OFFICIAL

BEFORE THE WAITANGI TRIBUNAL

WAI-898

IN THE TE ROHE PŌTAE DISTRICT INQUIRY (WAI 898)

HEARING WEEK 11

WHARAUROA MARAE, TAUMARUNUI

Hui Commenced: Monday 31 March to Friday 4 April 2014

Tribunal: Judge D J Ambler
Professor Pou Temara
Dr Aroha Harris
John Baird

Crown Counsel: Geoffrey Melvin
Amy Williams

RECEIVED
Waitangi Tribunal
28 Jul 2014
Ministry of Justice
WELLINGTON

Lead Counsel:	Alex Hope	Jason Pou
	Bernadette Arapere	Kirikaiahi Mahutariki
	Cameron Hockly	Lisa Black
	Carey Manuel	Mark McGhie
	Emma Whiley	Māui Solomon
	Glenn Tootill	Peter Johnston
	Haylee Putaranui	Tavake Afeaki

Witnesses:	Anthony Pātete
	Grace Le Gros
	Greg Keenan
	Paora Rōpata
	Robert Te Papī Jonathan
	Thomas (Tame) Leslie Te Nuinga Tūwhāngai
	Wayne Herbert

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	HEARING RESUMES MONDAY 31 MARCH 2014 AT 8.52 AM	
	MIHI (DANIEL ORMSBY)	
08:52:35	Whakataungia, te tīmatanga. Whakatau, whiti, whiti. E te whiti rā anō o Rongo e te iwi e. Haere mai ana. He pai a tātou poho a Ngāti Rangatahi. Nau mai haere mai.	
	Ko Daniel Whiti Ormsby ahau. Ko au tā tātou kaiwhakahaere, te tīmatanga a te wiki ki te rā mutunga. E whakapaingia me te kaumātua.	My name is Daniel Ormsby. I am now co-ordinator for the week from now until the end. Call upon our elder to give us a prayer.
	KAUMĀTUA	
	Kāti rā tēnā rā tātou. Heoi anō rā, tuku atu he whakamoemiti mō tātou i te rā nei. Nō reira –	Let us offer up a prayer.
	KARAKIA (KAUMĀTUA)	
	E Ihoa e ngā mano e Toko Toru Tapu, ki a tātou mā, ki waenganui i tēnei o whakamoemiti o mātou, hei tātari katoa i ngā kupu katoa e whakapuake ana e mātou i roto i te (Māori 08:53:37). Ko koe tēnei hoki te tīmatanga me te whakaotinga mai o mātou e tū mana atu nei i roto i o tātou koretanga. Heoi anō ki te Māngai hei tautoko mai a ia nei,	Oh, Jehovah of the myriads, Holy Trinity, and may sift through the words that we are to offer up. For you are the commencement and conclusion of all things, and may the Māngai support, āe.

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ake nei, āe.	
	ALL PRESENT	
	Āe.	
	KAUMĀTUA	
	A, kia ora.	
	HOUSEKEEPING (DANIEL ORMSBY)	
	Please family, I will explain to you the rules of this whare while we are in these proceedings. Please refrain from smoking and turn your phones off please. The smoking area is outside of the taiapa. As well, if there are any queries, we have an administration office to the back here, and that's open. Grace is there. First aid and mirimiri is available throughout the week, and that is behind the administrational office. The exit, all these proceedings throughout the week is to the rear of the wharekai. These doors will be remaining closed throughout the proceedings, and will only be open for emergencies. And please, welcome and have a good proceeding.	
	JUDGE AMBLER	
	Tēnā koe Daniel. Ā tēnā tātou i tēnei ata. Ngā mihi ki a	Morning everyone. Thank you sir for opening our prayer –

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	tātou. Tēnā koe e te rangatira, nāu nei te karakia mō tātou mō tēnei te rā tuatahi o tēnei o ngā hui. Nō reira ngā mihi, ngā mihi. Kua tae atu mātou te rōpū nei ki tēnei pito o te rohe, o Te Rohe Pōtae. Ko mātou e noho ake nei, te Rōpū Whakamana i te Tiriti, mōhio ana koutou ki a mātou, engari ko tēnei tō mātou ahorangi a Professor Pou Temara nō Te Whare Wānanga o Waikato. Tēnei taha ōku, a Tākuta Aroha Harris, nō te Whare Wānanga o Tāmaki Makaurau. Me tō mātou rangatira, nō te ao pakihi a John Baird.	our meeting in a prayer on this hearing week. So this Tribunal now comes to this extremity of Te Rohe Pōtae. We are the Waitangi Tribunal, and you know – aware of us, our membership of – to my right is Professor Pou Temara, and to my immediate left is Doctor Aroha Harris of Auckland University. And to her left is our expert from the business world, John Baird.
	Ko ahau tēnei, Kaiwahakawa Ambler, nō Te Tai Tokerau, nō te Kōti Whenua Māori. Ko au te Kaiwhakawā o runga o tēnei o ngā rōpū nei.	I am Judge Ambler from the north. I am the Māori Land Court Judge for the north and I am the presiding officer.
	Ā Rangi McGarvey tō tātou kaiwhakamāori. Nō reira koutou e kaha ana, e hiahia ana ki te kōrero i roto i te reo, kia kaha koutou. Māna te reo e whakamāori e whakapākehā rānei.	We have interpreting services, and interpreting in the corner will provide interpreters service.
	Koinei tā mātou āpiha nō te Rōpū Whakamana. Tutū koutou. Ngā wāhine tokowhā me te tāne rā a Richard, ka pai e noho. Koira mātou.	We have our administration staff of the Waitangi Tribunal, thus we have four ladies accompanied by the sole male, Richard.
	Nō reira, ka tuku atu ki ngā rōia hei mihi atu ki a tātou i tēnei ata, hei whakamōhio mai ki a tātou ko wai rātou.	So we now turn to the lawyers to make their presentations, who they are –
	So I will just turn to counsel for introductions again. For claimant counsel, I do not need you to run through your Wai numbers unless there has been a change. It would be helpful when we come to introductions if you can just indicate the groupings that you represent as they relate to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	this week. So perhaps if we begin with the Crown.	
08:58:11	**BILL KAUA**	
	Huri noa ki a koe e Koro, tēnā hoki koe mō ngā whakamoemiti i tukuhia e koe i tēnei ata. Haere – hoki ana ki ōku pāpā e noho mai i mua rā, kei te mihi atu. Ki a koe John.	Greetings everyone and thank you sir for our prayers this morning. And I acknowledge the elders at the back, and John.
	JOHN	
	Kia ora.	
	BILL KAUA	
	Ngā kōkā, koutou o te haukāinga nei, kōtou o Te Rohe Pōtae, tēnā koutou. Ko tēnei te rōpū o te Ture – Tari Ture o te Karauna. Ko te kaiwhakahaere mō tēnei rōpū ko Geoff Melvin. Kei te mōhio wētahi o koutou ki a ia. Ko tēnei putiputi nō Pōneke. Ko tōna ingoa ko Amy Williams, tētahi o ngā rōia e mahi nei i roto i tērā o ngā tari. Ā ko au tō rātou nei kaiārahi i tēnei wā. Nō reira, huri noa ki a koutou, tēnā koutou.	And others of the home-people and of Te Rohe Pōtae. We represent the Crown Law Office and Geoff Melvin is our leader this week. Most of you know who we are. Our – we have Amy Williams, one of the counsel from the Crown Law Office. And I am their cultural liaison leader. Thank you.
	JUDGE AMBLER	
	Kia ora.	
08:59:10	**EVE RONGO**	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ngā mihi nui ki a koutou e huihui mai nei ki ngā haukāinga, ki roto Whakamana i te Tiriti, ki te Kaurauna, tēnā koutou.	Greetings everyone gathered here today. Greetings to the Waitangi Tribunal, to the Crown counsel.
	May it please the Tribunal, counsel's name is Eve Rongo and to my left is my colleague Ms Emily Stretch. We're representing the usual claim Sir.	
	YASHVEEN SINGH	
	Kia ora Sir. Counsel's name is Singh and I am assisted today with my learned friend Ms Poteau. There are no changes to the client list and we are representing Ngāti Hika, Wai 1299 and Ngāti Hikairo Wai 1196 this week.	
	CAREY MANUEL	
	Tēnā koe Sir. Counsel's name is Ms Manuel from Koning Webster Lawyers, Wai 81 and Wai 146.	
	GLENN TOOTILL	
	Tuatahi, he mihi ki te rangatira kua haere ki tua o te area i tēnei marama, arā a Louie Rū Reihana Rangitawa. Nō reira e koro, moe mai, moe mai, moe mai rā.	Firstly acknowledging Louie Rū Reihana Rangitawa who has passed beyond the veil. So rest in peace.
	Tuarua, ka tuku atu ngā mihi ki a koutou ko whaka eke mai i runga i te reo karanga o te rā, tēnā koutou. Otirā, tēnā koutou te Rōpū Whakamana i te Tiriti. Counsel's name is Tootill and I appear with Mr Burgess. We appear on behalf of our usual claimants including claims on behalf of Ngāti	Secondly, like to welcome – greet everyone gathered here today, and to the Waitangi Tribunal.

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Kinohaku, claimants within the Te Hauāuru Claims Collective and claims on behalf of Ngāti Mahuta. And Sir Ms Putaranui will be appearing in my place tomorrow, and sir I seek leave to withdraw tomorrow.	
	CAMERON HOCKLY	
	Kia ora tātou. Ki te haukāinga tēnā koutou. Ki te tēpu, tēnā koutou, kia koutou katoa. Counsel's name is Hockley appearing for Ngāti Te Wehi.	Greetings to the home-people and to the Waitangi Tribunal.
	BERNADETTE ARAPERE	
	Tēnā koutou katoa. Ki te iwi kāinga, ko Ngāti Rangatahi, tēnā koutou. Ki te Rōpū Whakamana o te Tiriti, tēnā koutou katoa.	Greetings to Ngāti Rangatahi and the home-people and to the Waitangi Tribunal.
	Counsel's name is Ms Arapere. I appear for the usual claimants Sir, Ngāti Raerae, Ngāti Hikairo, Ngāti Paretekawa and the Ōngarue and Ōhura Rivers claim. In particular this week Sir, I appear for Ngāti Huru, Wai 1230 and Te Horongopai, Ngāti Hari, Wai 987 will both be heard tomorrow by the Tribunal. I'll be joined later today by Ms Peters and tomorrow by Mr Williams. Tēnā koutou.	
	MĀUI SOLOMON	
	Ngā mihi ki a koutou. My – counsel's name is	Greetings.

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Māui Solomon, and appear this week for Ngāti Rangatahi and also for Ngāti Hari in Wai 1803. Thank you.	
	TAVAKE AFEAKI	
	Tēnā koe e te Tēpu, e ngā rangatira ko rārangi mai ngā kaikaranga. Ko Tavake Afeaki ahau. He uri ahau nō Ngāti Kahungunu, nō Tonga.	Greetings the Waitangi Tribunal, to the people who are represented. I am Tavake Afeaki of Ngāti Kahungunu and Tonga.
	I tēnei wiki e te tiati e te Tiati, ko ahau te kaikōrero mō Wai 845. Ko ngā kerēme o te whānau Tohengaroa o Ngāti Waiora. Engari e te Tiati, kāre anō ngā kaikōrero tokorua, e māuiui ana rāua. Kāre e taea – kua kī mai kāre e taea kia haramai i te rā Paraire o tēnei wiki. Nō reira, kua kī atu au ki a Mr Tootill, māku e kī atu ki a koe hoki e pā ana nei ki te whakawā i ngā wā o te timetable. Kotahi hāora i tukuna mai ki a rāua kia tuku mai o rāua kōrero, engari mēnā kei a koe te wā e te Kaiwhakawā.	Judge, this week, I will speak for 845, the claims of the Tohengaroa family of Ngāti Waiora. But Judge, my two witnesses are poorly. They are unable to attend on this Friday, so I have advised Mr Tootill. And I tell you now in terms of the timetable, one hour set aside for my witnesses to offer their evidence.
	Engari mēnā he pātai kei ētahi atu o ngā rōia, ngā rōia o te Karauna pea, ngā rōia kaikerēme me te Taraipiunara, ko taku inoi atu ki a koe te Tiati, kia tukuna mai i roto i te tuhituhi, kia hoatu ki ngā kaumātua nei. Nō reira, tēnā tātou, huri noa te whare.	But if people have other lawyers or Crown counsel have any questions or the Tribunal have questions of my witnesses, I request that you send written questions, so that I can offer them to my witnesses.
	JUDGE AMBLER	
	Nō reira Mr Afeaki, kei te kī mai koe kāre te tokotoru – ehara –	You are saying Mr Afeaki your –

