiwa, she refused.

25 Q. All right thank you for that and thank you very much for coming and talking to us today, thank you.

JUDGE REEVES:

30 Well, those are the finish of the questions for the panel that we have for you now. It may be that there are further questions that come to you by writing but for now I'd just like to thank you for making yourselves available for the the evidence that you've given to us today about your tupuna whaea, your mana wāhine, and it was really great to hear their stories. So, ka nui te mihi ki a koutou.

DANIEL ORMSBY:

Thank you very much and there's no waiata to sing.

WAIATA TAUTOKO

JUDGE REEVES:

- 5 We are about to transition into the confidential session so that will require that those who are not directly involved in that session are going to need to depart so that will leave the witness, her counsel, ourselves, and the Crown, and we will be turning the feed off. So, for those of you who are departing, hei āpōpō.

HEARING ADJOURNS: 4.07 PM

10 **CONFIDENTIAL CLOSED SESSION**

HEARING RESUMES ON FRIDAY 23 SEPTEMBER 2022 AT 9.02 AM**(09:02) DR RUAKERE HOND: (MIHI)**

Tātou rā i tēnei rā whakamutunga o tō tātou hui nei, tēnei te tūāpapa tuaono mutunga nei. Mihi nei ki ngā rōia e noho tonu ana, otirā te Manatū Wāhine kei
5 roto tonu i te whare, tēnei e noho tokoiti nei, tēnā koe e noho nei hei taringa whakarongo mai i ngā rōpū, mai ngā kaikerēme, otirā rātou katoa, koutou katoa e aro mai ana i runga i te ipurangi. E tae mai ai i runga anō he kōrero nui nei tēnei hei whakakapi, whakakōpani i tēnei wāhanga o te Tūāpapa. Ka kīia atu kua mārō te tūāpapa ka tika anō te tū o te whare. Nō reira e mihi nei ki a tātou
10 e noho tahi ana.

E koro, kua kite atu i tō kanohi i konei i ngā tūāpapa katoa, i ngā kaupapa katoa. Kua mau i ō taringa nei ngā kōrero, ana ka pai hoki hei arataki, hei tuara nei i ngā kōrero mō te kōrero, tēnā koe. Me ō kōrero rā, mōhio nei ki Hori Brennan
15 mā, ngā mea o roto i tēnei whare, nō reira kei reira te whakapapa o ngā kāinga pēnei i tēnei Ngā Hau e Whā, otirā te pānga rā o ngā kōrero ki Tūāhuriri, otirā ki Kāi Tahu me ōna pārangā ki roto i te takiwā nei. Hāunga anō ko te mihi atu ko te mihi mai, ana ka huri atu ki tā tātou kaupapa. Whakaaro ana kia wāhi atu ki te karakia, ana kātahi ka tuku atu ngā kaikōrero o te rā, te kaikōrero o te rā
20 me te karawhiu o ngā pātai e tika ana kia rangona. He wero i te kaupapa, he kaikōrero whakamutunga mō tēnei mō te Tūāpapa, koia kei a ia. Nō reira tēnā tātou. [Nil.]

KARAKIA TĪMATANGA (DR RUAKERE HOND)**(09:06) JUDGE REEVES: (MIHI)**

25 Tēnā koe e Ruakere mō ō whakarite o te rā, o te rā mutunga o te Tūāpapa.

Now, before we commence with our final witness for this hearing, I just want to check in with counsel around the issue to do with the Minister restructure and the proposed JC. I'm aware that there was Crown filed memorandum last night,
30 I had seen that, so where do matters sit, Ms Roughton?

MS ROUGHTON:

Thank you, Ma'am. I've been liaising with claimant counsel overnight and there are still some concerns still present, even though the document has been provided and the Crown memorandum has been provided. We're still in process
 5 of consulting amongst ourselves as to the best course of action. What I've proposed is that claimant counsel have a hui midway through next week and then we may then meet with Crown counsel after that.

I've just received an email, I think there's also a likelihood of a joint
 10 memorandum of counsel with some further questions about the restructure, but we will liaise about that and then come back to you and update the Tribunal once I think those discussions next week have been completed.

JUDGE REEVES:

Thank you, Ms Roughton. Did you want to add anything, Crown counsel?

15 MS NGARONOA:

Just to add that the Crown has expressed to claimant counsel that we remain open to having conversations and kōrero outside of this forum and happy to answer any questions or meet with claimants or claimant counsel outside of the Tribunal. That would be helpful.

20 JUDGE REEVES:

Thank you. Well, in terms of my availability for any, if it was determined that Judicial Conference would be something that counsel, claimant counsel would like, I am available in the week of commencing the 17th of October. That would be my best availability in that week. So, I think that probably gives sufficient
 25 time for good exchange of information process and discussion process to take place. I prefer that a JC take place once, you know, parties are satisfied that they have all the information to hand that they require and are well informed and so that the issues are clearly in focus if there are any residual issues at that stage.

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So, anyway, I guess at this point what I would just ask is that you just keep the Tribunal updated as to how you are proceeding and if you wish to request a judicial conference in that week then I will consider that request. Any other matters before we commence? Okay. So, hākari as I understand is from 10.30,
5 so that is our timing for the morning.

HOUSEKEEPING – TIMETABLING (09:09:57)

JUDGE REEVES:

So, Ms Te Whenua, I understand it's your witness this morning so kei a koe.

10 MS TE WHENUA CALLS

Tēnā koe Ma'am. Tēnā anō hoki koutou ngā rangatira e noho ana ki te taha i te tēpu, Te Rōpū Whakamana i te Tiriti, ki a koe anō hoki Ruakere i whakatau i tō tātou hui whakamutunga i tēnei kaupapa nui rawatia mō tātou i tēnei wā, tēnā koutou, tēnā koutou. Nō mātou noa iho te hōnore ka whakakapi ai ngā kōrero
15 whakamanamana, whakaatu, te mana o ngā wahine i roto i ēnei hui tūāpapa. Nā reira, kare e tōroa te kōrero.

Ka tīmata i ngā tikanga o tēnei Taraipiunara ko taku ingoa ko Te Whenua. Ko au te rōia i tēnei wā. Kei te karanga atu ki to mātou kaikōrero
20 Toihuarewa Tākuta Angela Wanhalla nō Ngāi Tahu. Ko tōna pepa, ko tōna tuhinga roa, tōna kōrero, ko te nama o tērā ko #A082. Heoi anō, kua tuhi anō hoki ētahi notes me kī mō tēnei o ōna presentation ki a koutou i tēnei wā, arā i tuku atu ki te Taraipiunara, i tukua e au i te 21 o Hepetema, i tēnei wiki tonu.

[Nil]

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So, she has her brief of evidence #A082 on the record and I've also earlier this week filed a PowerPoint presentation which she will be speaking to today along with a copy of her presentation notes for you benefit.

30 Ināianei kei te tuku atu ki a koe e te tuahine Toihuarewa Angela Wanhalla.

JUDGE REEVES:

Ms Wanhalla you are on mute Dr Wanhalla.

(09:12) PROFESSOR ANGELA WANHALLA: (#A082)

5 Tēnā koutou. I'm a Ngāi Tahu professor in the history programme at the University of Otago and it's a great pleasure to be here and to speak to you today on this very important kaupapa.

10 I graduated with my PhD in History from the University of Canterbury in 2005. My research expertise is on the impacts of colonisation and colonialism on Māori especially Māori women, families and communities. This is reflected in my doctoral research and my publications including several monographs on how colonisation has impacted Māori women's lives as standing on mana.

15 Of most relevance to this presentation is *He Reo Wāhine: Māori Women's Voices From the Nineteenth Century* published by *Auckland University Press* in 2017 and co-authored with Professor Lachy Paterson from Te Tumu, School of Māori, Indigenous and Pacific Studies at the University of Otago. Lachy is a historian and expert in 19th Century Māori language sources especially Māori language newspapers.

20

Today's presentation addresses the impacts of colonisation on the treatment of Māori women, their status, power, leadership and mana and I will cover the following issues:

- 25 1. The nature of colonial archival material created in the 19th Century and their value as sources for interpretation of Māori women's status and leadership within their communities.
- 30 2. I will discuss Māori women's writing and testimony from the 19th Century which offer a powerful set of evidence of Māori women's political leadership and their act of contribution to their communities pre-1840 and evidence of Māori women's status and mana. These sources reveal the significance of women's participation of politics and particularly their political decision-making in relation to land, not to mention the cultural, social, and economic roles they play in the communities.

3. And more broadly, I will address the imposition of western notions of gender undermine Māori women's status and lay the ideological foundations for their treatment under the law after 1840.

5 The next slide, please. As a Ngāi Tahu historian, my aspiration is to produce scholarship that uplifts the mana of Māori women. That's because I'm acutely aware that I work in a disciplinary field where Māori women have not been a highly visible subject within an academic historical scholarship in New Zealand. It's not that they aren't in our history books, but they are not often the central
10 subject. This situation is partly to do with the nature of the sources used by historians as well as the kinds of historical subjects that have found favour such as politics and war.

Historical examinations of such topics as **(inaudible 09:15:58)** historians have
15 amply demonstrated since the 1970s assume them to be male dominated spheres of activity. Further to this, the cultural, racial and gender ideologies that helped justify 19th Century colonialism assume that war and politics were the sole business of Māori men.

20 Such assumptions **(inaudible 09:16:21)** the collection of information in the 19th Century which forms part of our national archival and manuscript collections. What this means is that histories of 19th Century New Zealand have been dominated by research based on sources generated by colonial activities such as land surveying and war. Pākehā men largely created the archival
25 materials that historians use to interpret the past. Archives, therefore, reflect these men's interests and concerns.

These Pākehā men, we call it ethnographers, officials and politicians and as I have noted they assumed that politics was men's business. Women played
30 important roles in Māori critical life, but cultural assumptions about politics as a male endeavour downplayed women's contributions as reflected in the archival record.

The power imbalance in the evidence base created by male ethnographers and officials has skewed the historical interpretation of Māori women's role as leaders.

