OFFICIAL

IN THE WAITANGI TRIBUNAL

WAI 898

WAI 1592

IN THE MATTER OF The Treaty of Waitangi Act 1975

AND

IN THE MATTER OF Wai 898 Te Rohe Potae Inquiry

BRIEF OF EVIDENCE OF MARGE TE MAEMAE APITI

DATED 24 SEPTEMBER 2013

RECEIVED
Waitangi Tribunal
24 Sep 2013
Ministry of Justice
WELLINGTON

Te Mata a Maui Law
PO Box 44331
Point Chevalier
AUCKLAND 1246
Tel: 0508-TEMATA (0508-836282)
Counsel Acting: David Martin Stone | Augencio Bagsic
David@tematalaw.co.nz | Gene@tematalaw.co.nz

MAY IT PLEASE THE TRIBUNAL

1. My name is Marge Te Maemae Apiti and I am Ngati Te Wehi.

2. I am going to talk about the Europeanisation of Te Pirau and how the Europeanisation of Te Pirau resulted in Ngati Te Wehi being alienated from Te Pirau and being unable to access and use rongoa from Te Pirau, which resulted in the loss of traditional Maori medicine, practices, knowledge and tikanga.

Te Pirau

3. Te Pirau is a land steeped in history and is a highly tapu area. It got its name because Tawhiao rested there from the Waikato wars and washed his pirau or festering leg from a battle wound, thus the place was named Te Pirau. It is a place special and significant to Ngati Te Wehi.

4. Te Pirau is also significant because this is whare our tupuna Hone Waitere I used to live. He is our tupuna who signed the Treaty of Waitangi on behalf of Ngati Te Wehi. His son Hone Waitere II (Ngatukorua) fought for this land in the Native Land Court.

5. Te Pirau is also called Hiruharama. There is a place there we call the hidden marae, Jerusalem. It is called a hidden marae because you cannot see Te Pirau from anywhere. There are many waahi tapu in Te Pirau.

6. Our tupuna Tohi Apiti lived in Te Pirau. Later, Te Kaha Apiti and Te Ru Horotini continued to live here and looked after 45 children. Among those who were raised and grew up there were our kaumatua Miki Apiti and Nancy Mahara-Awhitu. Matua Tony Mahara, Phillip Mahara's father also lived there. Te Pirau is a papakainga not just for the Apiti whanau, but also for the Mahara, Shadrock and other Ngati Te Wehi whanau.

7. At Te Pirau, my whanau would only speak Te Reo. In Te Pirau, my whanau observed tikanga and practiced Maori traditions. My tupuna and kaumatua enjoyed growing up at Te Pirau. They had all the food they needed. They were marakai growers. They also grew tapara, which is the sweetest fruit you could ever have. In 1953 my whanau had to move out of Te Pirau and settled at Okapu. My whanau did not want to move out of Te Pirau and if they had a choice, they would have stayed.

Europeanisation of Māori land

15.30 What were the objectives of the policy of Europeanisation of Māori land under the Māori Affairs Amendment Act 1967?

15.31 To what extent were Rohe Pōtae Māori consulted about the Māori Affairs Amendment Act 1967? To what extent were Rohe Pōtae Māori owners consulted or notified about Europeanisation of their lands when it was affected?

15.33 Did the Europeanisation of Rohe Pōtae Māori land benefit or prejudice Rohe Pōtae Māori? If so, to what extent? (e) What other disadvantages arose because the Europeanised land could not be dealt with as Maori Land?

8. I never knew what Europeanisation was until recently. I have never been told why Te Pirau was leased. Nothing has ever been explained to us by the Government. We were never consulted about the Maori Affairs Amendment Act 1967 or the Europeanisation of our lands.

9. I have never received a letter from Maori Affairs or the Maori Trustee about this issue or how Te Pirau came to be leased. We only started receiving letters after my brother started researching about our grandfather Tohi Apiti, which was in 2000.

10. I know that the land it was put into a trust because I had to sign something that said any money had to go back to the trustees. I didn't really understand what I was signing. I had to rely on someone else reading it for me. They just said, 'you own this block' but nothing was explained to me about why I had to sign.

11. These Pakeha-created bodies such as trusts, leases and titles had caused so much confusion and arguments among the whanau. There are a lot of owners on it now, a lot of jealousies, a lot of arguing about the land because some think that they have more shares than the next person.

12. The whanau used to work the land. That was what our parents did. They planted crops to feed the people and to look after the whanau. But now that has all been lost and it seems to be all about rules and rights of access to the land.

13. We find it very difficult to get permission to enter Te Pirau and visit where our whare used to be and where our tupuna used to live. We have to follow so many administrative procedures just to get on to Te Pirau.

14. It was 20-30 years ago when I started noticing the signs on the fences, telling me I had to ring up to see if I was allowed to go on my land because the gates were padlocked. Today our lands are gated and we cannot get access. Why is our marae hidden and fenced off from us? It is our marae and is meant to be a place for whanau to go home to.

15. We didn't know where to go to find out about the signs. We just thought that's our grandfather's land and why do we have to get permission to go in. This is where my mother was born, I couldn't understand it.

Rongoa

16. Te Pirau is a place where we use to access Maori rongoa or medicine. When we left Te Pirau we left behind our ability to access our rongoa. The Europeanisation of Te Pirau alienated us from our rongoa and our ability to access and use it. The land became overgrown and the rongoa suffered.

17. There were puriri trees in Te Pirau. These had medicinal properties which my tupuna and whanau used. The ngahere was abundant with Maori medicine but most have been taken out. When they cut down the ngahere, puna were affected and our medicines have been depleted. It is turning into nothing now.

18. My Aunty Nancy used to follow my grandfather into the ngahere to get medicine when her younger sisters were teething. They would walk along the tracks through the ngahere to get them. This is where my grandparents and parents went for rongoa for mothers having children, for cuts, sores, or teething. They depended on that rongoa because there were certainly no chemists or hospitals nearby. We had to survive on our own.

19. My parents and tupuna readily used all the rongoa in the ngahere. They used to have access and they just went in and got it. But now I have to get permission to access our rongoa and we have to go through a pakeha lawyer to get access.

20. I find this hard to believe. This is our grandparents', our parents' land. It is just sad to see these things happening. Our tikanga, our mana are being taken from us. We cannot even heal our own people.

Conclusion

21. I am privileged to bring this rongoa claim because I've been taught the real way. This is my area, where my identity is, and these are the places we want to keep. They are sacred. If Te Pirau was not leased a lot of people would go home to their land. Many of us dream of returning home.

22. At the end of the day documents were signed and things were done on our behalf that we don't fully understand. All we want is to get back on our land. It is not fair to us, to our children, to our moko. The saddest thing about it all is that we are growing old, our children are having their own children and I don't see a better future for them. If we don't sort these issues out, my moko's mokopuna will never know about rongoa Maori or the life their tupuna led on their tupuna land.

MARGE TE MAEMAE APITI