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	TAVAKE AFEAKI	
	Toko, tokorua –	
	JUDGE AMBLER	
	– tokorua. Kāre i te haramai i tēnei wiki?	– two witnesses are not available this week?
	TAVAKE AFEAKI	
	Kāre te haramai. Ko Rewi Takuira rāua tahi ko Te Haumiri Takuira.	No they are not available. Rewi Takuira and Te Haumiri Takuira.
	The briefs are #R11(a) and #R12(a).	
	Kua tukuna mai te timetable nē Your Honour.	
	JUDGE AMBLER	
	Kia ora.	
	TAVAKE AFEAKI	
	A kia ora tātou.	
	MARK McGHIE	
	Tēnā koutou katoa. Counsel's name is Mark McGhie. Represent the usual claimants. Represent four groups giving evidence this week, Wai 1197 Ngāti Tū Mānuka, 1738, the non sellers, the Waimarino Block, 1073	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	descendents of Te Kiri Ngātai Arawa and Wai 1388 group hapū from upper Whanganui, Ngāti Tamakana and others. Thank you.	
	KIRIKAIAHI MAHUTARIKI	
0905	Kia ora mai tātou. Ā e tautoko ana ahau i ngā mihi kua mihia. Kia koutou mā ō te haukāinga, anei rā ngā mihi. Ki a koutou hoki i ngā pō i haria i a mātou mā runga pahi o taua haerenga, anei rā ngā mihi ki a koutou katoa. Otirā, ki a tātou katoa.	Greetings. I endorse the greetings to the home-people. And those to who took our – us on our site visit yesterday.
	Sir, counsel's name is Mahutariki. I'm here for the claims on behalf of Maniapoto Māori Trust Board plus getting claims on behalf of Maniapoto. Sir I'd also like to seek leave to withdraw āpōpō ki te haere ki Ōrākau, kātahi ka hoki mai te Wenerei.	…to seek leave to go to Ōrākau tomorrow and return on Wednesday.
	EMMA WHILEY	
	Tēnā koutou katoa. Counsel's name is Ms Whiley. I'm with the officers of Morrison Kent and we represent the usual clients that is Ngāti Kauwhata, Ngāti Apakura, the Te Maika lands claim and in particular this week, Ms Patricia Matthews who is Wai 836 and presenting on Thursday. Kia ora koutou.	
	LISA BLACK	
	Tēnā koutou katoa. Counsel's name is Lisa Black from	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Bennion Law, representing Ngāti Apakura, Ngāti Paretekawa and the Tūhoro and Wetere claims. Sir Mr Bennion will join us on Wednesday for the Sarich #A29 cross-examination.	
	ALEX HOPE	
	Tēnā tātou katoa. Tōku ingoa ko Alex Hope. Ko au te māngai mō ētahi o ngā hapū nō roto o Maniapoto. Kei te mihi ake au ki a koutou te haukāinga. He waewae tapu ahau i konei, nō reira mihi mai, mihi mai, mihi mai. Otirā, tēnā koutou te tēpu rā, ā, heoi anō, taku i tēnei wā.	My name is Alex Hope, greetings. I am the legal counsel for some of the hapū of Ngāti Maniapoto. Like to greet the home-people. I'm a newcomer to this marae. And greetings to the Waitangi Tribunal, thank you.
	JASON POU	
	Kia ora my name is Jason Pou. Our claimant groups haven't really changed. Most of them like me come from the north, just not as far north. Those of Whāingaroa around the Kihikihi area, Paretekawa, Ngāti Pāia, the Tokanui claims, coming down through to Mōkau ki Runga. This week Sir, I will be representing Ms Monika Mātāmua. Ko Ngāti Hotu and Ngāti Hinewai. I will also be assisting Ms Rosita Dickson in her Wai 1393 claim. That is the addition. That is a claim by Te Wharepunga Taumatamahoe Incorporated Society and the Te Wharepunga Trust. They are descendants of Tamahaki, Tamakana and Taumatamahoe who come beneath the embrace of Uenuku to come into this inquiry Sir. Thank you.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Kia ora Mr Pou. Just to be clear, so Rosita Dickson's claim, it's still an unrepresented claim, but you were just giving her some assistance?	
	JASON POU	
	Some assistance Sir to facilitate her participation here. I understand that evidence was filed in the Whāingaroa hearings, so I'll be collating that, and if it assists the Tribunal, I'll probably present a short opening so that you can see the whole context of what they are saying. It is a claim Sir that reaches up from the Whanganui Region.	
	JUDGE AMBLER	
	All right. And is Ms Dickson here?	
	JASON POU	
	She's here Sir, she's over there.	
	JUDGE AMBLER	
	She can just – oh, kia ora. Kia ora koe. Given that that is all – those are all counsel, apart from Rosita Dickson, are there any other unrepresented claimants who are presenting this week. That is, claimants without any lawyers?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	EDWARD EMERY	
	Kia ora, Ngāti Rereahu, Tuwhakahekeao.	
	JUDGE AMBLER	
	So Mr Emery, can I just be clear. Have you prepared a brief of evidence?	
	EDWARD EMERY	
	Yes	
	JUDGE AMBLER	
	That is – all right. And you are in the list?	
	EDWARD EMERY	
	Yes.	
	JUDGE AMBLER	
	All right.	
	EDWARD EMERY	
	Friday.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Friday, all right thank you.	
	EDWARD EMERY	
	Kia ora.	
	JUDGE AMBLER	
	Kia ora.	
	JASON POU	
	Sir if it assists, Mr Emery has passed up a page of his brief. I can hand that up to the registrar so that it can be ready by Friday, if it assists.	
	JUDGE AMBLER	
	If you can arrange for that, yes thank you.	
	JASON POU	
	Yes sir.	
	JUDGE AMBLER	
0910	All right. Ka pai tēnā. Well I am not entirely certain who is opening immediately this morning. I see that there are four opening submissions so Mr Tootill can you perhaps just give me a bit of an idea how we are proceeding this morning?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GLENN TOOTIL	
	Sir, yes so Mr Pātete will be reading his first report and I understand he is being lead by Mr – oh okay so Ms Manuel and Mr Singh together will be leading Mr Pātete.	
	JUDGE AMBLER	
	All right, well over to counsel.	
	CAREY MANUEL	
	Kia ora thank you Sir, Ms Manuel here. Mr Pātete has two reports, the Whanganui Northern Cluster ki te Rohe Pōtae oral and traditional history report which is document #A108 and he will be reading the summary which is #A108(b). He'll also be reading the Ngāti Hauā oral and traditional history report which is #A112, the summary is #A112(a). He will be reading these together Sir. They are - the #A112 report is a companion chapter to the Whanganui Northern Cluster report and he proposes to read them together and take questioning following that.	
	JUDGE AMBLER	
	All right and can I just have an understanding, there is reference to a virtual site visit this afternoon and I wasn't sure if that was Mr Pātete or Mr Jonathan and Mr Herbert?	
	CAREY MANUEL	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Sir, we've got a panel that will be presenting the virtual site visit. We will have Mr Timi Te Whāngai, Ms Grace Le Gros, Louis Tūtemahurangi, Georgina Cribb and Robert Jonathan. Though it shouldn't take more than 30 minutes, it will be a PowerPoint presentation. They will be speaking to that.	
	JUDGE AMBLER	
	All right, thank you for that.	
	CAREY MANUEL	
	Kia ora Mr Pātete, if you can begin reading your Northern Cluster report #A108(b).	
	ANTHONY PĀTETE	
	Kia ora. Would you mind if I give a brief mihi?	
	Ā tēnā koutou, te mea tuatahi me mihi ki te Atua, tēnā koe, te whare e tū nei, te Wharepuni, te wharekura, tēnā kōrua, te Marae i waho tēnā koe. Ngā tini aituā e whakaetia mai e tātou, haere, haere, haere, haere rātou ki a rātou, tātou ki a tātou a Tihei Mauri ora. Ngā tāngata whenua, ki ngā kaumātua me ngā rangatira maha ka nui ngā mihi mahana ki a koutou. Te rōpū o Whanganui Northern Cluster ki te Rohe Pōtae me Ngāti Hauā a te mihi nunui ki a koutou. Ā te Rōpū Whakamana i te Tiriti me counsel mā, ā menemene te mihi ki a koutou,	Acknowledgements to the ancestral house and this dining house and the Marae without and we say farewell to those who have passed beyond the veil. Tō the home people and to the elders I greet you all and greetings to Ngāti Hauā and the Northern Cluster, greetings. And also to the Waitangi Tribunal and Crown counsel, thank you all.