- 5 My next slide, please. When Māori women have held the pen, they have told different histories. Makareti Papakura and her posthumous 1938 book *The Old-Time Māori* for instance invested women's life creating role with power and significance. She identified women's leadership, mana and status in relation to childbirth, child-rearing practices and marriage customs, topics she
10 noted were often ignored by male writers of Māori society.

- Decades later, historians of women researching or writing in the context of second wave feminism in the 1970s identified motherhood as a source of women's oppression. Women were now an important historical subject in ways
15 that they've not been previously. Some of this new wave of scholarship encouraged tension for Māori colonial experiences, such as the work of Judith Binney and Angela Ballara.

- But an approach to the historical exploration of motherhood based on western
20 concepts stands in sharp contrast from Māori understandings. And a culture that prioritises whakapapa, motherhood is a source of empowerment. Instead, colonialism was the key source of oppression as it impacted Māori women different compared to Māori men, and this differential treatment derived from Western understandings of gender roles imposed upon te ao Māori prior to
25 1840 and afterwards.

- Next slide, please. We take an example of transformation of gender relations and gender roles was a key dimension of the civilised first policy of the Anglican Missionaries in pre-1840 New Zealand. Domesticity was emphasised as was a
30 pattern of feminine behaviour based on Victorian ideals of purity and morality.

Mission wives led this transformation of Māori women in the home where they used Māori women as servants and in the Mission school as well. As servants, Māori women were introduced to Victorian ideas of domesticity, household

management and gendered work. In the Mission school, they were taught practical skills, moral rules, good habits in industry. Of course, Māori women and girls were not passive in Missionary efforts to convert them to Victorian ideals. Mission women were ignored or challenged.

5

Nevertheless, over a 25 year period, over 50 schools were established by Missionaries of which nearly half caters specifically for Māori women and girls.

10 Next slide, please. The gendered curriculum continued in the Native School system which was a centrepiece of assimilatory policy. Here, the English language was emphasised as was training in the practicalities of household management, domesticity, hygiene and gendered behaviour.

15 Māori women's sexuality was a target of Mission Reform too. This is represented in efforts to encourage women to tie up their hair and the wearing of European dress as embodiments of Victorian ideals of modesty and propriety. Overtime, it was extended to the act of suppression of moko kauae to mark a woman's mana.

20 So, Western ideas and ideologies of gender are reflected in Victorian artistic representations of Māori women as sexual subjects. A depiction that was underpinned by European artistic conventions.

25 Next slide please. Such depictions were powerful in shaping the way as many colonists judged the status and standing of Māori women. In colonial art, Māori appear in a stylised and standardised manner. They were usually young, pretty with large dark eyes and flowing hair, conforming to a type of female beauty that was conventional in their form of imagery.

30 A favoured subject was Hinemoa. Nicholas Chevalier who visited New Zealand several times in the 1860s and 1870s completed sketches and eventually did several oils on Hinemoa. On the face of it, his 1879 painting depicts a Māori woman lying in a canoe. But Hinemoa was a woman of great character, initiative and strength. Chevalier has transformed her into a languid, passive, ornamental

and decorative woman, rather than as coming out of the water to meet her lover. Other artworks emphasised Māori women's bodies, often bare breasted with flowing hair.

5 Next slide please. Example: *Spoils to the Victor*, a 1909 painting by Louis Steele has, as its focal point, a bound and partially naked woman placed on display for a European audience in a submissive pose. In reality, Māori women were also war leader strategists and diplomats.

10 These artistic representations of Māori women form one part of the cultural dimension of colonisation, that is Europeans interpreted Māori life through Victorian ideas about gender or racial difference, and these cultural artifacts have had real impacts. We only have to look at the writings of colonists and to the courts for evidence of this.

15

Next slide, please. One area where Māori women's status and authority was undermined by imposed Western gender ideologies relates to customary marriage. Pre-1840, European visitors to Aotearoa applied western understandings of marriage and morality to their interpretations of Māori culture, especially the treatment of women.

20

Observers regularly represented Māori marriage customs as akin to a commercial transaction. While the acceptance of pre-marital sex was equated to a trade on women or outsiders. Sometimes historians have repeated these views going so far as to describe the early decades of cross-cultural contact as a sex trade or prostitution. Early observers and sometimes historians failed to understand that Māori women had a degree of autonomy over their bodies and relationships. Although, the extent of their autonomy was determined by whakapapa and rank.

25

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Māori communities managed and governed traders and whalers through marriage alliances with women of status and mana. Marriage operated to fold new members into relational networks, and such relationships cemented their rights to establish stations on land, guaranteeing them some degree of

protection. These rights were based on the authority and mana of Māori women, not that of Pākehā men.

5 The status and mana being uplifted in the pre-1840 trading context was that of the Pākehā men through marriage of Māori women of rank and authority, which was made possible by a system of gender relations that asserted and supported women's political and economic leadership.

10 Next slide, please. After 1840, intermarriage was increasingly stigmatised. It was viewed as a practice associated with the pre-1840 world of a lawless frontier and not a modern respectable colony or society. Social commentators argued Māori women were not suitable be the wives of Pākehā men as was common in the pre-1840 period.

15 Charles Hursthouse, a Taranaki settler, wrote in his 1861 book that Māori women's, and I quote, "licentious girlhood habits, their inferiority in civilisation and low social qualities" made it "highly improbable if not impossible that there should be any general intermixture of the races". We can see another example from an 1873 story for the *West Coast Times* about a young colonist had married a Māori woman and thus, stated the writer, lowered his status and reputation.

20

The treatment of Māori women by colonial courts also illustrates how a racialised view of morality was used by defendants in sexual violence cases as a justification for their actions. Women's moral standing and reputation was commonly used as a defence in rape cases in the 19th Century. But when a Māori woman put the case to court, her morality was often the only defence used.

25

30 How the legal system treated women's testimony reflects a shared settler understanding of Māori women as sexually promiscuous, a view promulgated by Missionaries as evidenced by their attempts to transform gender relations within te ao Māori.

It is important to note that legal records are patchy for the mid-19th Century. The settler newspapers which often recorded evidence presented in the higher courts verbatim are a critical source and provide access to the spoken testimonies of Māori women.

5

My example is an 1862 case of criminal assault with an attempt to commit rape reported in the *Wellington Independent* involving a Māori woman who testified to how she tried to fend off her attacker, a Pākehā man, including scratching his face. In escaping, she went directly to authorities to report the sexual assault. In Court, the defence questioned her morality and respectability claiming she frequented drinking houses, cohabited with a white man and that an exchange of money had taken place, which served to suggest she was a willing party to a commercial transaction.

10

15

Witnesses were also brought in to testify to her so called bad character and lack of chastity. One witness was the local policeman. He had seen a woman crying and bleeding, but under cross-examination said he had “heard a remark she was of bad character”. And the publican described her as “having a very bad name **(inaudible 09:28:08)** chastity”. The woman challenged these claims which were made with no supporting evidence but instead based on rumour and public opinion.

20

25

Here we see Māori women’s vulnerability when facing the Justice system in light of widespread acceptance of colonial attitudes about Māori women’s sexual behaviour. This fits with psychologist Jade Le Grice’s argument that, and I’m quoting here, “social processes of denial, minimisation and oppression around sexual violence and victimisation are compounded for indigenous people. Imperialist and Eurocentric discourses create barriers to the recognition of colonial harm historically and intergenerationally through to the present”.

30

I’ve not conducted research on sexual violence pre-1840, so I refer you to the work of Leonie Pihama who draws from pūrākau relating the behaviours of ancestors to show that any violation of the individual body is regarded as an attack on the wairua, on mana of the whānau.

Next slide please. Recent interpretations of politics and leadership as a male activity meant that Māori women were not recognised as experts sought out for information, nor recognised as having authority and mana in the critical realm.

5 Māori women though were military leaders and diplomats because leadership is not defined or circumscribed by gender in te ao Māori but can be inherited or achieved, and there are many examples of such women throughout Māori history.

10 Māori women recognised that colonial officials did not understand how leadership was not confined by gender in the Māori world. This is something that Kataraina Kahuwahine from Pigeon Bay came to be realised, and in 1851 she advised Governor George Grey: 'Do not think this letter is from a man. No, I am a woman who wrote this letter.'

15

Kataraina recognised the implications of new political structures centred on Pākehā male power. In her statement that 'I am a woman who wrote this letter', Kataraina expressed female leadership, mana, power, and authority. Her words are a powerful indictment of colonial political structures and patriarchal views of gender roles where women were perceived as inferior to men.

20

So, despite the limits to the colonial archives discussed earlier in this presentation, they do contain evidence of Māori women's political and ethnic leadership in the 19th century. That's because Māori women critically active in their communities and made sure colonial officials were aware of their views which they expressed in letters, through petitions and in testimonies before commissions of Inquiry and the Native Land Court in the post 1840 period. Next slide please?

25

30 Some of this material features in *He Reo Wāhine: Māori Women's Voices from the Nineteenth Century* (Auckland University Press, 2017). Our aim around this book was to highlight Māori women's engagement with writing so as to encourage new accounts of the colonial era that have Māori women at the heart of Aotearoa's history. To achieve this, we had to demonstrate that archival

sources existed to tell these histories, in Māori women's own words. We found just over 500 items, a selection of which we published in 'He Reo Wahine' but we only scratched the surface of what is held in archival collections. Our book is a contribution to a rich and exciting scholarship as emerged around
5 indigenous writing and colonial context.

Robert Warrior and Lisa Brooks in the United States, Rick Monture and Niigaan Sinclair in Canada, Noelani Arista and Noenoe Silva in Hawaii and the late Tracey Banivanua Mar in Australia are just a few of the indigenous
10 scholars and I should say amazing indigenous scholars who have historicised the rich intellectual traditions of their people. They have demonstrated that indigenous peoples took up writing for a range of personal, political, and creative reasons. Inspired by this scholarship we began our project in Māori women's writing with a very simple set of questions. Did Māori write?
15 What did they write about? And do other first-person voices exist in the archive?

