

**IN THE WAITANGI TRIBUNAL
KEI MUA I TE ROOPU WHAKAMANA I TE TIRITI O WAITANGI**

WAI 745 / 1308

WAI 2700

UNDER the Treaty of Waitangi Act 1975

IN THE MATTER OF The Mana Wāhine Kaupapa Inquiry
AND

IN THE MATTER OF a claim by **Luana Pirihi** and **Paki Pirihi** (deceased) on behalf of Patuharakeke (Wai 745) and a claim filed by **Ngawaka Pirihi**, **Paraire Pirihi** (deceased), **Harry Midwood**, **Patricia Heperi**, **Crete Milner** and **Terence Pirihi** on behalf of the owners of Pukekauri 1B1, 1B2, 1B3, 1B4, and 1B5, and Takahiwai 4C, 4D1, 4E, 7A, 7B2, and 7C (Wai 1308)

OPENING SUBMISSIONS ON BEHALF OF THE WAI 745/1308 CLAIMANTS

13 April 2026

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TĒNĀ E TE TARAIPUNARA

Introduction

1. These submissions are filed on behalf of Patuharakeke hapū (“**the Claimants**”) and will address Question Two and Question Three of the Tribunal’s Statement of Issues for the Rangatiratanga Pou.¹

What are the Crown’s duties and obligations under Te Tiriti in relation to the ability of wāhine Māori to participate in and hold leadership and decision-making roles at the local, regional, and central government levels?

What are the Crown’s duties and obligations under Te Tiriti in relation to creating conditions for wāhine Māori to participate in and hold leadership and decision-making roles within the wider community and the non-governmental sector?

2. The Claimants adopt the opening submissions of the Wai 381 Claimants,² filed in May 2025 and delivered orally at Hearing Week One (3 June – 6 June 2025). The Claimants seek to further supplement the Wai 381 submissions with the following opening submissions in respect of their unique Claim issues.
3. Rangatiratanga is the foundational Pou that underpins the Patuharakeke claim. While these submissions address the issue of Rangatiratanga specifically, there is inevitable overlap with the remaining four Pou given their interconnectedness.

Ngā Kiritaki - The Claimants

4. Patuharakeke are the descendants of Te Toru (Urekuri) and Te Taotahi. Patuharakeke trace their ancient whakapapa lines back to tupuna who were associated with what is today known as the iwi Ngati Wai, Ngāti Whātua, and Ngāpuhi.
5. The Claimants are mana whenua in the rohe south of Te Rerenga Parāoa (Whangārei Harbour); the area of Takahiwai, the coastal area of Te Ākau, and inland to Piroa and the Waiotira River.
6. In signing He Whakaputanga o te Rangatiratanga o Nu Tireni in 1835 and Te Tiriti o Waitangi in 1840 Patuharakeke tupuna declared mana motuhake and hapū rangatiratanga to all. The Claimants have maintained their right to exercise

¹ Wai 2700, #1.4.004.

² Wai 2700, #3.3.003.

rangatiratanga over their whānau, hapū, whenua and taonga evident and expressed on the ground, amongst the whanau who continue the tikanga and practises of Patuharakeke to this day.

7. To a large extent, rangatiratanga was undermined and diminished through Crown actions and in particular the loss of whenua in the rohe of Patuharakeke, this has been found to be the case as set out in the Stage 2 Report of the Te Paparahi o te Raki (Northland) Inquiry (Wai 1040).³ Land loss, undermining kawa and tikanga Māori, and displacing customary frameworks with colonial systems resulted in significant impacts on Patuharakeke whānau and specifically, impacts on ngā wāhine o Patuharakeke.
8. Today, Patuharakeke wāhine face barriers in getting to the table to participate in decision-making, and must overcome challenges to sustain their presence there. The Claimants' say these issues are foundational to their Claim before this Inquiry.