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	tēnā koutou, tēnā koutou, ā tēnā koutou katoa.	
	My name is Anthony Pātete, I am of Ngāti Poata, Ngāti Kuia me Rangitāne te Tauiku, nō Ngāi Te Rangatahi ki Kākāriki me Te Ātiawa ki te Whanganui a Tara hoki. I have the special privilege of reading out the summary for the O and T report for the Cluster Ngāti Hauā, I just wish to quickly acknowledge the claimants who are here to listen to the kōrero, also support it and perhaps in places to disagree with some of it. But I want to make special acknowledgement to those claimants to whom have passed away. I met a few of them on the – during the timeframe of the report and it was a privilege to have met them. They gave of their time, energy and support in the kaupapa, they were very generous in that and I just wish to acknowledge their passing.	
	He tangi hotuhotu te manawa, moe mai, moe mai, moe mai rātou te hunga Wairua ki a rātou, tātou katoa ki a tātou. Nō reira tēnā koutou, tēnā koutou a kia ora huihui mai tātou.	Say, rest in peace to those who have passed on and greetings to we, the living.
	May I begin? Thank you.	
	READS BRIEF OF EVIDENCE #A108(b) "This is a summary of the Oral and Traditional History Report prepared for the Whanganui Northern Cluster ki Te Rohe Pōtae claimants for Te Rohe Pōtae District Inquiry and commissioned by the Crown Forestry Rental Trust. The report considers the interests of the following: Ngāti	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Rangatahi, Ngāti Urunumia and Ngāti Hari, Tūtemahurangi, Tanoa, Ngāti Hekeāwai, Te Ihingarangi, Ngāti Hikairo, Ngāti Hotu, 'Te Karu o te Ngira', Tamahaki, and 'Te Korowai o Uenuku', 'Waimarino non-sellers' reserves', Te Kere Ngātaierua, and the Tatū Mine claim. The cluster have strong political interests in Te Rohe Pōtae expressed in (at least) 33 Statements of Claim1, most of which identify interests in the upper Waimarino, and I should also say the Tūhua district within the 1883 petition boundary (the 1883 boundary), and of which 18 claims identify multiple landblocks or subdivisions in Te Rohe Pōtae district inquiry boundary (Rangitoto-Tūhua in particular). It is acknowledged that there is overlap between the main report and companion chapter of Ngāti Hauā either through shared narrative, events, and/or tūpuna, and there will be conflicting narratives reflective of the varying perspectives of claimants. Furthermore, the narratives outlined in the two documents are by no means the full comprehensive story of the tribal groups within the cluster. Both documents form a foundation upon which to build upon. Please also note; there is some replication of evidence between this summary and the following summary for the Ngāti Hauā companion chapter. Moreover, the subject matter in the Ngāti Hauā summary concerning the 'Aotea Rohe Pōtae' hearings from 1886, in which the tribal boundary between Maniapoto and Whanganui tribal groups was defined and contested, is of particular importance and emphasis to claimants for this summary as well. **Boundary definition**	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	The Crown's insistence that land be divided by rigid well-defined boundaries and subdivisions in turn divided and separated hapū, whānau, people, and all their resources, from their land and their history. This division was accentuated according to who presented the best case at the Native Land Court, the divide-and-rule actions of the Crown, and colonisation in general which deeply cut into the mana and tino rangatiratanga of the land and its people. For the cluster claimants, Te Rohe Pōtae boundary extends, more or less, to that adopted by their tūpuna in the 1883 boundary. They ask claimants to divorce themselves from this petition boundary was analogous to trying to separate the cluster from the middle and lower reaches of the Whanganui River where they are simply one with the river from its headwaters to the ocean; tribal boundaries were fluid, shifting and shared, and where whakapapa was deployed by different kinship groups for different purposes and the ancestral lines used reflected those purposes. Thus, a large proportion of the claimants' narrative and evidence is inclusive of the petition boundary, including the northern part of the Waimarino Block, and its ubiquitous nature cannot necessarily be separated from the district inquiry boundary. **Introduction** The northern or upper Whanganui River is central to a traditional district that straddled both sides of the upper river, known as the Tūhua district. Most Whanganui hapū extant in the 19th century were descended from the waka Aotea, of course captained by Turi, while a number trace descent from	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	tūpuna who pre-date Turi, including Houmea, Ruakopiri, and Paerangi. Taumarunui was a pivotal or central hub geographically with the junction of the Whanganui and Ōngarue Rivers as a focal point. It was the meeting place of the descendants of four of the main migration waka, namely Aotea (along the route of the Whanganui River), Tainui (from the headwaters of the Mōkau and Waipā rivers, down to valleys of the Waimiha and Ōngarue), Te Arawa (from the shores of Lake Taupō and down the headwaters of the Whanganui River), and Tokomaru (from coastal North Taranaki overland into the mid-reaches of the Ōhura River). The strategic importance of the Tūhua area from a wider Whanganui perspective is reflected in the whakataukī of Tōpine Te Mamaku: 'Unuunu te puru o Tūhua māringiringi te wai o puta' ('If you withdraw the plug of Tūhua you will be overwhelmed by the flooding hordes of the north; or, if you withdraw the plug of Tūhua, you empty the Whanganui River). Tamakehu is regarded as the pivotal tūpuna of the Whanganui River. His union with his first wife, Ruakā, produced three children who formed three ancestral groupings along the length and breadth of the Whanganui River: Hinengākau settled the upper reaches of the river. Her brothers, Tamaupoko and Tūpoho, are the tūpuna for the middle (Manganui-a-te-Ao to Matahiwi) and lower reaches of the river (Matahiwi to the sea), respectively. The brothers were engaged in a period of prolonged conflict with Ngāti Tūwharetoa and there were also internal disputes among tribes living on the Whanganui River. Hinengākau was living at Te Kūiti when her father pleaded with her to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	return to Whanganui to bring peace, to which she agreed. Her return ended the wars with Tūwharetoa and established a degree of harmony between her people on the Whanganui River.	
0920	Hinengākau plaited the taura whiri, a symbol of unity and peace binding Tamakehu's children. The subsequent union between Hinengākau and Tamahina, the great-grandchild of Te Hoata I, around 958AD symbolised and strengthened alliances, unity and intrahapu relationships between Ngāti Maniapoto, Ngāti Tūwharetoa and those of the upper Whanganui River area. **Post-contact** During the wars of the 1860s, the pan-tribal Kīngitanga Movement, which opposed land sales, the expansion of Pākehā settlement and Government, and sought to uphold customary authority over land and resources, received widespread support from Whanganui River hapū. Whanganui rangatira, Te Mamaku and (Te) Pēhi Tūroa, declined requests to accept the Kingship. In 1858, the Movement was introduced into Whanganui by Tūroa's son, Topia Tūroa. With the permission and authority of local rangatira and communities, the Kīngitanga was able to employ aukati to protect and control their boundaries, although flexible in that it also catered to meet local and individual tribal needs. Ngāti Hekeāwai, for instance, played an important role by stopping Pākehā entering Te Rohe Pōtae past Pipiriki and the Manganui-a-te-Ao Valley. Te Peka was the southern-most Kīngitanga Marae	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	and it was manned by Hekeāwai. Except for Alexander Bell, who lived in Taumarunui, no Pākehā lived inside the aukati in the upper Whanganui. Yet, there were always changing inter-tribal complexities and alliances. At the battle of Moutoa in 1864, a number of prominent Kīngitanga supporters refused to support the Hauhau in battle and many upper river rangatira refused to take part. In the late 1860s, when Te Kooti began operations in the Whanganui District, a number of upper river communities, for reasons of their own and who had earlier supported resistance to the Government, now allied with Government forces against Te Kooti. This complexity is also reflected at the Land Court; here, for instance, the descendants of Tanoa and Te Whiutahi deployed their whakapapa from Maniapoto tūpuna on the male line and Whanganui tūpuna on the female line. Tanoa's immediate descendants identified primarily through their Whanganui whakapapa in the late 19th century, possibly to assist in the award of certain land interests. Similar evidence shows that Ngāti Rangatahi claimed with Ngāti Hauā of Whanganui with whom they were closely related through intermarriage and shared whakapapa. Indeed, this appears a key dynamic of the Ōhura South and some of the Rangitoto-Tūhua hearings. That is, Ngāti Rangatahi claimed with their Whanganui relations rather than with Ngāti Urunumia and their Ngāti Maniapoto relations; rather than with their Ngāti Urunumia or their Maniapoto relations. The latter groups, particular came into conflict with their Whanganui relations in the hearings for Rangitoto-Tūhua No. 2 or the Pukuweka	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Block. The Te Rohe Pōtae 'compact', or Te Ōhākī Tapu, was a series of understandings and agreements concerning Te Rohe Pōtae negotiated between the Government and Ngāti Maniapoto, Raukawa, Tūwharetoa, the Whanganui tribes, and later Ngāti Hikairo. This included a petition to Parliament in June 1883 which stated among other things, a boundary definition of Te Rohe Pōtae. The petition was also signed by individuals from the upper Whanganui River and Tūhua area. While the breaches of the Compact have been discussed at previous Tribunal hearings, an example of the consequence of the breach is highlighted by Ngāti Hikairo claimants who contend that the Crown allowed the Taupō-nui-a-Tia Block to pass through the Court in order to meet the Crown's political agenda. The block included land of Ngāti Hikairo without their knowledge. In effect, the Crown's implementation of the Compact 'geographically and politically reduced Ngāti Hikairo to being a "buffer iwi" between Ngāti Hauā, Ngāti Patutokotoko, Ngāti Tūwharetoa, Ngāti Maniapoto, Ngāti Maru and Ngāti Raukawa'; it undermined the wide political unity and capacity of the tribal leadership to work together to control the opening of Te Rohe Pōtae; it compromised and complicated Hikairo's traditional relationships with other groups of the district and further afield, including wrongfully relegating Ngāti Hikairo to a hapū of Ngāti Tūwharetoa. The Compact provided for the sanction of the tribes for the construction of the North Island Main Trunk Railway Line,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	and whose construction was a major grievance of the claimants. In 1883, Te Rohe Pōtae tribal leaders agreed to a rail survey of the land. When he encountered the aukati along the upper Whanganui area, surveyor John Rochfort threatened the use of armed force and confiscation. In 1884, a parliamentary committee chose the central route from Marton through to Te Rohe Pōtae. Many claimants stated that landowners along the proposed North Island Main Trunk Route had not been consulted on plans. Tō help progress the North Island Main Trunk Line, in late 1883, the Native Minister met with Ngāti Maniapoto leaders and the leaders of other tribes, including those of upper Whanganui, to discuss a proposal to survey the external boundary of the Rohe Pōtae. An application to permit the survey was subsequently granted, signed by several rangatira including Te Pikikōtuku. The surveyors commenced their work but at Tūhua they met 'serious and troublesome opposition' from Māori concerned that surveys would be paid for using land, that this land would pass before the Land Court, that lands would be rated and taxed, and that the Government would prevent owners from managing their land while Crown officials went about buying it. In early 1885, the exploratory survey was completed and more detailed surveys of the route began. The work proceeded rapidly and tenders for construction of the railway line were prepared. Te Rohe Pōtae Māori had agreed to the exploratory survey but not necessarily the construction of the railway. In the end Te Rohe Pōtae had decided to also give land for the track (one-chain wide) and stations (around 3-chains wide) without compensation, but the Government	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	took three chains average width for the track that Te Rohe Pōtae Māori were probably unaware of. The Native Land Alienation Restriction Act 1884 was passed to prohibit private land dealings in the area of the central North Island `. This gave the Government monopoly control of Māori land alienation and in consequence gave officials the ability to determine prices that would be paid for land. As claimants state, there was no open market for Māori to benefit from and by the time the restrictions were lifted in 1909 the Crown owned a vast estate of land in Te Rohe Pōtae, Waimarino and surrounding districts. The Government insistence that land required for the railway route would be taken and then compensation paid to those declared owners generated fears that the Land Court would be operating in Te Rohe Pōtae. The underlying fear of Whanganui people appears to be that Wahanui and his alliance may have given away too much. For instance, in 1885, rangatira Paiaka Te Pikikōtuku wrote to the Government outlining Tūhua complaints that Ngāti Maniapoto proposed to sell all the land through which the railway would run within the boundary of Whanganui. Furthermore, in the same year Tōpia Tūroa and others, convened a large hui at Poutū attended by 1,000 Māori from Tūhua, the upper Whanganui and Taupō. The hui resolved, among other things, to give passive obstruction to the North Island Main Trunk by declining work on it and by – or by charging exorbitant prices for timber and other materials. The communities at Tūhua and Manganui-a-te-Ao decided not to accept money for any towns or railways stations on their land. A well documented protest was that of Ngāti	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Rangatahi elder, Tuku Te Ihu Te Ngarupiki II, where he burned himself to death to protest the construction of the railway through Taumarunui. **Ngāti Rangatahi** Rangatahi was the great granddaughter of Maniapoto and the tuakana to Ngāti Hari, Ngāti Urunumia, Tanoa, Tūtemahurangi and others. Ngāti Rangatahi trace their origins to Ōtorohanga, Ōrāhiri and Mangawhero. Around the late 1700s, as a result of population growth, competition for scarce food resources and conflict, Ngāti Rangatahi migrated south to Ōhura to settle with Whanganui hapū. Not all Ngāti Rangatahi left and those who remained (appeared to) refer to themselves as Ngāti Maniapoto. Ngāti Rangatahi developed strong whakapapa and whanaungatanga links with Whanganui hapū, particularly in and around the Taumarunui area, although they continued to identify most strongly with their Maniapoto whakapapa. In some instances of Ōhura South, Ngāti Rangatahi were known as Ngāti Wera, named after Wera, the daughter of the Whanganui tūpuna Hinengākau. Wera's daughter, Kimihia, married Te Puru, the great grandson of Rangatahi. In the early 1820s most of Ngāti Rangatahi at Taumarunui joined up with their whanaunga, Te Rauparaha of Ngāti Toa and his allies, on his way to Kapiti where a number of Rangatahi would eventually settle in the Hutt Valley, then later on the banks of the Rangitīkei River. Many of those who had left the upper Whanganui eventually returned to Ōhura around1846 where they had to negotiate	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	a new relationship with Ngāti Rora, led by Taonui Hīkaka, who held sway over the area since Ngāti Rangatahi's exodus in the 1820s. Ngāti Rangatahi were involved in a number of battles around the motu including at Te Whanganui-a-Tara, at Pukekauere at Waitara, down the Whanganui River against colonial forces, aiding the Kīngitanga in the Waikato including – like other tūpuna within the cluster – in the battle of Ōrākau. Special sites of significance for Ngāti Rangatahi include Ngahuihuinga, at the junction Whanganui and Ōngarue River, Te Hiakaitupeka Marae on the Taringamotu River. This marae here, Te Wharauroa (shared with other hapū, including Ngāti Hinewai, Ngāti Hinemihi and Ngāti Pahere); Mōkau Kohunui, Te Hape, Morero, and Te Peka (the site of the Taumarunui Hospital).	