Our project was a response to a common statement in New Zealand scholarship that doing Māori women's history and trying to trace their claim
20 experience is difficult because of limited source material. We wanted to show this was not the case. Now Māori women have not been overlooked by historians. They are the subject of bio graphical treatment and the diction of New Zealand biography and appear in studies of mission attempts to manage bodies and inculcate western patterns of domesticity. Their role of in early
25 cross-cultural encounters and some limited work on their labour and resource economies has been explored. As have their involvement in politics and welfare organisations in the late 19th century.

So, we used a wide range of source materials from public access for archives
30 covering where possible iwi from across the whole country from the 1830's up to 1900 and a wide range of documents in which women's writing, their speeches, spoken testimony appear in te reo or in English. What we found were writing and testimony that offer insight into Māori women's experiences of the 19th century. The range and diversity of their concerns and interests.

The many ways in which they engage with colonial institutions such as the Native Land Court. As well as their understanding and use of the law in the form of legal transactions, documents such as Wills and the colonial Court system.

5

As mentioned, most of the material we worked with, Horizon Colonial officials, government departments, missionaries, lawyers, journalists, and ethnographers. To give one example, the AS Atkinson collection at the Alexander Turnbull Library contains 251 items spanning the years
10 1847 – 1866. The bulk of the letters written are in te reo Māori which were taken from Māori homes and villages captured and destroyed by colonial troops during the war in Taranaki in 1868.

Atkinson a member of an elite settler family in Taranaki was then a Private in
15 the volunteers and also editor and part owner of the Taranaki Herald in which he occasionally published translated versions of the letters. Now, during the 19th century most letters were exchanged between Māori but these do not appear in archival records in great numbers. Instead, letters addressed to colonial officials are far more common. There's a range from letters of
20 farewell, questions about land claims and informing authorities about family matters. Next slide please?

Early examples of Māori women's writing include a series of letters addressed to the Governor George Grey and his wife Lady Eliza Grey and written in the
25 1840's by two chiefly women of mana from Ngāti Raukawa. Pepe Te Whiwhi and Ruta Te Rauparaha. Letters to officials were often written as public documents rather than addressed to a single individual. Composers had a white audience in mind, and we can see this in Ruta and Pepe's letters where their command and skill as orators was on display. Letters were oratory on
30 paper.

He Reo Wahine shows that Māori women's writing from the post 1840 period often refers to their traditional roles as political and community leaders. Land is one of the recurring topics of their correspondence. That is because

Māori women had land interests and they therefore had reasons to be writing about land to colonial officials. Not only did they hold rights over land and resources, but they had the power and freedom to manage a direct the future of their land interests, including within marriage. Importantly, marriage did not
 5 involve transfer of land ownership as it did for Pākehā women under the law, a coverture. So here are some extracts from Māori women's letters on the matter of land. Next slide please?

Hana Te Unuhi wrote to Donald McLean in August 1857 advising she was
 10 qualified to have an opinion about a proposed land purchase. Hana wrote, 'listen lest you deprive me of the payments for the lands of my ancestors and mistake my identity. I am the daughter of Te Rangiahuta, and the descendant of Tutariaria and thus qualified to discuss the matter of land.

Another example is from 1852, next slide please? When Metīria Matara
 15 (Ngāti Toa) told McLean, 'I am a woman who is experienced in the adjudication of land in these islands.

So many Māori women corresponded with Donald McLean who was second
 20 only to the Governor and the control and authority exerted in Māori land purchasing until his death in January 1877. Next slide please?

Maraea Heparā wrote a letter about her land in the Dargaville district that was
 25 being cut up by a surveyor. In 1876 she advised Judge Fenton, 'I am not a mere squatter upon this land. It is descended to me from my ancestors. I'm not a mere squatter that it should be right for him to cut through my cultivations.'

Maraea makes it clear that women inherited interests in land and that they have
 30 the authority to manage it or to manage that land. Hundreds of petitions were sent to the government. Many led by Māori women of the 19th century. These also provide evidence of women's political and community leadership. Women who possessed mana through illustrious whakapapa felt no qualms about speaking for their whānau or people. It was their responsibility to use this mana for the benefit of their people and often on a wider Māori stage and one way

they did this was through collective petitions or letters. The majority of these petitions emphasised that amo women had the ability to own land, direct its future and to control it and they were used to exerting that authority.

- 5 Arahi Te Nahu is a good example of this. A very influential Ngāti Kahungunu chief who was active in the Native Land Court. She was also wealthy, having large blocks of land that she leased out to Pākehā pastoralists.

10 In 1876 she wrote to the Governance Māori Newspaper angrily complaining about the land dealings of a local capitalist, Henry Russel. And Russel took a case of liable against the newspaper for publishing her letter in which she had appended the names of three of their male relatives. They were aware she was going to send the letter. They had no part in formulating the wording. This she said was normal for Māori letters.

15

Another important woman is Niniwa i te rangi. She played a role in the campaign for political suffrage in both Pākehā and Māori political institutions. She was a chiefly woman of great wealth and poured time, energy and funds into political campaigns including funding and writing for newspapers, including her 'Ladies' Column' in *Te Tiupiri*. Next slide please?

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Niniwa was not alone in her political interests and the letter sent to Te Puke ki Hikurangi Newspaper, you see that amo women from Tokaanu had formed a committee to support the Kotahitanga. A movement dedicated to Māori self-government and advancement.

25

So, pre-1840, Māori women were war leaders, military strategists, managed land and were makers of material wealth. They held political economic and cultural authority derived from their whakapapa and from their actions.

30

In a post-1840 world they wrote letters and petitions and testified before government commissions. The very act of doing so was an expression of their authority and leadership.

Land operates as a key hinge of 19th Century Māori life and colonialism in New Zealand, and women were not immune from nor existed outside of this experience. Because of the importance of lands to social, cultural and economic security and because women were holders of land, they were willing to engage with writing and with the state so as to protect the interest of themselves and their family. And they faced a world in which new ideas about gender based on western concepts of appropriate gender roles were imposed from the Christian Missionaries, colonial officials and settlers.

Marriage customs which embodied mana and leadership were reinterpreted by outsiders as prostitution. Māori women also understood how western concepts of gender infected the political struggle and legal system and they contested it, evidence by their writing and then taking cases of sexual assault to court in their effort to seek justice.

15

Indeed, in the act of writing and giving testimony in court, they asserted their mana and authority. Ngā mihi.

(09:41) MS TE WHENUA TO PROF ANGELA WANHALLA:

Q. Tēnā koe Professor Tākuta Angela Wanhalla, I have a couple of questions for you before the Tribunal may also have questions for you. My first question is with respect to the tendency of your eccentric perception to nominalise the perception of wāhine Māori through the sexualisation as you said in your evidence of our intimate relationships and focussing on our qualities also of nurturing and raising children as qualities of domesticity. In your view, does the mana of wāhine Māori extend to political, social, cultural, and economic leadership through weaving relationships through whakapapa?

25

A. Yes. I would agree with that statement, absolutely.

Q. Is it your evidence that relationship building in and of itself is an act of political, social, cultural and economic leadership of wāhine, so therefore an act which exemplifies mana wāhine?

30

A. I would also absolutely agree with that statement, yes. Relationship building, building connections through whakapapa, kinship ties are critical

to the status of Māori women and supports their role as cultural, political and economic leaders.

Q. As opposed to the sexualisation of the intimate acts of wāhine Māori?

A. That's right.

5 Q. Thank you. And with respect to a focus on our domestic qualities through child birthing and wearing, is it your view in accordance with your evidence, if I've understood it correctly, that mana wāhine extends also to political leadership through ensuring the strength, longevity and legacy of our community spirit, ensuring a thriving incoming generation to succeed to those things?

10

A. That is correct.

Q. So, rather than being a quality of domesticity, the ability to birth and rear children, from our cultural perspective as a celebrated way our cultural, te whare whakaora tangata, is in and of itself a celebration of the mana of wāhine and their political, social, cultural, and economic leadership qualities through being able to give birth to the next generation?

15

A. That is correct.

Q. Thank you. That was all the questions that I had to clarify your evidence and now the Tribunal no doubt will also have questions for you.

20 **(09:44) JUDGE REEVES TO PROF ANGELA WANHALLA:**

Q. Tēnā koe Dr Wanhalla, this is Judge Reeves. Thank you for your evidence to us this morning. I am going to, in a moment, I am going to pass the first questioning to Dr Anderson and then we will move through the panel. I know that we do have lots of questions for you this morning. But before I pass to Dr Anderson, I just want to just have a brief discussion with you about nomenclature and this is around the use of the word 'marriage' in these contexts. We have heard a lot about marriage and I think what often happens when we read or we hear the discussions about marriage, that word has with it loaded in a whole lot of other European cultural expectations and so on and so forth. So, I noticed during your evidence you've used a number of different terms, 'marriage alliances', you've also referred to 'customary marriage'. So, when we are talking about and considering these types of unions or marriage alliances, what

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do you consider to be the best terminology that we can use to really kind of nail down what we are really meaning? And I am thinking about what Ms Te Whenua has just discussed with you.

5 A. That is a very excellent question and sometimes a very difficult one to
answer for a historian who is partly, my interest is in tracing those shifts
overtime and how marriage is understood from the very multiple
perspectives that there are in the mid-19th Century. So, there are Christian
views of marriage that Missionaries bring with them. There are western
10 more forms of marriage that are brought by the pre-1840 traders and
whalers. And then there are also customary things of marriage that are
embedded within te ao Māori that are based on a very different set of
priorities and formations. So, it is very slippery, this period of time, as
history is shifting and as we get a – the Treaty signed in 1840 and shift to
15 a new kind of formulation of what marriage looks like that is embedded in
the law and the legal system is also shifting, yes. But my view is there are
– when I am speaking of marriage, I am speaking of that period in the
mid-19th Century where there are Māori forms and customs of marriage
that are understood to be critical to the formation and maintenance of
communities – community life, political forms and their futures, and that's
20 what I'm speaking about in my evidence and trying to address how those
have been shifted, undermined and challenged by different collectives
such as Missionaries and the state.