Summary of Evidence

9. Patuharakeke has filed evidence from two wāhine who hold leadership roles on their mandated hapū entity, the Patuharakeke Te Iwi Trust, and who have extensive experience on public and private governance boards. They are:
 - a. Deborah Harding, Chair of Patuharakeke Te Iwi Trust Board; and
 - b. Lisa Minhinnick; Trustee of Patuharakeke Te Iwi Trust Board.
10. Their evidence provides the Tribunal with insight into their lived experiences as wāhine Māori who have had to navigate challenges to accessing and fully participating in leadership roles in various sectors.
11. They provide different perspectives of the experiences faced by Patuharakeke wāhine and how they are impacted by Crown conduct, or lack thereof, to improve outcomes and systems for wāhine Māori. Whilst different, these perspectives are two faces of the same coin. They tell a shared story of challenge and sacrifice to make headway to see their own personal success as wāhine in our society.
12. Their evidence demonstrates the extent to which the Crown has contributed to the restriction of the rangatiratanga of wāhine Māori through its imposition of the ideologies which now underpin contemporary Aotearoa New Zealand society. These ideologies enforce Ngā Kawenga Taumaha on wāhine Māori.

³ *Tino Rangatiratanga me te Kāwanatanga – The Report on Stage 2 of the Te Paparahi o Te Raki Inquiry Part 1* (Waitangi Tribunal, 2023) at p 1448 and *Part 3* at p 1460 (**Wai 1040 Stage 2 Report**).

The Claimants' Position - Ngā Kawenga Taumaha

13. The Claimants repeat paragraphs [28] to [40] of the Wai 381 opening submissions.⁴ These sections speak to the foundational concepts of te Ao Māori and the fundamental role of wāhine Māori as understood in te Ao and therefore the Claimants rely on those submissions to inform the starting point for their position.
14. The Claimants' position is that colonial ideologies and systems have undermined and diminished the role of Patuharakeke wāhine to the extent that vast and severely disproportionate disparities exist between wāhine Māori and other demographics of men and women.
15. It is submitted that the Crown has introduced ideologies, and entrenched attitudes which have diminished wāhine Māori through the establishment of state systems. The result is that Patuharakeke wāhine are prejudiced in their ability to exercise rangatiratanga, particularly by engaging and participating in leadership spheres due to Ngā Kawenga Taumaha. This exclusion from leadership spheres inhibits the exercise of rangatiratanga.

Diminishing the role and societal value of Patuharakeke Wāhine

16. The evidence demonstrates that wāhine Māori facilitate fundamental parts of te Ao Māori and Te Ao Māori cannot function in the absence of wāhine being part of Te Ao Māori.⁵ It is the Claimants' position that deprioritising the significant place of wāhine Māori has the effect of undermining their rangatiratanga and that of the wider whānau, hapū.⁶
17. The mana of wāhine Māori has however been undermined through Crown policies, legislation and systems creating substantial loss.⁷ Wāhine Māori now find themselves in a position in society which is subordinate to that of tāne Māori, and even more so than Pākehā men.⁸ Ideologies that have embedded a view that women contribute less value to society and its systems have given scaffolding to the barriers that wāhine Māori struggle to overcome.⁹ Lisa Minhinnick speaks to

⁴ Wai 2700, #3.3.003.

⁵ Brief of Evidence of Lisa Minhinnick at [6].

⁶ Brief of Evidence of Faye Deborah Harding at [27] to [31].

⁷ At [9].

⁸ Brief of Evidence of Lisa Minhinnick at [12].

⁹ Brief of Evidence of Faye Deborah Harding at [29] and [30]; Brief of Evidence of Lisa Minhinnick at [28] and [29].

her experience as a māmā and not being seen for her contribution in that role amongst the many others that she holds¹⁰.

18. Ngā Kawenga Taumaha describes the additional barriers Wāhine Māori face in being included in decision making, entering into those spaces, and being a respected voice at the table as Māori and as women.¹¹

Devaluing Wāhine in Leadership Spheres

19. Patuharakeke are active at the local government level and across representative bodies of Whangārei Te Rerenga Parāoa. This is evident in the kaupapa of the Patuharakeke Te Iwi Trust, the Taiao Unit of the Trust and the mahi carried out by Patuharakeke whānau members who sit as council representatives.

20. Often, the participation of Patuharakeke in local issues has been due to the sustained efforts of their wāhine. As Chair of Patuharakeke Te Iwi Trust Board, Deborah Harding demonstrates how her experience as a Māori ward councillor for Whangārei and her career of advocacy in Te Tai Tokerau ensures that the voice of Patuharakeke wāhine is consistently represented.¹²

21. Notwithstanding this impressive mahi, Ngā Kawenga Taumaha has been felt by Patuharakeke wāhine in all roles that they carry out both professionally and as carers and leaders of their whānau. Lisa Minhinnick states as follows,¹³

“My experience has been that my roles as a businesswoman and as a mother have often been in conflict. I believe both of these roles require immense rangatiratanga, however our society does not allow wāhine to exercise these different manifestations of rangatiratanga as smoothly as we should.”