0930	Further sites within Te Rohe Pōtae inquiry boundary include Te Kēti and Kotahitanga and near Ōtorohanga, Ōrāhiri, Petania and other Rangitoto-Tūhua subdivisions, Waipū and Taringahaere (lands along the Waipā River heading towards Ōtorohanga). Located behind the aukati line of the Kīngitanga, the Ōhura South Block –" And I just had to make a correction here. I've got there that the block is known as the Rangatahi Block. It's incorrect. It's actually a smaller piece of land within Ōhura South, which is discussed in the next summary of Ngāti Hauā. So just please note that correction there. So the Ōhura South Block came before the Land Court in	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	1886 as part of the Aotea-Rohe Pōtae Block. **CONTINUES READING BRIEF OF EVIDENCE #A108(b)** "Its boundary is described as the 'ancestral boundary' between Maniapoto on the one side –" And another slight correction here. It should be "And Whanganui on the other." **CONTINUES READING BRIEF OF EVIDENCE #A108(b)** "The Court ruled against Ngāti Rangatahi despite their repeated attempts to claim greater interests in the block; for the most part they had to advance their claims through connections to Ngāti Hauā." The chapter on Ngāti Urumia which includes Ngāti Hari and Ngāti Hira. **CONTINUES READING BRIEF OF EVIDENCE #A108(b)** "The tūpuna Urunumia was a daughter of Rangatahi, and Hari was a descendant of Urunumia. Hira was a descendant of Te Hoata, a prominent Whanganui tūpuna, who married Tukeo of Ngāti Urunumia and their descendants are Ngāti Hira. Through Ngāti Hira, Ngāti Hari have whakapapa links to Ngāti Hauā, Ngāti Rangatahi and Ngāti Awa. The occupation at Tūhua by these tribes dates to the early female Tainui explorer, Kahupeka, who named, among other places, the mountain range Rangitoto during her travels. It was at Tūhua that Te Kanawa, a child of Urunumia, established the boundary between Ngāti Maniapoto and	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ngāti Tūwharetoa. Described by claimants as a 'border people', Ngāti Urunumia originally resided near Ōtorohanga, but as they were numerous and a warrior people they were subsequently and strategically located around the borders of Te Rohe Pōtae to protect Ngāti Maniapoto interests. With a burgeoning population at Ōtorohanga, Hari and one of his siblings, Tuwhaki, were forced to look south for land to occupy. Hari was dedicated to the fighting arts of Tūmatauenga, but met his demise in a conflict between Ngāti Maniapoto hapū and Whanganui which eventually resulted in Te Horangapai peace settlement in the late 1790s following the killing of Tūtemahurangi (as discussed in the next section). Te Horangapai was considered by Ngāti Urunumia and Ngāti Hari to be the final word on relations between Ngāti Maniapoto hapū and Whanganui in the consolidation of their presence at Ōhura and the Taringamotu River. Before the Land Court in 1892, Ngāti Urunumia and Ngāti Hari claimed that their occupation on Ōhura was on the basis of Te Horangapai. It was a claim largely rejected by the Court. Ngāti Hauā claimed that the two tribes lived there through their descent from Te Hoata, even though Whanganui rangatira Mātakitaki Te Ngarupiki agreed with Wahanui (who was representing Ngāti Maniapoto and Ngāti Urunumia) that Te Horangapai belonged to Maniapoto. Ngāti Urunumia and Ngāti Hari became ardent supporters of the Kīngitanga and patrolled the south-eastern border of the aukati for intrusion by any Pākehā. Throughout the turbulent	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	years of the 1860s, Ngāti Hari took in and cared for refugees fleeing the Crown, while tribal members also fought against the Crown in campaigns in Taranaki, Waikato and on the Whanganui River. Ngāti Hari did not participate in many Court hearings out of respect for the wishes of the Māori King. Ngāti Hari consider themselves traditionally, the kaitiaki of the 'whole of the Taringamotu Valley.' From the 1910s through to the 1990s, the Taringamotu River was exploited for gravel supplies by local bodies and the Crown without apparent consultation with Māori. The loss of the Ngarongohira Lake (on Ōhura South A4 – which was drained upon the construction of the North Island Main Trunk had a major impact on Ngāti Urunumia. Special sites of significance of Ngāti Hari include Tūwhenua, Anapungapunga, and a fortified pā to defend any 'Northerner attack' at Papawaka (on Rangitoto-Tūhua number 7). The tenets of Pai Mārire and Pao Mīere were practiced at this pā. The Hiakaitupeka Marae is considered the 'heart of Ngāti Hari', and was a focal point – sorry, a focal community hub for the Kīngitanga and local tribes. Ngāti Hari also assert interests in Rangitoto-Tūhua 6 (or the Matawaia Block) and 21 (the Ngairo Block). Through close whakapapa links with the Mōkau Region, Ngāti Urunumia and Ngāti Hari traditionally and in contemporary times shared or traded resources from Taringamotu to the coast.	
0935	Ngāti Urunumia had a set of defensive pā stretching back into the Hauhungaroa ranges. One such fighting pā was	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Otutewehi, located on Rangitoto-Tūhua 66, which belonged to Te Kanawa which he gave to Hari. This land was subject to quarrying in the 1990s by the local council despite protestations from Ngāti Hari. Ngāti Urunumia identify 'ancient and customary associations throughout Te Nehenehenui o Maniapoto', including interests in Rangitoto-Tūhua number 2 (the Pukuweka Block) 52A, and other blocks." The chapter on the Descendants of Tūtemahurangi, Waikura and Te Tarapounamu. **CONTINUES READING BRIEF OF EVIDENCE #A108(b)** "Tūtemahurangi was a key leader of Ngāti Rangatahi and a significant figure in conflicts of the second half of the 18th century. He is descended from Tukawekai, the brother of Urunumia, and was the son of Kimihia of Ngāti Hauā and Te Puru of Ngāti Rangatahi. Tūtemahurangi's descendants belong to many kinship groups which occupied settlements along the Whanganui River, to the south in Waimarino, the north in Ōhura South, and into the Rangitoto-Tūhua Block. The Kākahi Marae is Tūtemahurangi's principal marae. His first wife, Waikura, was the daughter of Te Āwhitu of Ngāti Hauā. Te Tarapounamu was the son of Manunui of Ngāti Tūwharetoa and Ngāti Raukawa descent. In the early 18th, century as a result of a conflict at Paparua (near Lake Rotoaira) between taua, Whanganui and Ngāti Tūwharetoa involving Manunui, a marriage was arranged between Tarapounamu and Kahuti, the daughter of the Whanganui rangatira, Tūmatangaua. Their descendants lived in kāinga from Rotoaira extending west to the Tūhua District.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Tūtemahurangi's amorous liaisons led to wide-ranging repercussions for Ngāti Rangatahi. Sometime after 1750, Tūtemahurangi began an affair with the wife of his cousin, Nukuraerae, of Ngāti Hauā. Soon after Nukuraerae found out, Tūtemahurangi killed him.	
0937	This caused deep resentment among Tūtemahurangi's tribe and he and his whānau left to settle in the Ōhura valley. Tūtemahurangi was later killed by subterfuge at the apparent instigation of Hari. Years later upon the advice of Tanoa, Tūtemahurangi's son, Te Porou, exacted revenge on Ngāti Maniapoto hapū near Te Kūiti. Ngāti Maniapoto went to the upper Whanganui in revenge but were defeated at Te Maire. It was here that Hari was killed by Ngāti Hauā. His death brought to an end, more or less, this period of conflict through the peace-making at Te Horangapai (at the junction of the Taringamotu and Ōngarue Rivers) around 1795 and 1800, between Ngāti Rangatahi, Ngāti Urunumia, and Ngāti Hauā. Te Horangapai would thereafter provide sanctuary for individuals, including Te Kooti, and hapū as early as the 1820s and especially in times of further conflict and in consequence of the New Zealand wars of the 1860s and 1870s. The overall assessment of these varying accounts of conflict which followed Tūtemahurangi's death is that they reveal the close association between Ngāti Rangatahi and Ngāti Hauā during this period of significant upheaval. **The chapter on the descendants of Tanoa and Te Whiutahi**	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Kopere Tanoa I, or Tanoa, is the older brother of Tūtemahurangi. The claimants identify Tanoa as the tohunga and Tūtemahurangi as the warrior, and are associated with many hapū, including Ngāti Hauā, Ngāti Hekeāwai, Ngāti Hinemihi (of Tūwharetoa), Ngāti Hinewai, Ngāti Maniapoto, Ngāti Manunui (also of Tūwharetoa), Ngāti Rangatahi, and Ngāti Ruakā. Te Whiutahi Wārahi was the father of Matawai who married Kopere Tonga Tanoa (Piwa), the great grandson of Tanoa I. Tanoa was a critical figure in the conflicts which followed the killing of his younger brother, Tūtemahurangi as noted above. Tanoa's sons, Tanoa Te Uhi and Taitua Te Uhi, were also significant figures of their time and often identified themselves as Ngāti Hinewai. The sons were frequently associated with their cousin Tūao. Tūao took an active role in claiming land north of the Whanganui River, such as Ōhura South and Tūhua, while Taitua was one of the few to participate in the Waimarino hearings. At the initial Rohe Pōtae Block hearing, Tūao claimed for Ngāti Hauā in the Ōhura South Block, and Tanoa's descendants were awarded interests in the block, along on the banks of the Whanganui River. Tanoa tūpuna were also involved in the initial hearing for Te Heuheu's claim for the Taupō-nui-a-Tia Block, in January 1886, where Ihimaera Tūao objected on behalf of Ngāti Hauā. Marae of Tanoa descendants are Matua Kore (Waimarino number 6) and at Piriaka; with affiliations to Ngāpūwaiwaha, Wharauroa, Te Koura (on Rangitoto-Tūhua 60A), Morero	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	and Kākahi, which shows the interconnectedness of the Tanoa people stretching across the upper Whanganui into Te Rohe Pōtae. Other interests of the Tanoa descendants included - include Aorangi, and numerous Rangitoto-Tūhua subdivisions. **The chapter on Ngāti Hekeāwai** Claimants identify Hekeāwai as the child of the tohunga, Whakaneke, of Te Arawa and Whanganui, who descends from Te Hoata I and Tamahina. Hekeāwai also descends from the pre-waka figurehead of Paerangi. In this inquiry, the claimants identify Ngāti Maniapoto as the iwi, Ngāti Hekeāwai as the hapū, and where Hekeāwai is a 'branch' of Ngāti Hāuaroa. This does not, however, detract from the strong Whanganui affiliations that Hekeāwai descendants also have. Ngāti Hekeāwai were a 'buffer' hapū between Ngāti Maniapoto, and between Ngāti Tūwharetoa and Whanganui; has 'links' with Ngāti Tūwharetoa, especially with Ngāti Manunui; and is also a prominent hapū of Ngāti Hauā. Ngāti Hāuaroa are affiliated to the waka Tokomaru of North Taranaki and Tainui through the tūpuna Rangatahi. Te Hoata established mana in and around Taumarunui and the Hurakia Ranges. (Te Hoata was the principal tūpuna in Ōhura South of Rangitoto-Tūhua for Ngāti Hauā.) The expulsion of Ngāti Hā from the upper Waipā and Mōkau areas by a force of Ngāti Hia and Tainui, led by the renown warrior, Tamaaio, moved its way down to Whiritoa (on the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ōhura South N Block) where Te Hoata II negotiated a permanent peace with Tamaaio through the marriage of his daughter Hinemata to Tamaaio. A memorial at Te Peka commemorates this union and the ensuing peace between Ngāti Hauā and Waikato tribes. Hekeāwai gained prominence from the actions of his father, Whakaneke, who was involved in numerous battles and for bringing peace between Whanganui and Maniapoto hapū at Te Horangapai. In the Te Horangapai peace settlement [sic] Whakaneke allowed Ngāti Urunumia to settle on Ngāti Hekeāwai land. Ngāti Hekeāwai was a warrior fighting people who had no waiata lest the 'enemy would hear them', and no carvings on their wharepuni. The tribe's principal rangatira was Te Pikikōtuku, whose mana, along with that of the Ngāti Hauā rangatira, Tukairoa, was claimed in 1880 to have extended 'from Tongariro to the sea', before being passed to Te Pēhi Tūroa. Over time, led by Tōpia Tūroa, Ngāti Hekeāwai expanded their influence to the mountains of the Whanganui Region where they became known as Te Patutokotoko (occasionally referred to as Ngāti Ruakopiri) and also known as Ngāti Tukairoa, having their stronghold on the Manganui-a-te-Ao River. Patutokotoko became a famous hapū name through the prowess of the leader Pēhi Tūroa and the fighting ability of his men. Hekeāwai's descendants on the upper Whanganui kept their eponymous tūpuna's name to distinguish	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	themselves from Patutokotoko. Ngāti Hekeāwai's area of interest extends from the mouth of the Whanganui River, north to Hiwi Hill on the Tapuwahine Block, east to Tangitū Peak, and then Tūhua, to veer south to Ruapehu (or more precisely at the Paretetaitonga area), and back to the river mouth. The tribe's principal pā was at Te Peka before it was taken under the Public Works Act in the early 20th century for a public hospital. Ngāti Hekeāwai assert interests in the Waimarino and Rangitoto-Tūhua Blocks, and were recognised at the Court hearings for the Ōhura South Block. Today, Ngāti Hekeāwai have no pā or marae of their own. **The chapter on Te Ihingarangi** The claimants affiliate to Ngāti Maniapoto, Ngāti Tamainupō and Ngāti Wairere. While the latter two tribes are not part of the cluster grouping per se as they are a Waikato tribal group, the claimants acknowledge the strong connection Ngāti Wairere have with Te Ihingarangi. Wairere descends from the waka Mātaatua through his father, Tamainupō, and the waka Tainui through his maternal grandfather, Māhanga. Māhanga was considered a 'principal man' in spreading the Tainui influence into the Waikato. From Wairere and his two daughters, both of whom married Korokī, descend Ngāti Wairere. Wairere's great grandson, Ngaere, married Heke-i-te-rangi, the great, great, great granddaughter of Te Ihingarangi (or daughter of Rangatahi). The older half-brother of Maniapoto, Te Ihingarangi is the son of Rereahu and the grandson of Raukawa; his	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	birthplace was Pukepoto (or Rangitoto-Tūhua number 60). He is also descended from Te Hoata of Te Arawa. It was through the union of Hinemata and Tamaaio mentioned above, that their daughter Rangiānewa, later taken as a wife by Rereahu, gave birth to Te Ihingarangi. Prominent