25 Q. Okay. Are you able to give us any perspectives on pre-European forms
of customary marriage and alliances? We have also heard evidence
during the course of this week and in previous hearings around situations
where women of high status have entered into marriage alliances for
various purposes for keeping the peace in situations, you know, where
you have a dynamic of the conquered and the conqueror for purposes
such as, I guess, land retention of control of land, those sorts of things.
30 Are you able to give us any perspective on that? And particularly in the
situation where we have heard evidence about, you know, women who
have had a number of these types of marriages during over the course of
their lifetime and have moved from one, I guess, to another for different
purposes. You know, what are the consequences of leaving one marriage

alliance and moving into another one for instance? Do you have any views you can offer about that?

A. So, we are talking about the pre-1840 period?

Q. Yes, yes.

5 A. A lot of my own research is on the shore whaling period.

Q. Okay.

10 That's where my family descend from so I'm very interested in those kinds of stories and how marriage alliances or strategic relationships could be formulated and formed within that context. First thing I want to say is that in that pre-1840 period, that marriage could take many forms. They could be strategic, they could be political, they could be about economics, they could be about love, and a lot of it was about the standing and status of the individuals involved as well. And that is replicated in the pre-1840 shore-whaling period for instance where you have numerous Māori women, Ngāi Tahu women down here in Otago marrying Captains and shore-whalers.

15

20 The argument is down here that marriage is one of the key ways in which Māori communities were able to engage in the world, to engage with kind of new forms of wealth, new forms of economies and to – through women of mana and status assert their collective identity, leadership, and power. Without marriage Māori communities' ability to control those new economies and new members would have been extremely difficult. So without Māori women of mana and status and I include in that my own ancestors, it would have been – they were just absolutely critical for the story of these pre-1840 shore-whaling worlds.

25

So I guess that's one way to explore that. Do you want particular examples?

30 Q. Well if you have any to give that would be useful and interesting.

A. I can send you my book. Well, I could tell you from my own community perspective, I come from a whānau called the Browns and the Palmers who on both sides of that family were married or brought tin through marriage shore-whalers and sealers.

One of those women, Irihapeti Patahi has been written about by Helen Brown in her newest *Tāngata Ngāi Tahu* volume where that demonstrates her standing and significance based on her whakapapa. She married a man called Edwin Palmer who was a leading figure in the Otago shore-whaling trade being a captain and manager of several stations and she had two children with him. She was highly regarded and well-connected. Her whakapapa was of immense standing and the –

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Her engagement with shore-whaling was particularly significant because through those children that she had, their marriages reconnected them into strong kinship connections across the Māori world in Otago which was kind of a standard practice within the shore-whaling family, so there are second generation children would kind of marry back into those communities and shored up those kinship connections and ties to land but also the transfer of cultural knowledge as well.

15

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So she was heavily embedded in the Māori world and so were her children as a result of that as well. And her example is you know one of many from the South Island and a kind of standard exemplar, a template in some ways.

25

Q. Yes, well thank you for that and I just note that there are many – there are also many examples from the other end of the South Island as well. You know, families that I'm connected to, the **(inaudible 09:54:09)** and Keenan's so and I have come across Palmers in The Catlins in my Land Court work. Yes, so I'm going to pass now to Dr Anderson.

(09:54) DR ROBYN ANDERSON TO PROF ANGELA WANHALLA:

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Q. Tēnā koe, Dr Wanhalla, it's Robyn Anderson here. Thank you for a very interesting brief of evidence and the article that you attached to it. Do you think, I think the Judge has maybe undermined my question, do you think that these shore communities that were formed are they distinctive, especially in their own enduring nature are opposed to what's happening

elsewhere in New Zealand, and I'm thinking largely of what's happening in the Bay of Islands for example?

A. Distinctive in what sense? Do you mean economically, the kinds of social patterns that are formed?

5 Q. The social patterns and the fact that they're enduring and certainly there are whānau in Northland who still exist and acknowledge and honour their Pākehā roots very early on but I don't get the sense of an operative community continuing in the Bay of Islands in the way that you describe here in the far South. But that could be a mess perception on my part for
10 sure.

A. Well I wouldn't call myself an expert on the North in the way that many others are but a lot of my work is on the South Island and is embedded in those community connections and whānau connections. So just speaking about the South Island and Otago – Southland, Rakiura in particular,
15 these communities do endure through whakapapa. Names like Palmer and Brown, Bradshaw, and many others are names that are associated yes, with the pre-1840 world of shore-whaling and trading but they are also important Ngāi Tahu names, important Ngāi Tahu families who are leaders in communities today.
20

So 1, that whakapapa endures and it's down to women that it does for those names to be passed on and to be continued and in terms of a distinctive social pattern, certainly there's some similarities with the trading stations in the North where marriage is used as a connecting
25 device to build relationships and that women play a very important role in that. That's certainly a shared history. And that there is a kind of a new social pattern in the fact that children are born of these relationships as well and there is a lot of debate internationally. And in New Zealand about whether or not that next generation is a distinctive new social formation.
30

In my view many of these children from those whaling and trading communities are embedded in through kinship and through their mother into the Ngāi Tahu world. Certainly elements of these communities endure because these families continue within related economies like

fishing or become small farmers and are often living very close to or with Māori communities as well. But of course every family is slightly different from each other too. Does that help answer that question?

5 Q. Yes it does, yes, thank you. And I am interested in the position of children from these marriages and I suppose the status within the Māori world, and their status within the Pākehā world, and the sort of the state apparatus, and how they view them because one of the extracts you read out was criticising inter-relationships so that must have implications for how the children are viewed as well. So do you have a comment on that?

10 A. That's right. As intermarriage was stigmatised over time through the shifting dynamics of a colonial society where the demographics are shifting and ideas about race and racial attitudes are also hardening you do get a great deal of stigmatisation of these relationships but also of the children themselves as well.

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So many of you will be familiar with the colonial language I guess of that era and how that was embedded within state apparatus in terms of the national census for instance, that was utilised to demographically come to terms with the kind of shifting nature of the 19th Century colony and its population as well and to identify how many people were Māori or of mixed ancestry. So, the state did take a great interest in these children and for some in the post-1840 period there was funding that was supported through, for instance, the governors that was pushed towards Mission schools post-1840 that kind of targeted these children for their cultural transformation into what would look like a much more colonial and highly respectable colonial kind of young woman based on kind of gender ideas and what was appropriate too. So, there are those kinds of examples. So, yes the state did a great deal of interest in these people, particularly in the mid-19th Century, especially during the New Zealand wars when there was concerns on whose side many of these children might fight, and there are also, down South, also kind of interest in these children as well where the New Zealand wars is not happening either. And this is why education becomes a really important part of the kind of dissimilatory apparatus of the mid-19th Century because education is

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used to target all Māori, men and women whether of mixed ancestry or not for a kind of cultural transformation through language especially and engagement with kind of appropriate gender roles. So, those of mixed ancestry are part of that story as well. So, there's that too. But in many respects, the second generation and those of mixed ancestry beyond that are, in many respects, part of their own communities and are Māori and think in a Māori way, are engaged in Māori culture, tradition, practices, and that's down to their mothers and importance of whakapapa. So, Patahi's daughter for instance, Jane Palmer (as she was called), married a man called Robert Brown, they lived on the Tairi Native Reserve on the northern banks of the Tairi river their whole lives. That reserve was created out of the Ōtākou purchase. They raised their children there and they spoke te reo Māori. They were engaged in Ngāi Tahu politics. It meant a lot to them, that shaped their identity and their way of being. So, at one level, at the most intimate level, looking at people's individual lives and their engagement with **(inaudible 10:02:57)** such as, you know, Robert and Jane, they were deeply embedded in te ao Māori as well. So, it's not a simple story and it's one that's attached to how the colonial shifts and adapts and changes over the late 19th Century. I don't know if that helps very much.

Q. It helps immensely, thank you. And I have many more questions. I'm going to indulge myself and ask one more, but I know my colleagues are dying to talk to you, but it does really – it was triggered by you saying they lived on that small reserve. I was interested to see in your article that the men who married into the community didn't pursue land claims through the Land Claim Commission, which struck me as unusual and interesting. Do you have any insight into that? Why they didn't take that route?

A. So, you're talking about the 1840s and 1850s?

Q. Yes, very early on in the old Land Claims Commission.

A. Old Land Claim Commission, yes. Some do go through that route. Less so I guess down South. Because these men tend to be looked after by their communities there. They are now embedded within those Ngāi Tahu communities and are brought into those locations and live very closely with their whānau and others like them. There are examples of men who

had married Māori women who engage with those old Land Claim Commissions and seek to – and this goes back to that question what is marriage and what does it mean and how do you define it in this post-1840 world, who make an argument that their marriage that followed kind of tikanga in the pre-1840 period which involved a kind of gift of land for instance to the whānau which was never about a right of ownership but always about occupation. They argued that the land was now, therefore, a gift to them as individuals, not to the whānau, and therefore they should have rights of ownership under the old Land Claims Commission. So they make an application on that basis, transforming what is a marriage gift that follows tikanga into something quite different within a kind of western conception of what marriage is under the law, yes. Does that make sense? I'm not sure.

Q. Yes, it does, thank you. Those aren't all my questions but those are the only ones that I'll talk to you about today. Thank you very much.

A. Thank you.

(10:06) KIM NGARIMU TO PROF ANGELA WANHALLA:

Q. Kia ora Dr Wanhalla, it's Kim Ngarimu here.

A. Kia ora.

Q. I'll just ask a couple of questions. Just following on from Dr Anderson when you were just talking about the different expectations around the marriage gift, do you think that was common, that interracial marriages that the parties went in with differing expectations about what the marriage was? And can you talk to us a bit about that?

A. Sorry, I'm just writing that down. Do you want – are you asking, just for clarification, about the pre-1840 period or that shift?