22. The participation of Patuharakeke wāhine in leadership spaces requires considerable effort and their place is often questioned.¹⁴ These demeaning actions, often subtle, leave Patuharakeke wāhine shouldering a burden that others do not carry,¹⁵ resulting in harmful effects on their wairua.

23. There is a significant failure by the Crown to protect the pathways for wāhine Māori to get to the table of decision making. Patuharakeke wāhine are acutely aware of the struggle to get to the decision making table and retain their seat

¹⁰ Brief of Evidence of Lisa Minhinnick at [16].

¹¹ Brief of Evidence of Lisa Minhinnick at [26].

¹² Brief of Evidence of Faye Deborah Harding at [10].

¹³ At [26].

¹⁴ Brief of Evidence of Faye Deborah Harding at [28]; Brief of Evidence of Lisa Minhinnick at [27].

¹⁵ Brief of Evidence of Faye Deborah Harding at [29].

there.¹⁶ The discrimination experienced by them is both explicit and implicit, and therefore Patuharakeke witnesses contend that managing this dynamic requires Patuharakeke wāhine to navigate leadership with strategic caution, have strong reserves, and protect their wairua in order to not be undermined at the outset.¹⁷

24. It is submitted that socioeconomic disparities, poorer education outcomes, lack of employment opportunities, and more all perpetuate the systemic prejudices that Patuharakeke wāhine face.

Relief

25. The Claimants have set out in their Statement of Claim several findings and recommendations that they seek from this Tribunal which we do not repeat in full here. However, central to the relief sought, the Claimants seek findings that identify the Crown's imposed ideologies, systems and frameworks systemically prejudice women, and additionally prejudice wāhine Māori due to their experience of racism and ethnic discrimination.

26. The Claimants seek relief in the form of legislative change that targets and resources greater participation by wāhine Māori in leadership, governance and local government representation. This includes the provision of seat(s) for wāhine Māori at local and central government levels.

27. Key to unlocking meaningful participation by wāhine Māori is legislative reform to address the ethnic-gender pay gap experienced by wāhine Māori and therefore they seek recommendations that target greater pay equity enshrined into legislation. Targeted initiatives to improve enterprise and employment pathways for wāhine Māori and improve leadership development alongside fiscal programmes which incentivises wāhine Māori business owners to participate in business are also sought by the Claimants.

Conclusion

28. The issues before this Tribunal are significant as they not only impact individual wāhine Māori but their whānau, hapū and iwi. It is clear that while these opening submissions address Rangatiratanga, it is difficult to separate the impacts of land

¹⁶ Brief of Evidence of Faye Deborah Harding at [35] and [37]; Brief of Evidence of Lisa Minhinnick at [26] and [27].

¹⁷ Brief of Evidence of Faye Deborah Harding at [43].

loss (*Whenua Māori*), economic and financial deprivation (*Whai Rawa*) and *Whanau and Whakapapa* from this phase of the inquiry. However, taking steps to unravel the harm caused by colonisation and Crown breaches of Te Tiriti across all facets of life for wāhine Māori is essential for fundamental change.

29. It is submitted that Patuharakeke wāhine have a wealth of cultural and professional expertise. It is their passion and drive which has propelled the hapū forward for generations and has consequently ensured that Patuharakeke continue to hold mana i te whenua and exercise rangatiratanga.

30. The Claimants maintain that the answer to overcoming Ngā Kawenga Taumaha and ensuring all wāhine Māori are supported in the exercise of rangatiratanga, is a system-wide recognition of and respect for te Ao Māori.¹⁸ Equipping wāhine Māori with the support to attain and protect mātauranga, knowledge of their whakapapa, and te reo Māori, are the essential tools required to empower wāhine.

31. Societal attitudes steeped in misogyny and racism will not change if the attitudes of those within it do not change. It starts with individuals respecting the place and value of wāhine Māori, and for Patuharakeke wāhine this may be the difference between exclusion and harm, or inclusion and success – and exercise of rangatiratanga.

DATED at Auckland this 13th day of April 2026



Kelly Dixon / Taamorangi Hartley / Grace Taylor

Counsel for the Wai 745/1308 Claimants

¹⁸ Brief of Evidence of Lisa Minhinnick at [36] and [40].