

IN THE WAITANGI TRIBUNAL

**Wai 3400
Wai 1940**

IN THE MATTER OF the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF the Marine and Coastal Area (Takutai Moana) Act 2011 Coalition Changes Urgent Inquiry

AND

IN THE MATTER OF a claim by Jane Mihingarangi Ruka Te Korako on behalf of the Grandmother Council of the Waitaha Nation, including the three hapū of Ngāti Kurawaka, Ngāti Rakaiwaka and Ngāti Pakauwaka

JOINT BRIEF OF EVIDENCE OF JANE MIHINGARANGI RUKA TE KORAKO AND TE POROHAU RUKA TE KORAKO

13 March 2025

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Waitangi Tribunal

13 Mar 2025

Ministry of Justice
WELLINGTON

We, **JANE MIHINGARANGI RUKA TE KORAKO**, Kuia, of Te Whanganui-a-Tara, and **TE POROHAU RUKA TE KORAKO**, Kaumatua, of Kaikohe, state:

Anei he whakapapa ki a William MacDonald Taylor raua ko Patrick Taylor me Rudolph

Taylor,

Nareta Taylor ka puta ko William MacDonald Taylor raua ko Patrick Taylor,

Ka puta ko Rudolph Taylor raua ko Mere Taylor me Dorothy Paraku ko era aku whanaunga mā,

Ka puta ko au ko Jazmine Rakete.

1. We present this Brief of Evidence (“BoE”) to support a claim on behalf of the Grandmother Council of the Waitaha Nation, including the three hapū of Ngāti Kurawaka, Ngāti Rakaiwaka and Ngāti Pakauwaka (“the Grandmother Council”).
2. Te Porohau sits on the Grandfather Council of the Waitaha Nation (“the Grandfather Council”) representing various tribal groupings spread throughout Aotearoa New Zealand, belonging to the Iwi of Waitaha.
3. The Grandmother and Grandfather Council are a group of Kuia and Kaumātua who whakapapa back to the three waka, Mamari, Ngātokimatawhaorua, and Uruao. Our aim is to address the needs of the Waitaha people, as well as the needs of our wider Māori community and to address, amongst other things, the systematic neglect of te Tiriti o Waitangi (“te Tiriti”) and the breaches by the Crown of this fundamental document.
4. The Grandmother and Grandfather Council comprise a strong group of Kuia and Kaumātua, who work within our communities to try to bring about change for others, both Māori and non-Māori, and for Māori in general, who might need our help, whether this be due to the alienation from their culture that they face, through colonisation, or for other reasons.
5. We do not currently have a High Court application under the Marine and Coastal Area (Takutai Moana) Act 2011 (“the MACA Act”) for the recognition of our customary title. We submitted an application for the whole of Aotearoa New Zealand and surrounding Islands to engage directly with the Minister. We have applied to be involved in the High Court proceedings as an Interested Party (“IP”).

6. We have been involved in the Wai 2660 Marine and Coastal Area (Takutai Moana) Act 2011 Inquiry and filed evidence in the Wai 2660 Inquiry. This BoE should be read alongside my BoE, dated 17 January 2021 (“2021 BoE”).¹
7. This BoE should also be read alongside my BoE, dated 8 August 2024 (“2024 BoE”), which was filed in the Wai 3400 Marine and Coastal Area (Takutai Moana) Act 2011 Coalition Changes Urgent Inquiry Stage One.²
8. The purpose of this BoE is to provide evidence of the effect of the Coalition Government’s proposed changes to the MACA Act funding scheme will have on us in relation to our takutai moana customary rights.
9. It is absolutely a confiscation of our property rights for the Coalition Government to amend the MACA Act. The Crown’s purpose is to ensure that Māori end up with very little, or no property rights at all, in the foreshore and seabed.
10. We have been here since well before 1840 to the present day without interruption. The only interruption we have had is when David Lange created the Principles of the Treaty of Waitangi/te Tiriti o Waitangi (“the Treaty/te Tiriti”) and enforced a gateway of where we had to identify ourselves. In the past, we went to marae of the haukāinga and did our Tātai Heke, had a tangi, had an awhi and a big kai, then got on with our work.
11. The Crown’s proposed funding policy is only for applicants. We are an IP in the MACA High Court proceedings, so we will receive no funding at all.
12. The Crown’s funding regime stops us directly in our tracks. We will no longer have the power to bring about our approved expert witnesses due to reduced funding. It is a travesty of justice to have this interference. These outside forces such as the Pākehā funding systems are covertly working against any structures that we put in place. We believe that the decision of the Crown to remove our funding altogether is heavy handed and racist.
13. The Crown has decided to remove our funding without consulting Māori. We are also appraised of the fact that Don Brash is violently conducting this war of attrition of

¹ Wai 2660, #B132.

² Wai 3400, #A32.

funding for us as Māori, to provide authentication of everything that we say and do in relation to our histories, our mysteries and our traditions.

14. If we had access to additional funding, we would immediately set out to jointly bring all of our tribes together, including every Northern Tribe to go over our whakapapa, our histories, our connections, our language and our people to our takutai moana.

Dated 13 March 2025



Jane Mihingarangi Ruka Te Korako



Te Porohau Ruka Te Korako