Q. I think probably in the early marriages.

Yes. I think there are – yes, I think there are differing expectations around those relationships, although there's probably some shared understandings that are negotiated in those customary marriages which is partly about the economic dimension of them and also the political dimension of them. I think when Māori women are going into those relationships which they can do on the basis of negotiation with their

community, on the basis of their own whakapapa, mana, authority and their leadership capacity. They're going in with an understanding that those relationships are designed to generate potentially political and economic opportunities for their whānau and their wider collectives. I think that that is an understood expectation because that's part of Māori women's role within their communities, that's part of their standing, their status and mana. It's highly likely but, you know, as a historian I always like to have access to evidence and source materials from the time, and when we're looking at those whalers and traders we don't have a lot of information from them to demonstrate what their expectations were on an individual basis or on a kind of collective basis. But evidence suggests that they are going into these relationships for a range of reasons, depending on the standing of those men within those whaling or trading communities as well. It's an expectation I think that they come to understand that access to economic opportunity requires negotiation on Māori terms. So, and that's the kind of common experience within those trading communities. It is – this is a Māori world and this is – how to engage is going to be done on the basis of Māori tikanga and expectations, and that includes marriage as well. So, I think that is a kind of common experience. But men themselves may have gone in for quite different reasons into these relationships. It may have been love as it could've been for the women too. It may have been a whole range of other reasons but certainly the scholarship that's been written on this pre-1840 period and on the various kind of economic communities that emerge, these new ones, cover off a range of arguments.

One of which is this – which I mention in my evidence, this idea that there was a sex-trade going on and that women are being traded and therefore that was applied to an understanding of what was going on within marriage as well. I disagree with that argument because I feel that the evidence is much stronger for a basis of Māori women's authority on the basis of their whakapapa for having some level of control over their engagements with these new arrivals in the pre-1840 period.

Q. Thank you. I've just one other short question and then I'm getting the eye from down the panel table so I'll make this one brief. You provided us a letter from the Rūnanga wahine o Hauraki and I'm just wondering if you know whether those kinds of you know organised Rūnanga wahine were widely in play at that time?

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A. Yes, there is evidence from the 1890s period that there are many women's committees who are engaged in political debates in that period through the umbrella of the Kotahitanga movement in the 1890s but there are also examples from the 1870s and 1880s that proceed that period and we have an example in *He Reo Wahine*.

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Q. Thank you.

(10:12) PROFESSOR LINDA TUHIWAI SMITH TO PROF ANGELA WANHALLA:

Q. Tēnā koe Professor Wanhalla. It's Linda Smith here.

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A. Kia ora.

Q. I enjoyed reading both the brief and the paper in the appendix. So the name Smith which is my husband's name is a whaling name and but my interest in the whaling paper is my first job was at the Salem, in Salem at the Peabody Museum, I wasn't meant to be reading the ships logs of the New England fleet or fleets of whalers and sealers who left New England Port, I was meant to actually be sticking labels on them. They were mostly very boring.

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But I get – but they come from a – there's a particular culture around whaling and so my question in relation to that sort of American-New England experience in these shore-whaling communities whether that in any way sort of influenced the shape of those communities so were they like American-Māori communities or were they just swamped ultimately by you know British ideas about life?

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A. So I'm going to speak about the southern part of the country which I know best. The whalers, and thank you for raising that question because I think Massachusetts and Salem are such an important part of the story of whaling and the whaling histories of the Pacific which deserve a lot more

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attention I think in New Zealand scholarship so that we get to kind of come to grips with its impact in New Zealand.

5 It's often been discussed in terms of bay-whaling rather than shore-whaling so that they're pulling into ports for short periods and that has a very different dynamic to it compared to the shore-whaling communities.

10 My interest is in those shore-whaling where people on land and are whaling from the land into the bays so there are quite different economic patterns and cultures that go with those differences between bay-whaling and shore-whaling. And Damon Salesa, a historian, has written about that for the northern part of the country where bay-whaling probably has a much stronger – is much stronger in that part of the world compared to the south. So there is a slightly distinctive sort of a difference there
15 between the south and the north in that respect.

20 But what I've noticed I think in doing more reading around the story of shore-whaling and its kind of more global Pacific story is that these communities in New England, Massachusetts, around Salem, very much relied upon indigenous communities, indigenous labourers, and they also relied upon engagement with those communities to support the economy of bay-whaling, particularly because those communities had a set of gender relations which supported men going aboard ship for months because women were at home and in their own communities as leaders
25 and respected as leaders in that respect too.

30 And I think shore-whaling in terms of that kind of pattern relating to the New England whalers you can see that play out a little bit in the South where you can see a system of gender relations again that's very similar to some of those indigenous communities in New England where women and their economic and political role is just as significant as men's and there is a kind of negotiated engagement with these new economies. So I think that reference to the New England culture is actually quite important in that respect.

But in the South these communities are largely coming or of men who come from Australian colonies, particularly Tasman or Van Diemen's Land as it was once called in New South Wales, so they're forged out of those colonial communities of ex-convicts, especially (inaudible 10:17:29) as well. But there's also people from the United States because those whaling communities or those whaling ships are very multicultural and so there's African-Americans, people from what we call the West-Indies, from Jamaica, places like that, there's people who come from Portuguese backgrounds.

But also a smattering of Americans as well who are from New England who transferred out of the New England bay-whaling experience into the shore-whaling one as well and some other examples down South. But these men in general make up very small numbers within what I would regard as a Māori world in a pre-1840 period in Southern New Zealand. Their power is limited, the world that they engage in is a Māori one completely and I think they're very aware of that as well.

Q. Kia ora, thank you. I've got some other questions but I think we'll probably give those you in writing. Lovely to hear from you today.

(10:18) DR RUAKERE HOND TO PROF ANGELA WANHALLA:

Q. Tēnā koe e te pou kōrero, pou wānanga, te ahorangi i tēnei kaupapa mō mana wāhine, tēnā koe. **Thank you very much to our presenter today for your experience in your work and it was a pleasure to receive your submissions.** I, in reading your brief, initially I thought why didn't we get this at the start of tūāpapa hearing because in many ways it clarified and put some structure and a framework around some of the things that we have been looking at but then at the same time I think having heard all of the other evidence beforehand it has helped clarify, speaking for myself.

I wonder whether it's appropriate, whether you feel it's a good thing to do or maybe it shouldn't be approached in this way but is there a way in

which we are better able to understand the stages of what happened right from the very first contact, what was going on at this stage and then it transitioned into another type of approach?

5 So the sorts of things that I saw in those initial contacts with the ships that were coming in and just staying for a short while, the relationship and the nature of mana wahine being expressed was quite different and then it shifted into another phase where it was more around trade and those other things. And then as it moved then into more dealings around land, 10 then we see the letters that we've got and intriguing letters I must say. I got caught up with the language they were using, beautiful language that they had in their letters. And then move more into the way in which the structures of the Crown started to establish themselves more both through education, as you just talked about earlier, but then also the 15 criminal justice system and Māori women seeking to be recognised within that system for the abuses they were suffering. Do you approach it with some sort of framework or structure around phases? Is it helpful to do that or is it better to leave it quite broad? Because for me, engaging with this, it looks like a real – there's just so much going on and so much to 20 get my head around, and maybe it's just where my head is at and being able to try – reluctant to compartmentalise it. But at the same time, it's helpful for me to understand what's going on at various stages of contact. Is that a question?

A. It's a big question, it's about like the historical discipline, how we do 25 things. I do think having an understanding in those phases is important. I guess that's part of the work that you're doing to kind of identify where those transition points are and how those change and why. I think – you know, thinking about phases is really important, but at the same time I'm thinking in that Māori world, whakapapa is enduring and ongoing and it's 30 hard to compartmentalise that too. I don't think there's any easy way to approach this because the work that you are doing is so important to helping bring an understanding, a broader understanding to the experiences of Māori women creating (**inaudible 10:22:24**). It is, and I

get a bit emotional about this, it is something that historians haven't done enough to honour in our work. Sorry.

5 Q. Pai ana tērā. I think for me and just from what you've said it's about making it accessible. And it's not just accessible for the sake of access, it's to be able to engage with the Crown within the process of the inquiry. Also, and just seeing names, seeing whakapapa in this information immediately makes connections with our tūpuna kuia. I was just looking at Hana Te Unuhi's letter, and because what I first noticed was Tutariaria, the name of a karakia, prominent karakia in Taranaki, so I thought, I recognise that. Then see Rangiahuta, and obviously a prominent name also in Taranaki, and then going to your book and then being able to see that that was from Puketapu from Waiongona and it raises lots of other questions. So, just by having access to these letters, being able to connect with names really brings these kuia, these tūpuna kuia alive. So, heoi anō e mihi ana ki a koe. There may be a number of written questions that I'd like to be able to send to you just to get some clarification on some points, but amazing work, truly valuable work that you've done. Tēnā koe.

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(10:24) JUDGE REEVES TO PROF ANGELA WANHALLA:

20 Q. Tēnā koe Dr Wanhalla. It's Judge Reeves here again and our time with you is coming towards an end, but before it does I just have a couple of quick questions I want to put to you. Firstly, and you dealt with it in your presentation with us this morning. You know, we are dealing with different sets of information. We're dealing with, you know, the colonial archive in the accounts of the Pākehā male ethnographers.

25 A. Mmm.

Q. And we had a lot of references to those, the work of those ethnographers during the course of this Tūāpapa hearing. Many witnesses have referred to, you know, extracts from that body of work to illustrate points that they are wanting to make to us. And secondly, you have brought to our attention and I was previously aware of your book, I do have a copy of it, yes, this archive of women's writing and testimonies which certainly this inquiry has hardly scratched the surface of. So, you have really brought

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that front and centre for us. So, what is your advice to us as a Tribunal as we go forward for navigating these different sources of information?

A. Gosh.

Q. Because clearly the ethnography does have something to offer us, but...

5 A. Yes.

Q. Yes.

A. Well I would say don't dismiss that work because it is important and it has an impact in terms of historical cultural understandings of the past. But that does need to be sifted through very carefully for the things that are absent from it.

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Q. Yes.