descendants of Te Ihingarangi include of course Tūtemahurangi and Ngāti Rangatahi. In the 17th century, after the peace agreement with Te Hoata II above, Tamaaio's mana passed to his son-in-law, Rereahu, who, along with his sons, including Maniapoto, settled around the Waipā and Mangaokewa Region, with their centre at Te Kūiti. There are many versions of the death of Rereahu and the passing of his mana to Maniapoto rather than Te Ihingarangi, suffice to conclude that Te Ihingarangi was far from happy as he had expected the mana to naturally fall to him. Te Ihingarangi made indirect threats against Maniapoto, and was subsequently chastened by Maniapoto. As a result, Te Ihingarangi was forced to leave his lands around Ōngarue to resettle at Maungatautari in the Waikato. After his death, many of his descendants returned to Ōngarue and other areas within the Rangitoto-Tūhua area. Some of his descendants remained at Maungatautari and became Ngāti Hauā. Ngāti Ihingarangi, like other Maniapoto hapū, was possibly part of a defensive line for Ngāti Maniapoto in the area north of the Taringamotu River, described as a 'huarahi pakanga' or pathway of war used by Whanganui for attacks on	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ngāti Maniapoto. Ngāti Ihingarangi were implicated in the killing of Tūtemahurangi. At the 1886 title investigation of the Rohe Pōtae Block, Wahanui contended that the dispute between Maniapoto and Te Ihingarangi was one of a 'contest of mana'. Claims made under the tūpuna Te Ihingarangi were dismissed by the Court, which ignored Rereahu's first wife (or Te Ihingarangi's mother) in favour of Maniapoto to whom the Court determined acquired most of the Rangitoto-Tūhua Block, thus denying Ngāti Te Ihingarangi 'any land in 'Aotea-Te Rohe Pōtae'. The rohe of Ngāti Te Ihingarangi is described as the Waimiha-Ōngarue River catchment area (approximately 60 square kilometres) located at the southern end of the Rohe Pōtae Block near Taumarunui. The tribe has several marae they affiliate to, including Managapeehi, Te Hape, Te Kaha Tuatini, and Waimiha with its wharenui, Te Ihingarangi. Ngāti Wairere are affiliated with two marae: Hukanui and Tauhei, both in the Waikato. The claimants assert interests in Hauturu, Maraeroa, Pukenui, Puketarata, Rangitoto A, Turoto, Tokanui, Waitomo, Rangitoto Tūhua, Te Ākau, Te Kōpua, Te Rape and Whaanga. Ngāti Wairere were involved at the 1886 Native Land Court title investigation into the parent Te Rohe Pōtae Block, with claims for land 'east of Puketarata and up to the sources of the Waipā River', around Wharepūhunga, and 'in the east' of Te Rohe Pōtae Block. **The chapter on Ngāti Hikairo**	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ngāti Hikairo's land interests in this inquiry are limited to the area encompassed within the 1883 boundary, their inclusion in this report is to highlight and understand their political claims which relate largely to the actions and omissions of the Crown that undermined Ngāti Hikairo autonomy and mana. Ngāti Hikairo share whanaungatanga and historical events with other Ngāti Tūwharetoa hapū but have their own distinct identity, exclusive interests and territory from that of Ngāti Tūwharetoa. According to the claimants, it is whakapapa, time, place, and name pronunciation that serve to distinguish the different Hikairo tūpuna in New Zealand's history. Consequently, Ngāti Hika-iro I and II of Kāwhia, Hikairo from Ngāti Kauwhata (from whom the Kingmaker Wiremu Tāmihana descends), Hikairo from Te Awahou (who became the rangatira for Ngāti Rangiwewehi), Hī-kai-iro from Mahia (whose son Te Rākātō married Hinewehi, the sister of Pōtatau Te Wherowhero, the first Māori King), are not tūpuna to whom claimants have a 'substantive connection' with. Thus one group of Hikairo claimants (the Wai 37, 933 and 1196) strongly identify a descent from Tia of the waka Te Arawa; the claimants – the remainder of claimants (Wai 833, 965, 1044 and 1605) identify descent from the ancient Ngāriki people as well as Tamatekapua of the waka Te Arawa. Hikairo had two marriages that cemented Hikairo's links to the Tongariro area through Tātara, a descendant of Tamakana from Whanganui, and Puapua II from the Taupō Region, who was descended from Ngāti Rongomai and Ngāti Rakeipoho, both senior hapū of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ngāti Tūwharetoa.	
0950	Te Wharerangi was an acclaimed Hikairo tūpuna who was respected for his wise counsel both in times of unrest and in times of peace, and was a key connection between Taupō and Whanganui tribes. The Motuopuhi pā he had on the island on Lake Rotoaira was famous for harbouring of course Te Rauparaha who was traveling from Kāwhia to Whanganui via Tongariro with, among others, Ngāti Hika-iro ki Kāwhia, and was being pursued by a tāua of Ngāti Maru and Ngā Puhi. From the island, Te Rauparaha composed his famous haka, 'Ka Mate'. Some of the Ngāti Hika-iro ki Kāwhia remained on land given to them by Ngāti Hikairo. The taua, however, exacted revenge on the island's inhabitants for harbouring Te Rauparaha. The orphans from this massacre were cared for by neighbouring tribes, and the remaining people became an 'unrecognisable nation of lost souls, lost leaders, and lost spiritual visionaries.' It was from this moment on the people became known as 'the Lost Tribe'. Ngāti Hikairo are the kaitiaki for the Maunga Tongariro, which includes Tongariro, Ngāuruhoe, and Ruapehu; thus the loss of the maunga to the Crown in 1887 without discussion with Ngāti Hikairo was a heinous injustice. A number of sites of significance within the rohe of Ngāti Hikairo include obviously the springs of Te Maari and Ketetahi on the slopes of Tongariro, the 1869 battles site of Te Pōrere where Te Kooti fought against Crown forces; the source of the Whanganui River, the wai puna Te Hokowhitu a Rakeipoho, located high on the northern rim of the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Maunga Tongariro; and the former food basket of Lake Rotoaira, which was lost as part of the Tongariro Power Development scheme. The inclusion of Ngāti Hikairo lands in the greater Taupō-nui-a-Tia Block application was considered a breach of Te Rohe Pōtae Compact. Issues and grievances around the Native Land Court and its processes can effectively be applied across all the cluster claimants, and can be summed up by Ngāti Hikairo when they claim that the Court process, constrained as it was by its rigid regulations and legislative provisions: failed to take into account their tikanga in determining matters relating to land; placed the interests of one hapū above another; often disenfranchised Māori; turned Māori against Māori; and failed to take into account or actively protect their interests, particularly in the Waimarino Block. Centuries of traditional customary tenurial rights were overturned by the stroke of a pen and the issuing of an ownership list on paper, and Court rulings often made no sense or muddled ownership to the detriment of tribes. Being unable to pay for survey costs accelerated alienation and impoverished the tribe further. Ngāti Hikairo lands were acquired pursuant to the North Island Main Trunk line Railway Loan Application Act 1886 and held subject to the provisions of section 5 of the North Island Main Trunk line Railway Loan Application Act Amendment 1889. While the lands were purportedly acquired for railway purposes, they were never used for such purposes and have not been returned or offered back to Ngāti Hikairo. The Crown also used lands in Waimarino	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	in which Ngāti Hikairo had customary interests for the purpose of balloting farm lots to Pākehā Returned Servicemen after both World Wars. Māori Returned Servicemen, several of whom were Ngāti Hikairo, were not afforded the same opportunity. **Ngāti Hotu** Ngāti Hotu are considered by some to be a 'peaceful tribe', not proficient in the arts of war; they were sometimes referred to as 'urukehu' (fairy people) because of their unusual red hair and fair skin. Oral history states that they originated from Persia before they moved south to Hawaiki Nui or Borneo, and moved to several other places before arriving in New Zealand some 300 years before the waka fleet; thus, they evolved from the earliest aboriginal people including Ruatipua and Mouruuru. The history of Ngāti Hotu is intertwined with that of Ngāti Hinewai. Ngāti Hinewai descends from Te Tini o Toi but have strong lines of descent from Tūwharetoa and Rakeipoho, and associations with Whanganui hapū as well. Ngāti Hotu's rohe originally was in the Bay of Plenty, before moving to the central North Island as well as the Taupō district, and over towards Hawke's Bay during the 16th century. Threatened with invasion from Ngāti Tūwharetoa and other tribes, Ngāti Hotu were ultimately driven away to Tūhua and Whanganui. There, they joined forces with Ngāti Tama of the west coast and other hapū in the Tūhua and Taumarunui area and attacked the upper Whanganui people living at Ōhura. A tāua of Whanganui hapū led by Tamahina eventually defeated Ngāti Hotu at the battle of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Whataraparapa on the Kākahi flat. Ngāti Hotu survivors fled to the Taumarunui countryside, while others were enslaved or intermarried under the protection of stronger tribes. The claimants are adamant that they were not an absorbed people. It was after this series of conflicts that Tamahina married Hinengākau to bring peace to the region. Ngāti Hotu Hinewai were strong supporters of the Kīngitanga, the Ringatū church, Rātana and Pai Mārire. A significant tūpuna of Ngāti Hotu and Ngāti Hinewai was the fair-haired peacemaker and tohunga rangatira Piki Te Pikikōtuku or Te Piki, who had nine wives and whose descendants are scattered from Ngāti Tūwharetoa, Te Arawa, Ngāti Raukawa, Ngāi Tūhoe, Ngāti Maniapoto, as well as the Whanganui River. One of Te Kooti's wives was a daughter of Te Piki. Te Piki was intimately involved in the Te Ōhākī Tapu and a signatory to the 1883 petition. The fame of Te Piki is shown in the original name of the Taumarunui township, Te Taumarunui a Te Pikikōtuku. Ngāti Hotu individuals were involved in warfare and took many sides. Some supported the Kīngitanga, others, Te Kooti, and others supported Government forces. Such decisions were much more complex than simply being pro- or anti-Government, and usually involved traditional alliances and disputes or tribal divisions. Te Pōrere near Tongariro was part of a series of defensive pā administered by Ngāti Hinewai, and the battle involving Te Kooti saw the execution of several individuals of Ngāti Hinewai and Ngāti Hotu descent. After the battle, Ngāti Hotu Hinewai gave sanctuary to Te Kooti and his remnants in the Tūhua district.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	As well as featuring in blocks within the Takitumu, Waiariki and Aotea Court districts, Ngāti Hotu's presence is evident within the 1883 boundary, although perhaps less though within the Te Rohe Pōtae district inquiry boundary even though they assert interests in Maraeroa, Mōkau-Mōhakatino No.2, Mōhakatino-Paraninihi 1B, Ōtorohanga, Turoto and Umukaimata. The claimants state, however, that Ngāti Hotu were omitted from the Rangitoto-Tūhua Block as a result of prejudicial policies, practices and actions of the Native Land Court. Ngāti Hotu descendants also assert interests under Aboriginal Title because of their Urukehu descent. **Te Karu o Te Ngira** This claim, formerly held under Te Tāwhana for Ngāti Pahere, was redefined at such a late stage to not be researched. The claim now comes under the tūpuna Rereahu for Ngāti Hekeāwai, Ngāti Ihingarangi, Ngāti Pahere, and Ngāti Raerae, and concerns generic environmental and cultural affects from farming, industry effluent, gravel extraction, the North Island Main Trunk line and commercial fishing, all within Te Rohe Pōtae. **Tamahaki** Prominent from 1650, Tamahaki, the son of Tamatuna, is the eponymous tūpuna of the Tamahaki people, including the many other hapū along the Whanganui and Manganui-a-te-Ao River valleys who derive their origins from the many descendants of Tamahaki. The ancient tūpuna Paerangi o Te Maungaroa, said to be descended from a God, is the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	founding tangata/atua of the Tamahaki, and the people strongly acknowledge the intermarriages along the Whanganui River from his descendants with those of the waka Aotea. Tamahaki had interests in the northern Waimarino Block that was included in the Aotea–Rohe Pōtae Block without the knowledge of its inhabitants, and they also assert interests in the Waiaraia Block. **Te Korowai o Uenuku** Te Korowai o Uenuku represent and unite a number of hapū of the central to upper Whanganui, the so-called 'Bastions of the South' and with interests within the southern border of the 1883 boundary, who all share the eponymous tūpuna, the Atua, Uenuku17. These hapū/groups are Ngāti Hekeāwai, Ngāti Hinekura, Ngāti Kōrako, Ngāti Maringi, Ngāti Pare, Ngāti Ruru, Ngāti Tumanuka and Ngāti Uenuku, Patutokotoko, and Tamahaki. All the claimants have interests in the Waimarino Block, and most have issues around the failure of the Native Land Court to protect interests in Te Rohe Pōtae, and the breach of Te Ōhākī Tapu including the survey and construction of the North Island Main Trunk line with little or no consultation. There are several important figureheads who descend from Uenuku. One is Ruatupua (Ruatipua) who predated the arrival of the waka Aotea and is also considered the source of the Whanganui River on Tongariro. Another is Te Pēhi Tūroa, born 1770 and considered a great rangatira and taniwha of Whanganui. His area of interest included	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	southern Ruapehu, the Manganui-a-te-Ao valley, and the upper Whanganui River, and he had a close connection with Ngāti Tūwharetoa. Te Pēhi was an objector to the definition of Te Rohe Pōtae boundary.	