A. And that's partly what *He Reo Wāhine* was trying to do, is to kind of establish those absences to fill a slight gap, just a tiny wee gap, through some of the archival material that's been collected in the colonial context, yes. But I wouldn't dismiss completely that ethnographic work at all because it has the words and testimonies, the ideas and the intellectual culture of the communities those ethnographers engaged with, yes. So, to dismiss them would be to dismiss those communities as well on their knowledge, so I think that's critical. I would also advise you to take a wide sweep of all source materials available to you, whatever those source materials might look like. Whether that be mōteatea or ethnographic writings because they will offer something of some kind to give visibility to the stories and experiences that you're exploring. I think in terms of the question around Māori women's experiences, those are diverse and so they require a diverse set of sources too for exploration, and that's one of the key tenants of my approach to scholarship. So, I think that's also quite critical. And to also, I guess, recognise that not everything is in a piece of writing that you might be looking for, but there are those absences and silences and those are kind of as much a part of the evidence base as something that is written down too. And that's particularly important for I guess Māori women's experiences because what Māori women experience in New Zealand are probably fairly similar to what other indigenous communities have experience elsewhere in a similar context. So, there are opportunities to think about those

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connections as well and make use of those approaches from other parts of the world who had thought critically about the source base that they are making use of. Those are just some broad pieces of advice, yes. But never dismiss anything because anything could be important.

5 Q. Yes. I mean just as an observation we have had a lot of evidence and claimants and witnesses have brought to us many wonderful accounts and stories of their tūpuna whāea, rangatira wāhine, really women of note. But what we have struggled a little bit with is trying to access evidence and stories of perhaps women who did not have, you know, the rank, you know, more the – trying to get a picture of the lives of the everyday wāhine pre-1840, you know, women who perhaps did not have the rank, whose deeds were not recorded in the same way, who accounts of their lives have not been necessarily, you know, remembered in the same way. So, that has been, I guess, an area which we have struggled to get that material in this phase of hearings. So, any advice in that regard would be appreciated as well.

10 A. That's the perennial problem of doing social and cultural history is trying to find the ordinary voices, yes, and experiences. They are very difficult to access.

20 Q. Yes.

A. And I guess that's why those ethnographic writings are actually really important because despite the fact that these individuals are going into communities with particular western lens, they will accidentally write about those ordinary lives without knowing that they're doing it and that we can find some of those stories within those manuscript materials. The problem is, those women won't be named, which is really common, but you might be able to see some examples in there of the social and cultural pattern being discussed at the very least. So, that's another reason not really to dismiss those ethnographic writings because they are asking questions about culture and society and they're getting to the heart of some of the things that historians are interested in as well, but without naming people which is most frustrating, without telling you much about their rank or anything like that or whakapapa, but they are places that provide a good starting point for those ordinary lives. Newspapers are

good sources. What we found in doing *He Reo Wāhine* is that yes, a lot of letter writing does come from women of rank and mana, but the petitions that are sent in, especially collective ones with all those women's names on them are often involving ordinary women, and they are worth exploring and there are so many of them and they are amazing documents that communities should be proud of and whānau should be proud of as well, and I totally recommend – I'm slightly obsessed with petitions, 19th Century petitions, so I think they're just worth really exploring because at least you have peoples' names there. And for people who have the knowledge of the whakapapa in those communities, they will be able to interpret those in ways that I couldn't as an outsider to those histories, so I think that those are really critical sources for the kind of ordinary everyday female experience. But you know, all those records that are created by the state like the law and, you know, legal records, newspapers, all of those are probably going to provide some guidance into those very ordinary experiences of the colonial world.

JUDGE REEVES:

Well, Dr Wanhalla, our time with you has now come to an end. So, he tino mihi ki a koe mō ō kōrero whakamārama i a mātou. He tino pai ana te kōrero. **Thank you very much for your presentation and your explanation and depth of research you've participated in to support our work.** So, yes, a big thanks to you this morning for making yourselves available and giving us the information you have given us but also some advice as well. That is much appreciated. So, he mihi atu ki a koe.

MS TE WHENUA:

He mihi anō hoki ki a koe e te Kaiwhakawā, otirā te tēpu, ki a koe anō hoki Tākuta Wanhalla. I just want to reiterate that if there are further questions that you'd like to put to Dr Wanhalla in writing, I'm sure she'd happily accept. We're finding her contribution extremely valuable to our claimant's position as well. So, you'd be happy with that, wouldn't you, Ms Wanhalla?

PROF ANGELA WANHALLA:

Yes, absolutely. I'm very happy to receive questions in writing.

JUDGE REEVES:

I can guarantee there are questions coming in writing.

MS TE WHENUA:

5 And just to close because I think it's appropriate given the value of your contribution also, ko koe anō hoki te mea, te kaikōrero whakamutunga o ēnei hui Tūāpapa **I think also as part of conclusion you are the last speaker of the Tūāpapa hearing and I'd like to sing for you**, I just want to do a waiata for you, a simple waiata that we all know if that's okay with you e te
10 Kaiwhakawā.

WAIATA TAUTOKO (EHARA I TE MEA)

(10:35) DR RUAKERE HOND: (MIHI POROPOROAKI)

E koro, e kui, hoki mai rā ki roto i te whare. Ko tēnei whare kua kī tonu i te kōrero, kua kī tonu i te kōrero i mua i tō mātou taenga mai, kī tonu ana ki te
15 kōrero i ngā kōrero i puta i ngā tēpu i te tūtū mai o te tangata. Kei te hiahia nei ki te whakakōpani i ā tātou mahi nei. Koinei te mutunga o tēnei wāhanga nui nei o tēnei ruruku nei i ngā kōrero mō Mana Wāhine. I runga anō i te mea ko tēnei te mutunga, i te whakaaro atu kia hoki ki te karakia i tukuna i te tīmatanga o tēnei tūāpapa, arā i a mātou i tumanako, arā ko Kerikeri, ki roto o Ngāti Rēhia
20 i te wā o te rā o Waitangi. Nō reira, koirā te tīmatanga. Kei konei tātou i tēnei te mutunga.

Kei te whakaaro atu ki te karakia nei e kōrero rā mō Wharematangi e kimi nei i tana matua me tana whāea Urutekakara i tuku tētahi taonga nui ki tana tamaiti
25 ki te kimi i tana matua i a Ngarue. Ko te ia o te kōrero nei, ka ngarue te ao o te tamaiti ki te kore e mōhio ki ōna mātua. Ki te kore ōna mātua i reira, ka ngarue te ao. Ana kei tēnei whenua, he nui anō te ngarue o te whenua i a Rūaumoko i tōna wā. Me te ia o ōku whakaaro inapō, he ngarue anō te whenua ana ki Te Ika a Māui i te rongō atu ko Rūaumoko tērā i haruru inapō. Nō reira, koirā te ia o
30 ēnei kōrero. Engari, kōrero ki aku hoa kōrero nei ā-rōia, ā-kaikerēme,

ā-Karauna, i runga anō i tēnei wā kua tae ki tēnei mutunga, engari ehara tēnei i te mutunga, engari ko tētahi ekenga taumata kia whai taumata atu anō. Nō reira, koinei ka whai tapuwae tātou, whai tapuwae o ngā mātua, o ngā tūpuna, otirā a kuia. Ngā poupou, ngā taua, ngā rūruhi, ngā poupou o tērā whānau, o
 5 tērā whānau mana wāhine e whakaari ana i roto i ngā whakatupuranga. Nō reira, tēnā koutou, tēnā tātou.

Ka tīmata i konei ko te āhukatanga o te poroaki anō hoki e koro, nāu i mea mai e pai ana kia pēnei i a mātou e noho tahi i konei kia rongo ngā poupou o te
 10 marae ki ngā kōrero e rere tonu ana. Mai i te wā i kuhu mai ai ki roto i te whare, ā, ka uru ngā kōrero o ngā kuia. Ana, i te wā i tīmata atu i Te Tai Tokerau i Kerikeri, ana i te wā i tae atu ki Ngāruawāhia. Arā, ana arā anō ngā kōrero mō Te Puea, mō Te Atairangikaahu, kōrero rā mō te haerenga ki Whangārei, i te taenga atu ki roto o Pōneke, arā ki Waiwhetū. Ana, kua tae mai i tēnei wā ki
 15 konei. I ia tūnga he mana wāhine, he mana wāhine, he mana wāhine te kōrero. I Whakatāne hoki – kei mahue atu anō ko ētahi, ka pai – ki Mataatua whare, Ruaihona, Wairaka, Muriwai, ā, haere tonu ngā kōrero rārangi mai ana i roto i ngā kōrero i takoto ki te tēpu. Nō reira whai mana nei ngā kōrero i runa i ngā kaikōrero katoa i tūtū mai ki te tuku i ngā kōrero hītori.

20 He tīmatanga tēnei nā te mea i aro mātou ki te wā i mua i te Tiriti o Waitangi. He aha tērā āhukatanga o te tū o ō tātou kuia i mua anō i te taenga mai o te Pākehā? Ētahi o ngā karakia kua haere i mua anō i a Rangī rāua ko Papa, ana ki te tīmatanga rā anō, ki te orokohanga mai rā o te tangata ki roto i te ao. Engari
 25 anō, e nui anō ngā kōrero mō tērā whakapapa, mō tērā whakapapa, mō tērā whakapapa. Me te mea hoki, mātotoru ana te kōrero, hōhonu te kōrero, tiketike te kōrero i tae mai ki tō mātou aroaro. Ko te wāhanga nui nei ki a mātou me pēhea e kore e mahue ētahi o ērā hōhonutanga. Kia uru katoa atu, kia whai take nei ia kupu, ia whakaaro, ia wawata, ia tumanako i tae mai ki mua i a
 30 mātou. Nō reira, e te mana kāinga, e te haukāinga, Ngā Hau e Whā, Ngāi Tūāhuriri, otirā ngā pārangā i te taenga mai ka kōrero rā mō Whakaraupō, ērā anō o ngā hononga i roto i a au, engari anō, titiro ki tō mātou tēpu, arā anō ngā hononga i roto anō i a mātou ki koutou ki roto i tēnei takiwā, ā, tēnā koutou, tēnā koutou.