1000	Te Pēhi's grandson, Topia Pēhi Tūroa, is said to have extended the Tūroa influence to southern Taupō, Pātea, Murimotu and Manganui-a-te-Ao. After turning down the kingship, Topia introduced the Kīngitanga to upper Whanganui. The issue of which way upper Whanganui hapū would go on their support for Te Kooti was decided by Tōpia, who had received a proclamation from King Tāwhiao that Te Kooti 'be cut off and his name is to be defiled.' By the late 1860s, however, Topia became disillusioned with the Kīngitanga. The Government's failure to address the problem of unresolved land claims led Tōpia to renew his covenant with King Tāwhiao and in 1884 he accompanied him to London to present a petition to the Queen. Taumatamahoe Te Hai, born 1810 was a staunch advocate of tino rangatiratanga after signing the treaty of Waitangi, a prophet and prominent rangatira in the upper Whanganui, and an opponent of any land alienation. He was instrumental in defining the aukati over the river to prevent any Pākehā accessing the rohe and for opposing Government surveys and the North Island main trunk line. In his negotiations to access the upper Whanganui so he could survey a railway line, surveyor John Rochfort considered Taumata a major hindrance. Turning to korowai hapū that feature prominently in the upper Waimarino Block and southern Te Rohe Pōtae blocks,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the claimants consider that like Ngāti Ruakopiri and Ngāti Hekeāwai, Ngāti/Te Patutokotoko had their origins within the Manganui-a-te-Ao valley, where they gained a reputation as fierce defenders of their ancestral rights and privileges and who eventually became strong Kīngitanga supporters. Under this korowai, Patutokotoko is an independent hapū whose rangatira Hekeāwai, Tukaiora, Pikikōtuku, Hītaua and Pēhi Tūroa were from Manganui-a-te-Ao even though their fame spread around the Whanganui rohe and further. By the late19th century Patutokotoko was the umbrella for all hapū of Manganui-a-te-Ao including Ngāti Uenuku, Ngāti Pare, Ngāti Ruakopiri, Ngāti Hekeāwai and Ngāti Tamakana. Patutokotoko were opponents of the North Island main trunk who would not allow prospecting for a railway route to continue and warned severe reprisals should surveyor Rochfort persist in his prospecting. Historically associated and located at Manganui-a-te-Ao, Ngāti Maringi received interests in the upper Waimarino and have interests extending into southern Te Rohe Pōtae. The tūpuna Maringi is a descendant of Tamakana. The title investigation hearing for Rangitoto-Tūhua No.2 or the Pukeweka Block was bitterly contested between Ngāti Hauā and Ngāti Maniapoto, for it brought into question the location of the eastern part of the tribal boundary between Whanganui and Maniapoto as decided upon by tribal leaders in 1888. (Ngāti Maringi was one of the Whanganui hapū who petitioned the Government to repudiate this boundary.) At this particular hearing (The Rangitoro-Tūhua No.2), Hākiaha Tāwhiao claimed the bock through the tūpuna, Te Hoata, whose hapū were Ngāti Hauā and Ngāti	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Maringi, and spoke about the occupation of the Okahunu Pā by Ngāti Maringi. The Court split the block between Ngāti Hauā and Ngāti Maniapoto that satisfied neither party. The block was re-litigated through several Court hearings, petitions, and part of a Royal Commission," as will be discussed in the Ngāti Hauā summary I should say, "which culminated in the block being wholly awarded to Ngāti Hauā. Tamakana had mana on the north-western slopes of Ruapehu and towards the southern fringes of Tūwharetoa, including westward to Waimarino. Tamakana's descendant, Tamahina, was a signficant rangatira who married Hinengākau. Their many descendants played major roles in the history of the border area between Whanganui and Maniapoto, as noted earlier. Ngāti Tamakana was another Whanganui hapū who petitioned the Government to repudiate the 1888 tribal boundary between Whanganui and Ngāti Maniapoto. **Waimarino non-sellers' reserves** The Waimarino non-sellers' reserves are of concern for the entire cluster who, through their interwoven whakapapa connections, can claim an interest. The Waimarino Block covered an area of 458,500 acres, of which some 88,000 acres lies within the 1883 boundary. In March 1886, the Waimarino Block was claimed by Te Rangihuatau of Ngāti Tamakana by ancestry through Tamakana. A proper survey of the block had not been done prior, and there was little discussion about customary interests in the block. Title to the block was granted to some	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	26 hapū, although not all interested parties would receive a share of the block. The 101 individuals of the original 1010 owners who had not sold all or any of their interests in the block, were labelled 'non-sellers'. The Court ruled that the interests of the non-sellers came to 41,000 acres and that the 'residue' of the block, some 417,500 acres, belonged to the Crown. Within the 1883 boundary, the Court awarded three blocks to the non-sellers (Waimarino 6, 7 and 8), and created four non-sellers' reserves (Waimarino CD), "which effectively became one block called CD, "(E and F). Many parties in the Tūhua district who subsequently complained and petitioned the Government had not participated in the hearings or later block dealings because of their allegiance to the Kīngitanga or for other reasons; they believed their lands and interests would not be included in the hearings as previously agreed to, as they wanted to remain within the protection of the Aotea-Rohe Pōtae external boundary; they did not want to sell land or pass land through the Court; and that the only alienation approved was land for the North Island main trunk. Other protests focused on the implications of the Waimarino investigation and purchase, the inadequacy of the non-sellers' reserves, and subsequent Government decisions on seller reserves which rendered many Māori landless. Government dismissed most protests as ill-founded or motivated by greed. **Te Kere Ngātaierua** This claim focuses on the Crown's failure to protect the tino rangatiratanga of Te Kere's Paetiuihou Movement (the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	sanctuary of new demands), created to uphold Aboriginal Title by protecting, preserving and guaranteeing full exclusive undisturbed possession of lands, estates, forests, fisheries, and all other properties guaranteed under the Treaty of Waitangi. Te Kere was a prominent upper Whanganui River leader, prophet, and activist throughout the 19th century. He is said to have descended from 'his God and Great tūpuna', Ruatupua, and he strongly affiliates with Ngāti Tū, Te Āti Haunui-a-Pāpārangi of the upper Whanganui, and to Ngāti Apa, Ngāti Kahungūnū, and Ngāti Tūwharetoa. Te Kere participated in many conflicts over the first half of the 19th century. He adopted a Christian outlook but was also deeply steeped in the knowledge of tohunga. His main role was a tohunga of peacemaking with strong ties to the Kīngitanga, particularly in assisting King Tāwhiao. Between 1883 and 1885, Te Kere formed his Paetiuihou Movement which had close links with Te Whiti at Parihaka and was similarly based on the principles of non-violence and Māori sovereignty. Paetiuihou also served a political agenda, including opposing the selling of land and the sale of liquor; the abandonment of the Land Court; an extension to the Māori King's power over the North Island; and advocating 'native Government for Native localities'. The movement's followers were from Taranaki, Tūhua, upper Whanganui, Tūwharetoa, Maniapoto, Raukawa, the Wairarapa, and with the sympathy of the people living in the King Country. With a gift for language and proverbs, he travelled among Māori communities across the North Island as a preacher, carver,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	prophet and healer. By the late 1880s, Te Kere was petitioning the Government for an inquiry into the Waimarino Block, opposing the gifting to the Crown of the peaks of Tongariro and the establishment of Native townships at Pipiriki and Taumarunui; threatened to interfere with the survey of the Ōhura South Block; and opposed Government attempts to improve river boat navigation that would provide settler access to the upper Whanganui. The boycotting of Court hearings by Te Kere and his followers proved extremely expensive," though. The missed out on – "in missing out on awards of land. However, they owned land on the Ōhura River at Aorangi, secured interests in several Whanganui land blocks, and had interests across the southern Te Rohe Pōtae district, including Rangitoto-Tūhua 2. **Tatū Mine (Wai 1594)** Part of the larger Ōhura-Tarangarakau coalfield, the Tatū Mine, situated approximately 16 kilometres from Ōhura township off State Highway 43, comprises some 311 hectares. Its coal field extends from the Ōhura South K1 Block to extend under the Waiaraia Scenic Reserve and adjoining conservation area. Originally privately operated, the mine was worked as a state coal mine between 1940 and 1971 when the mine closed. The Waiaraia Block was not the rohe of any hapū group, but a remnant left over following awards in the Taonui and Umukaimata parent blocks. In October 1890 the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	uncontested 12,360 acre Waiaraia Block was awarded to only seven individuals of Maniapoto and Whanganui descent, in order to facilitate the sale of the block to the Crown in which no consideration was given for the likely value of the coal deposits in the land. The intent of the Crown was to sell the land at a profit to defray construction costs of the North Island main trunk. Māori interests in the coal, and a lack of consultation with Māori over mining activities, including test drilling activities in the Waiaraia Scenic Reserve are apparent," and that concludes that particular summary.	
10:10:06	**CAREY MANUEL**	
	Tēnā koe Mr Pātete, if you can move to your Ngāti Hauā summary document #A112(a).	
	JUDGE AMBLER	
	Before you do that, Mr Pātete, I suggest we just take a five-minute break comfort stop.	
	ANTHONY PĀTETE	
	I hope I wasn't boring you fellows.	
	JUDGE AMBLER	
	And everyone can have a short stretch and then we can carry on with that second one fresh.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ANTHONY PĀTETE	
	I appreciate that.	
	JUDGE AMBLER	
	Thank you.	
	HEARING ADJOURNS: 10.10 AM	
	HEARING RESUMES: 10.17 AM	
	JUDGE AMBLER	
1017	Kia ora mai tātou. Hoki mai ki roto. All right Mr Pātete you are to read your second summary.	
	ANTHONY PĀTETE	
	Thank you.	
	READS BRIEF OF EVIDENCE #A112(a) "This is a summary of the Ngāti Hauā chapter of the Oral and Traditional History report prepared for the Whanganui Northern Cluster ki Te Rohe Pōtae claimants for Te Rohe Pōtae District Inquiry and commissioned by the Crown Forestry Rental Trust, and concerns the three Statements of Claim Wai 48, 81, 146 concerning the Crown taking of Māori land in the 19th century for the North Island Main Trunk (NIMT) rail line, national parks and Native Townships,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	breaches of the 'Rohe Pōtae Compact and Aotea Agreement', the imposition of the Native Land Court and native lands legalisation, and the gifting of Ruapehu to the Crown. Ngāti Hauā identify predominantly in the rohe of Whanganui as an upper Whanganui River group. Te Kāhui-Maunga is the name of the tangata whenua who are said to have been in occupation of New Zealand before the arrival of the waka migration. Ngāti Hauā are one of the tangata whenua tribes of Te Kāhui-Maunga-ki-Tataramoa (the mountains to the sea), and it is through their eponymous tūpuna, Ruatupua and Paerangi, who both pre-date the waka Aotea, from whom their mana atua, māna whenua and mana tangata originates. Ruatupua is also the source of the Whanganui River on Tongariro, the sacred spring of Ngāti Hauā. The original name of the river was Te Wainui-a-Ruatupua or Te Wainui-a-Rua. Tamakehu is regarded as the pivotal tūpuna of the Whanganui River. His union with his first wife, Ruakā, produced three children, of course Hinengākau, Tamaupoko and Tūpoho. This union symbolised and strengthened alliances, unity and intra-hapū relationships between Ngāti Hauā, Ngāti Maniapoto, Ngāti Tūwharetoa and those of the upper Whanganui River. Ngāti Hauā also trace their main whakapapa lines to the four waka of Aotea, Tainui, Te Arawa and Tokomaru. As the descendants of pre-waka and waka tūpuna, Ngāti Hauā were originally known as the people of Puru ki Tūhua. Tūhua is the northern maunga of Ngāti Hauā and Te Puru ki Tūhua is now known as the Taumarunui region, an	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	important geographical centre which would become a meeting place of descent lines of the four waka: descendants of Aotea travelled up the Whanganui River from the coast; descendants of the Tokomaru Waka came from the coast of north Taranaki and travelled overland to the middle reaches of the Ōhura River; descendants of the Tainui waka came from the headwaters of the Mōkau and Waipā rivers and down the valley of the Waimiha and Ōngarue; while descendants of Te Arawa waka settled on the shores of Lake Taupō and eventually arrived at the headwaters of the Whanganui River. Thus, following the arrival of the waka and in order to build strategic relationships, intermarriages occurred between Ngāti Hauā and Whanganui, Ngāti Maniapoto, Ngāti Tūwharetoa and Ngāti Maru. Through Rangatahi and others, Ngāti Hauā whakapapa to Ngāti Maniapoto; through Hekeāwai and others, Ngāti Hauā whakapapa to Ngāti Tūwharetoa; and through Hinengākau and others, Ngāti Hauā whakapapa to Whanganui, Taranaki, Ngāti Tūwharetoa and Tainui. Intermarriages with Ngāti Maniapoto were the peace settlements designed to settle disputes between the tribes so that the offspring of those relationships and their descendants had a common whakapapa and would stop fighting. Despite any disagreements, the relationship between Ngāti Hauā and Ngāti Maniapoto (and others) more usually rested on their common whakapapa and a capacity to live and work together in peace. Disagreements were not necessarily about excluding people from land but simply negotiating (and renegotiating) the relationships which	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	formed the basis for occupation. Ngāti Hauā were led by many famous rangatira, such as Te Pikikōtuku I and II, Te Pēhi Tūroa and his descendants Pakaro and Tōpia, Tōpine Te Mamaku, Hākiaha Tāwhiao, Ngātai Te Mamaku, Tūao Ihimaera, Makere Te Uruwhenua, Mātakitaki Te Ngarupiki, Tuku Te Ihu Te Ngarupiki, and Te Whiutahi Wārihi. The Ngāti Hauā rohe extends from the maunga Tongariro, along the Whanganui and Whakapapa Rivers into the Tūhua district, and from there it extended throughout the rohe of Hinengākau from the upper reaches to the lower reaches. The tribe has interests that stretch from the Whanganui River, Waimarino, Ōhura South, to within the Te Rohe Pōtae district inquiry including Rangitoto-Tūhua, Mōhakatino-Paraninihi, Taurangi, Umukaimata and Waiaraia. The latter three blocks are situated in a position where the interests of several overlapping iwi intersect, namely Ngāti Maniapoto, Ngāti Tama, and Whanganui hapū and iwi. Ngāti Hāuaroa and Ngāti Hekeāwai are two kinship groups associated with Ngāti Hauā. Noted 'canoe-men and fighting people', Ngāti Hāuaroa settled on land around Ōhura, along the Whanganui River and upstream to Taumarunui, and on the Ōngarue and Taringamotu Rivers where their interests merged with their Ngāti Maniapoto relations. Ngāti Hāuaroa were responsible for internal protection within the upper reaches of the Ngāti Hauā rohe with the primary kaupapa being to ensure the safety and peaceful settlement of hapū within Ngāti Hauā. Renowned as warriors who would travel in 'small numbers at any one time', Ngāti Hekeāwai	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	originated from Ngāti Hāuaroa. Their interests were located in and around Te Peka, the township at Taumarunui and upstream on both sides of the Whanganui River, to Piriaka and up the Whanganui and Whakapapa Rivers to the western end of the Waimarino Plains. The hapū 'branched out and became' Ngāti Patutokotoko and Ngāti Tukaiora, having their stronghold on the Manganui-a-te-Ao River. Patutokotoko played an important role in protecting the external rohe from outsiders. Ngāti Tukaiora were located in the upper river region and Ruapehu. Ngāti Hauā and Ngāti Maniapoto share a common whakapapa, and a close whakapapa through Rangatahi. Hākiaha Tāwhiao was the main spokesman for Whanganui at the Native Land Court hearings in 1892. He was of Ngāti Hauā and Ngāti Wera, and was related to Ngāti Rangatahi. The eponymous tūpuna of Ngāti Wera was Wera, the daughter of the Whanganui tūpuna Hinengākau. Her daughter, Kimihia, married Te Puru, the great grandson of Rangatahi. Hence, some descendants of Kimihia were also of Ngāti Rangatahi and these people were known as Ngāti Wera. Because of the union between Te Puru and Kimihia, Ngāti Hauā stress that Ngāti Rangatahi did 'not marry in; they are already whānau'. When they arrived to the Tūhua district in the late 16th century, Ngāti Rangatahi found sanctuary with Ngāti Wera of Ngāti Hauā and settled at Taumarunui where they married Ngāti Hauā people. Their descendants were included in titles to blocks – such as Ōhura South – through their descent from Ngāti Hauā tūpuna, particularly Te Hoata. Hence, while Ngāti Hauā and Ngāti Maniapoto share a common whakapapa, the traditions	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	narrated during the hearings for Ōhura South and Rangitoto-Tūhua show Ngāti Hauā claim an independent identity north of Taumarunui. **Kīngitanga** Ngāti Hauā and its associated hapū played a vital role during the land wars, providing travel routes for warriors and supplies, with the river used as means to rapidly transmit intelligence for the Kīngitanga. Ngāti Hauā rangatira supported the idea of Kotahitanga to try and halt inter-hapū fighting and especially the sale of land. The Kīngitanga was the result and Whanganui leaders Te Ānaua and Te Pēhi Tūroa declined the leadership role. Tūroa then approached his whanaunga Te Heu Heu on the matter, who convened a hui at Pūkawa in November 1856. A large number of rangatira throughout the motu attended to consider the concept of Kotahitanga, and, as a consequence, Pōtatau Te Wherowhero became the first Māori King. Two years later, Te Pēhi's son, Topia Tūroa introduced the Kīngitanga to the river. Tō this day Ngāti Hauā continue to attend Kīngitanga hui. With the establishment of a Māori King, tribal groups and lands were pledged to the King territory, including the Tūhua and upper Whanganui area. In many cases, the territory boundaries (not necessarily tribal boundaries) were marked by centres of influence or unconnected markers such as pou, flagpoles, maunga and other landmarks. The Kīngitanga employed the traditional means of aukati to protect and control these boundaries. Various aukati were	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	maintained and extended from the 1860s, effectively creating an external ring-boundary around the territory. The Whanganui River implemented 'a system of inner and outer zones of aukati' to allow for tribal and local flexibility and control under the authority of the upper Whanganui Kīngitanga rangatira Tōpine Te Mamaku. Resistance from lower Whanganui River tribal groups meant that the aukati was invariably located further upriver. In peacetime, the Kīngitanga adopted a more careful and flexible process of implementing the aukati than was first identified in wartime. A reduction in the area covered by aukati occurred over the years, 'although at a slower and more creeping pace', mainly due to 'peacetime colonisation pressures' than any military or police action. As far distant as the Whanganui districts to the south, rangatira enforced the boundaries of Te Rohe Pōtae. Ngāti Hekeāwai played an important role within the Kīngitanga to maintain and uphold the kaupapa of the Kīngitanga, known as 'Te Kotahitanga o Te Kīngitanga'. The kaupapa was to maintain Te Tino Rangatiratanga and full sovereignty of over all of the lands as agreed to by all the tribes of the Rohe Pōtae Compact, as one people and yet retain separate tribal autonomy. The maintenance of this relationship with the Kīngitanga was continued by Reu Hikaia, who was also known as Nukuraerae II, a direct descendant of Rangitauira of the Hekeāwai tribe. It was then upheld by Wairangi Te Tau, the son of Kiria Hikaia. The use of aukati along the Whanganui River was often influenced by efforts to exclude Government influence to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	maintain Māori authority even if a hapū did not support the Kīngitanga, such as an aukati enforced at Pipiriki in 1869. This may help explain the enduring view among people that Te Rohe Pōtae boundary extended considerably further south than the 1883 petition boundary. **North Island Main Trunk railway line** Ngāti Hauā was involved in the negotiations over the North Island Main Trunk. In February 1885, concerning a meeting at Kihikihi between Ngāti Maniapoto, Ngāti Hikairo, Ngāti Raukawa and Whanganui tribes, the Whanganui rangatira Te Rangituatea advised the Government of his approval of the railway being taken through his tribes' land but claimed the right to deal with their own lands without interference from other persons or tribes. He also advised the Government against paying compensation for land taken for the railway until ownership had been decided upon. A few months later, Te Paiaka Te Pikikōtuku advised the Government of difficulties between the Whanganui tribes and Ngāti Maniapoto over the North Island Main Trunk as a result of Maniapoto's decision that land within the boundaries of Whanganui, upon which the central line would run, was to be sold. Whanganui hapū objected to this arguing that the decision be exercised in connection with Ngāti Maniapoto lands and within their boundaries, and because the Government had already been advised that a committee of Whanganui hapū would deal with their own lands. Because of the boundary detailed in the Native Land Alienation Restriction Act 1884, Ngāti Hauā considered their lands would be held under the mana of the King and	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	therefore part of Te Rohe Pōtae beyond the authority of the Native Land Court.	
1030	In the end, Ngāti Hauā opposed the railway being put through its rohe and Tuku Te Ihu's protest reflected this opposition. Tuku could see that once the railway went through the land, a township, in this case Taumarunui, would follow, resulting in a loss of Māori control and authority. This opposition is also reflected at Otapouri, a meeting place between the Whanganui River and Ngāti Tūwharetoa tribes. There each tribe built a wharepuni close together signifying a mutual agreement in resisting the railway in colonial control over tribal customary lands. The descendants of Ngāti Hauā and Ngāti Tūwharetoa regarded this spot as a place of rest when travelling between Tūhua and Tūwharetoa.	
	The section on the Taupō-nui-a-Tia. Ngāti Hauā were involved in the initial Native Land Court hearing for Te Heuheu's claim for the Taupō-nui-a-Tia Block in January 1886. Among the many objectors were Ihimaera Tūao and Te Pikikōtuku on behalf of Ngāti Hauā, although they, along with Ngāti Maniapoto groups, later withdrew their opposition. **The Waimarino Block** There are significant silences regarding the customary interests of many tribes in Waimarino including Ngāti Hauā.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	There is no evidence to show whether Ngāti Hauā were present at the Court and no indication that Tōpine Te Mamaku was present as he was at other Court hearings. Some kinship groups did receive interests in non-seller blocks and the reserves following the purchase, including Ngāti Tukaiora and Ngāti Hinewai who are both associated with Ngāti Hauā, though Ngāti Hauā's interests specifically were not noted. Others associated with Ngāti Hauā were also granted reserves by the Crown many years later thanks to ongoing protest and their landless status. Ngāti Hauā's support for the Kīngitanga and their belief that the Waimarino lands were under the mana of the King, and their expectation that the Court at Ōtorohanga would deal with these lands as it was to deal with other lands in Te Rohe Pōtae, probably contributed to Ngāti Hauā's omission from the hearings and subsequent awards. One statute which perhaps explains the Ngāti Hauā tradition that Waimarino was under the mana of the King and therefore, as far as they were concerned, beyond the reach of the Land Court, was the Native Land Alienation Restriction Act 1884. This Act gave the Government right of pre-emption of land within the district defined in the Act. The boundary included a huge area of land south of Taumarunui as well as Te Rohe Pōtae and the remainder of what was to become the Waimarino Block. This legislation, which arose out of the North Island Main Trunk negotiations with the Kīngitanga and resident tribes along the proposed route, would appear to support the suggestion that the land in the Waimarino Block was under the mana of the King.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ngāti Hauā were affected by the Crown purchase of the Block. First, the land acquired by the Crown included part of Ruapehu and Ngāti Hauā was permanently alienated from one of their key maunga and the source of their river. Second, one of the tribe's major settlements, Rurumaiakatea, located on the eastern bank of the Whanganui River across the river across from the present day site of Taumarunui and near the junction with the Ōngarue River, was included in the purchase and there was no provision for a reserve there. Overall, Ngāti Hauā played a very minor role if any in the alienation of a vast area of land in which they had significant interests. **The Aotea-Te Rohe Pōtae Block** Ngāti Hauā included its lands in Te Rohe Pōtae to ensure the lands' protection under the Māori King, to retain the authority to manage its taonga in accordance with its own tikanga, and to prevent the further onslaught of colonisation and the operation of the Native Land Court. In 1886, the five tribes of Whanganui, Tūwharetoa, Hikairo, Maniapoto and Raukawa made an application for the determination of the ownership of the Aotea Block. The application was signed by 56 Māori, including the Whanganui rangatira Te Pikikōtuku, Mātakitaki Te Ngarupiki and Tōpine Te Mamaku. There were no counter-claimants to the southern part of the Aotea Block. The block boundary description given by Wahanui continued to define Te Rohe Pōtae in its original form which included large portions of Taupō-nui-a-Tia in the east and the Waimarino Block to the south. Tūao Ihimaera of Ngāti Hauā gave	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	evidence after Wahanui to describe the Whanganui interest further under the tūpuna Toakohuru. His boundary definition followed the boundaries of what would become the Ōhura South Block. The Court awarded the entire block, with the exception of some small areas for the counter-claimants, to the five tribes led by Wahanui. The Whanganui list of owners for the Aotea Block had 201 names, including Ngātai Te Mamaku, Tūao Ihimaera and Mātakitaki Ngarupiki. A supplementary list of Whanganui names handed to the Court a year later included Hākiaha Tāwhiao.	
1035	**The Tribal boundary of Whanganui and Ngāti Maniapoto** So the Aotea Block was then divided between the five tribes, after the tribal boundaries had been determined through a number of tribal meetings. The tribal boundary between Ngāti Maniapoto and Whanganui was agreed at a meeting at Te Kūiti in early 1888. The boundaries given by Taonui Hīkaka of Ngāti Maniapoto and Mātakitaki of Ngāti Hauā, Ngāti Rangatahi and Ngāti Wera appear to be two halves of the same boundary. The boundary between Maniapoto and Whanganui ran generally west to east, with the land south of the boundary belonging to Whanganui. The boundary, which separated Ōhura South from the Aotea Block, was settled at the Land Court in April 1888 after no objections were received. The Ngāti Maniapoto rangatira Wahanui Huatare, however, claimed an area known as Te Horangapai south of the tribal boundary in the Ōhura South Block. Whanganui rangatira gave tacit agreement provided	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	any claim was confined to Te Horangapai only." And this is the block that's known as the Rangatahi Block as I mentioned in the previous summary. **CONTINUES READING BRIEF OF EVIDENCE #A112(a)** "This acceptance led to the Ngāti Urunumia claim to the area in 1892 – although how a Rangatahi claim became a Ngāti Urunumia claim is not entirely clear. But Ngāti Urunumia claimed that land within the Ōhura South was ceded to them by peace. This was denied by Ngāti Hauā who said Ngāti Urunumia lived on the Ōhura South lands, as they were also descendants of the Ngāti Hauā tūpuna, Te Hoata. The Court ruled that Ngāti Urunumia had not occupied the land continuously since the peace agreement and only awarded them 100 acres. **The Rangitoto-Tūhua No. 2 (or the Pukuweka Block)** While there was no dispute over the western part of the tribal boundary, there was over the most easterly part of the boundary, particularly in respect of the Ngakonui Stream. In 1897, the issue came to a head at the hearing of Rangitotō-Tūhua Nō. 2 (Pukuweka Block) a block immediately east of the Ngakonui Stream in which both Ngāti Hauā and Ngāti Maniapoto claimed interests. The Court based its ruling on the 1888 boundary agreement and awarded the block to Maniapoto. In 1900, Whanganui tribes appealed against this ruling. The appellate Court ruled that the 1888 boundary was not binding and that ownership should be decided upon the grounds of occupation and ancestry. The earlier decision was overturned and the block	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	awarded to the descendants of Te Hoata. This included some Whanganui people in the ownership of Pukuweka and thus moved the Whanganui boundary eastward. Ngāti Maniapoto petitioned the Government to reconsider the decision. Their complaints were included in the terms of reference of a Royal Commission appointed to investigate many similar complaints in 1904. The commissioners recommended the case be reheard in light of its findings into two Whanganui petitions concerning Rangitoto-Tūhua – and this should No. 58 not No. 3 – which is the Whatitokarua Block." Confusion arises because Court hearings for Whatitokarua is often heard with Taraunui Block verses the No. 3 Block. **CONTINUES READING BRIEF OF EVIDENCE #A112(a)** "So this No. 58 Block was located on the border-line between the lands of Whanganui and Ngāti Maniapoto. The commissioners recommended no further action in relation to the two petitions based on occupation of the land and adherence to the tribal boundary. Thus in 1908 the Court awarded Pukuweka to Ngāti Maniapoto but this decision was reversed upon appeal and Ngāti Hauā were awarded the entire block. Three further appeals from Ngāti Maniapoto, and Ngāti Hinemihi and Ngāti ~~Mananui~~Manunui, (both are Tūwharetoa who had claims to the southern portion of the block) respectively, were dismissed. Ngāti Hauā faced ongoing difficulties in establishing their interests in land located to the north of the tribal boundary. As a tribal boundary, whakapapa flowed across it through	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	networks of intermarriage and descent; whakapapa did not stop at one point and start at another. Ngāti Hauā were on the border of Te Rohe Pōtae and were strong supporters of the Kīngitanga. The Court's determination on the tribal boundary, however, established a barrier between Whanganui and Maniapoto. **Turning** to **the Waiaraia Block** In October 1890, the Court heard the claims to the Waiaraia Block of Whāro Kaitangata, of the upper Mōkau, under his tūpuna Kaupeka, on behalf of Te Paiaka Te Pikikōtuku. The Waiaraia Block was not the rohe of any hapū group, but a remnant left over following awards in parent blocks. The uncontested block was awarded to Kaitangata and several Whanganui-named individuals, two kaiwhakahaere and Wahanui's representative, Hari Te Whanonga. The subsequent 'purchase of the Waiaraia Block and subdivisions within the Taorua 'parent' Block were seen to be of considerable strategic importance to the Crown in getting a breakthrough with purchasing in the region as a whole.' The vestment of the block to a mere seven owners was in order to facilitate the sale of the block, and Wahanui offered to sell Waiaraia to the Government apparently in the hope of appeasing Government demands for land in the valuable northern part of the region. The Crown acquired the Waiaraia Block in 1891 with the intent to sell at a profit to defray construction costs of the North Island Main Trunk." And that ends the summary for the Ngāti Hauā.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