- He pērā anō te kōrero ki ngā kaikerēme, ki ngā whānau, ki ngā wāhine i tūtū mai, ki ngā rōia, tō koutou māia ahakoa kua kōangiāngi mai nei i tēnei rā, i te rā tuatahi mātotoru ana, kiki nei. Pēnei, ka titiro ki ngā tēpu, kua kore e nawhe
- 5 ēnei tēpu mō te tino o ngā rōia i tae mai ai i te tīmatanga, engari e mōhio ana ehara tēnei he ngaro i te kore hiahia kia noho mai, engari e ngaro ana ki ētahi atu mahi, ki ētahi atu kerēme, ki ētahi atu tūranga ki ngā kaikerēme i roto i ēnei mahi o te Rōpū Whakamana i te Tiriti o Waitangi.
- 10 I a au e mihi nei ki te Karauna, anā, kāre e tawhiti atu te kōrero ki ngā rōia anō i roto i te Karauna. Ko ngā wāhine i tae mai ai, ka pai, kua kite atu a mana wāhine ki ngā rōia me te whakaaro atu, a ka pai te ako i reira. Ā tōna wā ana ka kite atu he huarahi anō kia whai tērā mātauranga ki roto i ēnei mahi o te kōti, otirā o te Taraipiunara.
- 15 E koro, e pono tēnei kōrero i te wā i tae mai ai, ka hoki ngā mahara ia, ia kerēme, ia ruku nei ki ēnei momo kaupapa, ana a Mana Wāhine, Te Rau o te Tika, te Hauora, kua kite atu i tō kanohi nā ki reira me te kī atu ka pai, kua whai mana tēnei, ēnei ruruku nei. Tēnā koe, me te mōhio tonu kei a
- 20 koe ngā kōrero mō tērā wā o mua, te wā i te tīmatanga o ēnei mahi mō te Tiriti o Waitangi, arā ki te Taraipiunara. Otirā, Te Manatū Wāhine, tēnā anō koutou i tae mai ai kia rongō ā-taringa. Kāre e nui te wā e whai wā ki te kōrero. Ā tōnā wā ka tae mai tērā wā, engari i tēnei wā e mihi ana.
- 25 E kore e tōroa atu i te kōrero. Tū mai au ki te karakia. I whakaaro ka karakia, kātahi ka tuku i te kōrero, anā kua huri au ki te poroaki i roto i ōku whakaaro. Heoi anō, nō te ngākau tēnei. Mātou katoa e noho mai ana, e tuku whakaaro ana ki a koutou te mana o te haukāinga, tēnā koutou, tēnā koutou. Nō reira, ka tuku atu te karakia, te karakia i tukuna ki Kerikeri, ki Ngāti Rēhia i te wā i tīmata
- 30 mai ai tēnei kaupapa. **[Nil.]**

KARAKIA WHAKAMUTUNGA (DR RUAKERE HOND)

Ka waiho i reira, koirā taku waiata, he karakia. He karakia nō ngā tūpuna, anā, mō Hineahuone, o Urutekakara, nā te kuia anō te karakia. Tēnā koutou, tēnā koutou, tēnā tātou. Kua painga atu ki atu ki a koutou e hiahia ana kia tū, kua kite atu mau tokotoko nei i a koe e koro, nō reira, tēnā ka tuku atu. **[Nil.]**

5 UNIDENTIFIED KAUMĀTUA: (10:45:20)

Ka tika me tū nei tēnei tēpu i te tuatahi te tautoko i ngā mihi kua mihitia nei, tēnei o ngā maunga teitei me kī i Aotearoa nei, ahakoa te whititanga o te rā ko Hikurangi tēnā, ko te urunga o te rā ko Taranaki, engari i tēnei wā kei te āhua rerekē tō tātou nei tū engari ka tika ngā kōrero i rongo nei awau i a Ruakere e
10 kōrero ana ki a tātou i tēnei wā.

Nō reira e koro, ki a koe me tō hoa rangatira, ā, huri noa ki a koutou me kī ngā taura here o ngā iwi e noho nei i roto i tēnei motu anei tētahi o ngā taura here o Pōneke e tū nei, e mihi nei ki a koutou. I kite nei taku tupuna Porourangi e tū
15 ana i tērā taha, ā, ki tēnei taha ko Tahu, nō reira ka mau te wehi, ka mau te wehi.

Nō reira e hika mā ko ōku putiputi wēnei e noho mai nei i tōku taha. I tēnei wiki i rongo nei awau ngā taputapu nei e haruru ana i tōku taha. Ko te mea i rongo
20 nei mātou o tēnei tēpu ngā kōrero e puta mai i tēnei huihui nā reira kei te tautokongia ngā kōrero i kōrerotia a Ruakere ki a tātou. Ko te kaupapa nei ko te mahi o te mana o te wahine, he tino kaupapa tēnā nō reira anei tētahi e tū nei ki te tautokongia i tērā kaupapa, ā, i te kaupapa me kī o tū tangata i te wā i mua hoki te puaretanga o tēnei whare ko Hori tētahi o ngā tangata i whakakaha
25 nei i te karawhiu tērā kaupapa tū tangata ki konei.

Ki wētahi ka mea rātou ko tērā tētahi o ngā kaupapa o te tari Māori, māku e kī “kāo, nā ngā mātua tūpuna tērā kaupapa, te tū tangata.” Ko tērā te kākano, ā, ka puta mai ko te kōhanga reo me te kura kaupapa Māori me wērā āhukatanga,
30 ngā whare wānanga, koinā ngā putiputi me kī e puāwai mai i te kākano mai o tērā kaupapa o tū tangata. Nā wai i tīmata te kōhanga reo? Ko ngā wāhine. Nō reira ka tika rawa taku rongo ki ngā kōrero, ki te nui o ngā kōrero i puta mai i tēnei huihuinga, ā, i ngā huihuinga i raro i tēnei kaupapa i tīmatatia i Kerikeri.

- Nō reira kāore e roa atu ngā kōrero, engari kei te – me karawhiu tātou tērā kaupapa i roto i ngā iwi katoa o Aotearoa nei. Nō reira ki a koe koro kei te – me ngā wīwī ki muri rā, me mōhio koutou kua moe ngā wīwī mō ngā – kei te mōhio
- 5 koutou ki te taha o te kāuta i te wā kāinga, e tipu ana ngā wīwī ki reira nō reira ko tērā tētahi kupu, nō Apirana tērā kupu mō ngā Wīwī Nāti anei tētahi o ngā Wīwī Nāti e tū nei i te mihi atu ki a koutou me ngā Wīwī o tēnei marae o tātou, ko koutou tēnā.
- 10 Nō reira ki a koutou huri noa i tō tātou nei whare. Ki a koe e te Kaiwhakawā kei te mihi atu ki a koe. E kī nei awau i tētahi ake hui i kite awau i tō papa e tū i muri a koe. Kei te hoki atu i ngā whakaaro ki te wā i tīmatatia ia hei minita mō tātou i roto i te Tairāwhiti. Anei tētahi o ngā tangata e mau nei ngā kara o te Hāhi i roto i (**Māori 10:49:56 Pōneke**). Nā tō Pāpā tīmata tēnā. Ā, ka heke ki a
- 15 Hui Vercoe. Kei roto i tērā whare te kōtiro o Whata Winiata, ana a Petina. Ko ia tētahi me Eddie Durie me te pāpā o tēnā, a Linda, a Hirini Moko Mead. Nā rātou i karawhiu tērā kaupapa. Me tū e toru ngā tikanga i roto i te hāhi Mihingare. Te tikanga Māori, te tikanga Pākehā me te tikanga o Te Moana Nui a Kiwa. Kei te haere tonu tērā āhuatanga ināianei. Ināianei nā, ko te reo e haruru ana i roto i
- 20 to tātou hāhi ko te reo Māori. Ka tika me whakahoki ngā āhuatanga, ngā karakia tawhito. E rite ana ngā karakia tawhito ki ngā karakia Karatiana me ngā mōteatea. Koinā o mātou nei Psalms, Ngā Mōteatea. Nō reira, at last we can now worship like Māoris. Nō reira, nā tō pāpā i tīmata tēnā āhuatanga e te Kaiwhakawā. Nō reira, kei te mihi atu ki a koe me tō pānera e noho i tō taha.
- 25 Nō reira, huri noa, huri noa ki a tātou e hui nei, tēnā koutou, tēnā koutou, kia ora huihui tātou.

WAIATA (KA PINEA)

UNIDENTIFIED KAUMĀTUA: (10:52:15)

- Tihei mauri ora, te tū ake ki te mihi ki a koe, e te kaikarakia. Te pai o tēnā
- 30 karakia hei tīmata, hei whakakapi. Nō reira, kei te mihi, tēnā koe. E te tāhuhu o te whare nei, te papa i waho rā mai i Aoraki, mai i te awa o Waimakariri ki te moana nui, kei te mihi atu ki a Kāi Tahu. Me koutou katoa e ngā hau e whā e

noho tonu ana, e manaaki ana i a mātou, ngā manuhiri tūārangi mai wīwī mai wāwā. Kua eke mai ki runga i tō papa i roto i ō koutou atawhai, ā kei te mihi atu ki a koutou. Tēnā koutou katoa.

- 5 E tika ana kia mihi ki ngā mate, ki a rātou kua whakairohia ai ngā tīpuna. Ētahi o ōku tīpuna ki ngā waka, ki ngā mana, ki ngā reo. Moe mai rā, moe mai rā katoa.

10 Te wawe o te haere o ēnei wiki e ono. I tīmata i tēnā atu tau. Ahakoa ko ngā uaua i waenga, ko ngā mate korona, ko ngā aha me ngā whakatōmuri o ētahi. Ngā rū whenua, ka pahū mai tēnā maunga o Tonga, te aha te aha. Kei te ora tonu tātou. Harikoa kei te ora tonu tātou. Pai hoki ngā inoi o tēnei wiki, kia ūhia mai te hau o te ora mai runga, mai raro, mai i te rangi, mai i Papa ki ō tātou whānau katoa e tatari ana i ō tātou pā kāinga. Motuhake tēnā, tēnā koutou.

15

Ko ngā kaikōrero mō tēnei wiki me ngā mate pēnei i a Pāpā Nia i mauria mai. Nō Hokianga whakapau karakia e Dallas, e mātakitaki tonu ana ki ngā kōrero i whārikihia ai tēnei huarahi, e kōrero ana, e whakamahara ana, e whakamārama ana i tēnei mea te mana o te wahine. Nō reira, ki a ia, ki a rātou mā, ki a koutou e te tēpu me ō koutou kaimahi. Pāpā, e te whanaunga, Unkara Wiremu, koutou e ngā rōia. E te Manatū Wahine, ngā rōia, ngā whakaruruhau, tēnā tātou katoa. Ko te tūmanako, kia pai tō koutou hokinga atu ki ō koutou whānau, i ō koutou kāinga. Mā te wā ka tūtaki anō tātou pea, āhea, kei whea, aua hoki kia mōhio engari, koia nā te tūmanako, kia kī atu nō mātou te hunga wawao ki a koutou, 25 ngā manaakitanga o te runga rawa. Tēnā koutou katoa. Tō tātou waiata. Te karakia tēnā, ka pine mai a Uncle Bill, ko tātou te hunga rōia Māori, to tātou waiata, ko 'Tēnei mātou'.

WAIATA (TĒNEI MĀTOU)

Kia ora tātou.

30 **UNIDENTIFIED KAUMĀTUA: (10:58:57)**

He Atua. Korihi mai rā ngā manu tīorooro o te ata pūkohu e. He tōmairangi ki runga, he tōmairangi ki raro, ka ao, ka ao, ka awatea e. Kua awatea. E mihi rā ki a koutou te kaupapa i whakaeke nei i runga tēnei o ngā marae o ngā hau e whā. Te mana wahine, tēnā rā koutou, tēnā koe, tēnā koutou rā. Nā koutou i
 5 kohikohi ai tēnei tō mātou whare. I ngā kōrero ka puta nei koutou, i mau ai i ngā pātū o te whare nei.

Nā tērā te mamae te mamae te mamae hoki. I whārikihia ai koutou te whakaaro nui, te whakaaro roa, kia mau ai i te taringa o ngāi tātou katoa, e tāne mā
 10 whakarongo mai, whakarongo mai. Whakarongo mai rā ki ō tātou wāhine te tangi, te mamae, te aue kei runga i a koutou. Ka hekeheke tonu mai rā ki runga ngāi tātou e tāne mā. He aha i pērā ai? Kei hea kē rā tāne mā? Kei hea rā? Kei roto ngā whare kōhatu e puritia ana. Ngā whare herehere kei reira kē koutou e tāne mā. He aha te take? Ka hoki pērā tonu ai i runga i te whakaaro e
 15 whakaarotia nei i te rā a wāhine mā nō reira ko koutou ko tātou katoa rā tēnei.

“He wahine he whenua ka ngaro te tangata”, kua rongu koutou ngā kōrero mai i te Taitokerau tatū noa mai ki runga Ngā Pākihi Whakatekateka o Waitaha i te rā nei. Nō reira haere mai, haere, haere mai haere i runga te tukuna a te
 20 kaupapa nei e horekau rā tēnei te mutunga o te kaupapa nei hei tīmatanga, hei tīmatanga. Nō reira ko koutou rā e kawea ana te kaupapa nei, kia kaha mai rā a tātou katoa. E horekau kē o roto i a Aotearoa noa iho, kua rongu nei ki ngā wāhine o tāwāhi kē ka pērā te whakaaro, nā ka hoki ake te mana kei a rātou ki te wahine, koia rā tērā kua kite ai i tāwāhi kē.

25 Nā koutou i whakaara ai tēnei kaupapa kia whakaarotia, whakaaro hōhonutia tātou. Mō wai? Mō ngā uri whakatupu, mō wā tātou mokopuna, mō rātou katoa. Ko tātou rā tēnei i tēnei rangi. Ko wai ka mōhio mō āpōpō.

30 E te Kaiwhakawā, tēnei ka mihi atu rā ki a koe, i runga i tēnei kaupapa, tōna hōhonu, e kore e taea te kōrero i ngā rā e whā, e rima rānei, engari hei tīmatanga rā tēnei. Tīmatanga rā tēnei mō tātou i Aotearoa nei. Ka mihi atu rā ki a koe. Mai i te tīmatanga o tēnei huihuinga tae noa mai ki tēnei wā ka mihi atu rā ki a koe, e ōku rangatira, koutou katoa.

E Pā, ērā o ngā maunga Hikurangi, he Hikurangi anō tō mātou, nā reira tēnei e mihi ana, Hikurangi ki Hikurangi, tēnā rawa atu rā koe. Nā koutou i hiki i tēnei kaupapa, i ārahi mai rā tēnei kaupapa i tae mai ka kite ai ka mōhio ki reira kē a koutou e tautoko mai ana. Ahakoa ngā kaumātua i uru mai ki roto i te whare, waiho rā ki a koutou mōhio ana ki te kaupapa nei, e mōhio ana. Nō reira, ki a koutou katoa, koutou ngā rōia, he aha ai tātou te Māori e mauria atu wā tātou kaupapa kia pēnei ai, whārikihia mō tātou anō, e kerī o tātou kaupapa? Heoi anō rā ko koutou rā i tīmata ana rā wēnei mahi. He mahi hōhonu i a koutou. Nā reira kore, e kore, e kore oti ai i roto i wēnei kōrero. I whai mana ai tēnei o tātou hui i te taenga mai o koutou me te taenga mai o te kaumātua. Te Hikutū kua tae mai. I taku rongo, ko ia hoki e haere ana nei ngā hui katoa, anei kua tae mai rā ki tēnei huihuinga.

15 E te matua, e te whanaunga, Te Hikutū, ka tangi atu rā ka rongo ko koe rā tērā. Kua huri tuarā kē mai rā koe ki a mātou. Nō reira, koirā kei reira hoki tō tira e tatari kē mai tonu ana ki a koe ki te mirimiri, romiromi ai i a koe i ērā o ngā ao. Nō reira takoto, takoto, e moe. I runga i te mōhio kua tere kē tēnei waka. Ko koe i reira i tōna tīmatanga. E te matua, takoto, takoto, e moe.

20 Nō reira koutou katoa i tae mai i ngā rā nei, he mihi nui kē tēnei rōpū ki a koutou. Ētahi o mātou e noho nei ki konei, ehara nō nanahi noa iho i tae mai ki Ōtautahi nei. Ā mātou kaumātua i tērā atu tau i hinga ai nō Ngāti Porou, a Mike Kai, neke atu te 90 tau kaumātua o Mike. Koia rā tēnei, kua koutou e pōhēhē nō nanahi noa iho mātou i nuku tāone mai. Ka rongo i ngā kōrero mō tēnei te whakapapa i kōrerotia. Ko Hineahuone, ko ia hoki te whenua o Papatūānuku. Koia rā te tuatahi o te ira tangata, heke, heke mai rā ki runga i a tātou. Ko te mana wāhine rā tērā. Te mana o te wāhine, tae noa ki te kapinga o te ao nei ki te tangata, ko wai kē? Ko Hinenuitepō, ko te wahine anō rā tērā.

30 E mōhio kē ana tātou, ko te reo tuatahi nā wai? Mō te marae, ko te wāhine. Ka nui ngā mana o te wāhine, engari ko tōna nuinga, koia pū a ia te take kei konei tātou i te rā nei. Nā reira, tautoko mārika ana ko tō tātou kaupapa. Nō reira huri

noa i tō tātou whare, e mihi kau ana ki a tātou, tēnā koutou, kia ora tātou katoa.

[Nil.]

WAIATA TAUTOKO (PUREA NEI)

KARAKIA WHAKAMUTUNGA

5 HIMENE (HE KORORIA)

HEARING CONCLUDES: 11.15 AM

Notes of Evidence Legend

National Transcription Service

Indicator	Explanation
Long dash –	<p>Indicates interruption:</p> <p>Q. I think you were – (<i>Interrupted by A.</i>)</p> <p>A. I was – (<i>Interrupted by Q.</i>)</p> <p>Q. – just saying that – (<i>First dash indicates continuation of counsel's question.</i>)</p> <p>A. – about to say (<i>First dash indicates continuation of witness' answer.</i>)</p> <p>This format could also indicate talking over by one or both parties.</p>
Long dash (within text)	<p>Long dash within text indicates a change of direction, either in Q or A:</p> <p>Q. Did you use the same tools – well first, did you see him in the car?</p> <p>A. I saw him through – I went over to the window and noticed him.</p>
Long dash (part spoken word)	<p>Long dash can indicate a part spoken word by witness:</p> <p>A. Yes I definitely saw a blu – red car go past.</p>
Ellipses ... (in evidence)	<p>Indicates speaker has trailed off:</p> <p>A. I suppose I was just... (<i>Generally witness has trailed off during the sentence and does not finish.</i>)</p> <p>Q. Okay well let's go back to the 11th.</p>
Ellipses ... (in reading of briefs)	<p>Indicates the witness has been asked to pause in the reading of the brief:</p> <p>A. "...went back home."</p> <p>The resumption of reading is noted by the next three words, with the ellipses repeated to signify reading continues until the end of the brief when the last three words are noted.</p> <p>A. "At the time...called me over."</p>
Bold text (in evidence)	<p>If an interpreter is present and answering for a witness, text in bold refers on all occasions to the interpreter speaking:</p> <p>Q. How many were in the car?</p> <p>A. There were six.</p> <p>Q. So six altogether?</p> <p>A. Yes six – no only five – sorry, only five. (<i>Interpreter speaking – witness speaking – interpreter speaking.</i>)</p>
Bold text in square brackets (in evidence)	<p>If an interpreter is present and answering for a witness, to distinguish between the interpreter's translation and the interpreter's "aside" comments, bold text is contained within square brackets:</p> <p>Q. So you say you were having an argument?</p> <p>A. Not argue, I think it is negotiation, ah, re – sorry. Negotiation, bartering. [I think that's what he meant] Yeah not argue.</p>