1040	Tēnā koe Mr Pātete. Now, Mr Melvin, do you want to – you going to approach each report separately I assume?	
	GEOFFREY MELVIN	
	Sir my questions will in part relate to both reports, and I have some questions about methodology and they relate to both reports and otherwise it will be clear which report –	
	JUDGE AMBLER	
	Thank you.	
	GEOFFREY MELVIN	
	Tēnā koe Mr Pātete.	
	ANTHONY PĀTETE	
	Hī, how are you?	
	GEOFFREY MELVIN	
	Good thank you. Thank you very much for your summaries that you presented today and also for the research that you've done with your main reports.	
	ANTHONY PĀTETE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Okay.	
	GEOFFREY MELVIN	
	I don't think I'm going to refer to anything other than the summaries that you have and the main reports themselves.	
	ANTHONY PĀTETE	
	Okay.	
	GEOFFREY MELVIN	
	Now it would be true to say wouldn't it that the focus and the strength of your reports is on the claimant traditions in respect of their origins, their whakapapa, their settlements and rohe, the inter and intra-tribal relationships and their sites of significance and their taonga.	
	ANTHONY PĀTETE	
	I agree.	
	GEOFFREY MELVIN	
	So your report isn't intended to be or neither of them is intended to be a study in Crown Māori political engagement are they?	
	ANTHONY PĀTETE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Not necessarily so, no.	
	GEOFFREY MELVIN	
	So it's fair –	
	ANTHONY PĀTETE	
	Well to a degree, I would say, "Yes," but then we basically work on the Statement of Claim that were given to us and effectively to tried to build the story and narrative around those that we could.	
10:42:12	**JASON POU**	
	Sorry Mr Pātete, you're stepping away from the microphone and –	
	ANTHONY PĀTETE	
	Sorry about that.	
	JASON POU	
	– and it's becoming difficult to hear you at the back.	
	ANTHONY PĀTETE	
	Kia ora.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	Well it's fair to say isn't it that where you touch on political engagement matters that is exactly what you're doing, touching on them, and you haven't endeavoured to provide an in-depth and comprehensive analysis?	
	ANTHONY PĀTETE	
	I guess to some degree, a lot of that stuff would be covered by some of the technical reports. With respect to the claimants, I mean they felt very strongly in terms of the relationship with the Crown and whatever evidence we – they could produce, we used where possible. And I tried to backup some of that if I could with the technical reports. But it is I guess a very lengthy subject, and so we were limited in terms of timeframes as well.	
	GEOFFREY MELVIN	
	And I think you acknowledged for example with your section on Te Ōhākī Tapu that it doesn't – this is what you say, "It doesn't give a comprehensive account of the Compact –	
	ANTHONY PĀTETE	
	Mmm.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	– which is better left to the technical reports already written for the inquiry."	
	ANTHONY PĀTETE	
	Now that's basically because we – when I asked about Te Ōhākī Tapu, there was little specific detail given in the evidence and I felt that would be best presented at the Tribunal hearings. That's not to say that the claimants of course don't have a kōrero around it, but what I felt and found it very hard to put into the report, was the collective consciousness of what the Ōhākī Tapu meant with each succeeding generation. So there's the memory that comes through. It's hard to sort of put that into detail when you can feel the wairua of what the people were saying. They are aware of the Ōhākī Tapu. That they're aware of the effects it had on them, but in terms of the political engagement, there may be some of that material that wasn't given to me at that particular time. Does that help answer your question?	
	GEOFFREY MELVIN	
	Well, it seems to me that you've drawn your analysis from largely secondary research.	
	ANTHONY PĀTETE	
	Absolutely, yeah.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	And so it's not research of – it's not archival research that you've undertaken yourself?	
	ANTHONY PĀTETE	
	No.	
	GEOFFREY MELVIN	
	And you've drawn it from a variety of secondary research?	
	ANTHONY PĀTETE	
	Yeah.	
	GEOFFREY MELVIN	
	Some of it actually relatively old in terms of –	
	ANTHONY PĀTETE	
	Yeah.	
	GEOFFREY MELVIN	
	So for example you have drawn at times from a preliminary report by Professor Allan Ward and at times it seems you have gone to some of those older more preliminary sources	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	when there may have been more -	
	ANTHONY PĀTETE	
	That's a fair comment to make yeah, part of the problem with – there are two issues that we had, Te Ōhākī Tapu was written as the final chapter but the other thing was limitations in our capacity to – if I can give a ~~comparision~~comparison, you know the Belgrave and ~~Bell Grave~~ Young report for the Whanganui inquiry, now that there was a five tribal groupings, Ngāti Rangatahi, Urunumia, Ngāti Hari descendants of Tūtemahu~~a~~rangi, descendants of Tanoa and Ngāti Hekeāwai who represent eight statements of claim. Now their timeframe was within a similar timeframe of our report so they had quite a bit of resources I guess to write that. When we got to our report we had 32 claimant groups that we had to deal with including the Belgrave ~~Bell Grave~~ Young groupings. We also had up to 41 initial statements of claim to go through which we managed to pare~~ir~~ back. So the task became quite challenging in some ways in terms of capacity so my focus was to try and get all the traditional evidence out, draw all that out to put it within that report. Te Ōhākī Tapu, the claimants wanted that as a final, as a first chapter, the emphasis was on the importance of it. Now they acknowledge at that time that they didn't have as much evidence as I would have preferred. Hikairo and Ngāti Hikairo did and you will see that is why I mentioned that in the summary report because they felt they had a certain amount of evidence. So yeah there were some limitations in that but I do acknowledge that. If we had more time perhaps	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	but you know, you could spend years writing this report and yeah…	
	GEOFFREY MELVIN	
	And what you have set out in terms of political engagement matters for example they're summaries aren't they, necessarily so ~~say~~ for a report of this nature.	
	ANTHONY PĀTETE	
	But then you can look at some of the evidence within each chapter and there might be some political engagement within that, within certain tūpuna and so forth which I have tried to highlight in the main report. Now there are particular engagements within – you know under that – Ngāti Hauā with their resp~~ersp~~ective leaders. But yeah, I would say that, yeah.	
	GEOFFREY MELVIN	
	And because they're summaries they leave out particular detail at times, you would accept that?	
	ANTHONY PĀTETE	
	Well going from a 500 page plus report, down to 15 pages is pretty hard to do yeah. I do accept that yeah.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And you'd say wouldn't you that we should go to the other technical evidence on the Record of Inquiry -	
	ANTHONY PĀTETE	
	For?	
	GEOFFREY MELVIN	
	For – in order to get that detail.	
	ANTHONY PĀTETE	
	Tō get that sort of political engagement I guess, yes.	
	GEOFFREY MELVIN	
	And that detail can be or is indeed important for a complete and new understanding of events?	
	ANTHONY PĀTETE	
	Yeah absolutely.	
	GEOFFREY MELVIN	
	And you'd accept wouldn't you that there are different perspectives on the political engagement?	
	ANTHONY PĀTETE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Oh absolutely, absolutely.	
	GEOFFREY MELVIN	
	And you haven't necessarily endeavoured to set all of those out in your report?	
	ANTHONY PĀTETE	
	Not necessarily so and you will notice in the main report there is a caveat at the beginning to identify such varying perspectives that claimants have when you have got such a large grouping and you are not going to get a, you know like adhesive group so to speak, they're a very passionate and robust claimants who have different ideas on certain things, yeah.	
	GEOFFREY MELVIN	
	And indeed it would be fair to say perhaps that it doesn't, your reporting and the summaries that you've given don't necessarily set out all the perspectives that the Crown might put forward.	
	ANTHONY PĀTETE	
	I wasn't really looking at what the Crown, yeah, was looking at.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	It's a claimant.	
	ANTHONY PĀTETE	
	Yeah, it's a claimant perspective yeah, definitely.	
	GEOFFREY MELVIN	
	Now you have – excuse me – quite frequently through your report you've drawn on statements from statements of claim and you've described these as claimant evidence.	
	ANTHONY PĀTETE	
	And your point is?	
	GEOFFREY MELVIN	
	Well my point is that the statements of claim aren't statements of evidence, they're pleadings. They're allegations that are essentially in search of evidence in support of them.	
	ANTHONY PĀTETE	
	I never thought of them that way. I guess so. I mean, presumably the statements of claim are written with the claimants backing so now I don't quite know how to answer that question. Is there any specific one, example that you might – Are you basically sort of saying	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	Well we could -	
	ANTHONY PĀTETE	
	Are you basically sort of saying that it's been put into the report as evidence as opposed to being verified through some other evidence or something like that?	
	GEOFFREY MELVIN	
	Yes that's the point I'm driving at.	
	ANTHONY PĀTETE	
	Look I used statements of claim to guide the specific interest that we needed to look at but you will see that I used mostly the briefs of evidence. The statements of claim may have laid out a particular thing but the briefs of evidence were my focus from the National Park and Whanganui inquiry as well as the ones that may have come through for the Te Rohe Pōtae inquiry but you will see that most of those briefs of evidence are for those other two inquiries.	
	GEOFFREY MELVIN	
	So to what extent have you sought to test and verify the claims that have been – that you have drawn from statements of claimants?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ANTHONY PĀTETE	
	Tō the best of my ability but I guess in some ways there is also putting down the claimants narrative, their story, how they felt. Tō me that's – I felt quite – they felt quite strongly about that and I was wanting to put that into the report to get them their side of the story so to speak. I mean if the Crown has issues then the Crown will descent the other side so to speak.	
	GEOFFREY MELVIN	
	Now at page 33 of your main report, this is in the section under the heading, "Identified land blocks".	
	ANTHONY PĀTETE	
	Yep.	
	GEOFFREY MELVIN	
	You say there that claimants who asked to identify individual land blocks within the inquiry district in which their tūpuna and tribal group has or had interests in. And then at paragraph 40 on pages 37 to 38 you say, "It became apparent upon a preliminary assessment of the Native Land Court awards for several of the identified blocks that many did not necessarily mention the respective tribal group that a Statement of Claim has identified with."	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ANTHONY PĀTETE	
	Yep.	
	GEOFFREY MELVIN	
	And then you say, "Such omissions do not necessarily mean that the claimants do not have historical interest in the block under their tribal group. But you would agree wouldn't you that that further research and analysis would be required in each case to establish whether or not claimants, tūpuna were unreasonably excluded from ownership?	
	ANTHONY PĀTETE	
	Yeah.	
	GEOFFREY MELVIN	
	In a particular block.	
	ANTHONY PĀTETE	
	Yeah definitely. Of course when you are before the Native Land Court in those days you will be sending a specific side of a story to support your case. They way the whakapapa was deployed. Now I am not an expert in everyone's whakapapa so there are individuals within those lands blocks that I am not totally sure about that that is why I came to that sort of conclusion. I can't see the specific tribal group	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	perhaps but that's not to say that the tūpuna is not in there somehow. But it does require a lot of analysis and I mean you will see in there Geoff that I mentioned that there would be a separate report on the land blocks. That was my intention to submit a separate one because there is 86 land blocks identified by claimants, 56 of which of them are ~~Rangitoho~~Rangitoto-Tūhua Block. Part of the problem with that was that there was the capacity issue. We just didn't have enough time to research all those blocks. Preliminary research has been done on some of those – they have not included in the report itself and we need to probably talk about whether that should be included somehow.	
1055	But I mean the claimants obviously identify generic interest, political interest within Te Rohe Pōtae. I was pressing them to give me specific interests as well. So in '86 land losses are a lot and they stretch across Te Rohe Pōtae and I suspect even in some of the preliminary research, they may not necessarily have interests within perhaps coming through that particular claimant group. It again depends on the whakapapa and that's the discussion that would need to be held with the claimants.	
	GEOFFREY MELVIN	
	Just coming to that point that you mentioned about additional research.	
	ANTHONY PĀTETE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yeah.	
	GEOFFREY MELVIN	
	That's – is that where you in paragraph 37, you refer to the cluster administrating and you deciding to do some – further research in your own time on 86 blocks?	
	ANTHONY PĀTETE	
	Yes.	
	GEOFFREY MELVIN	
	And submit a separate report to the claimants but –	
	ANTHONY PĀTETE	
	Yeah.	
	GEOFFREY MELVIN	
	Has that – what's the status of that?	
	ANTHONY PĀTETE	
	That's still in the preliminary stages. Okay so if you look at the Rangitoto-Tūhua 2 as subdivisions, there's 56, but there's 44 parent subdivision blocks. Researched 10 of those in terms of – and are mostly based around the peripheral. Those hearings are quite complex, lots of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	appeals and so forth. If I had realised the extent of that I probably would not have made such a promise in the report. But – and of the 26 other blocks outside the Rangitoto-Tūhua subdivisions, research has been done, at least 17 of those. This is all preliminary research.	
	GEOFFREY MELVIN	
	Mmm.	
	ANTHONY PĀTETE	
	So no, that hasn't been done, and it's mainly a time thing really.	
	GEOFFREY MELVIN	
	So is that research that's intended to be put to the Waitangi Tribunal in this inquiry or –	
	ANTHONY PĀTETE	
	If the Tribunal wish it, but comes down to capacity in the end. It's a lot of blocks there. A lot of the research of course is done by Berghan who are research narrators but they are more the high level as opposed to the lower level, the deepness of the detail that's required. Like for instance, in the Rangitoto-Tūhua subdivisions, some of those blocks, the claimants don't necessarily identify the hapū. They'll identify the ancestor 'cos it's based on occupation and ancestry so they'll identify the tūpuna. I don't really have the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	knowledge to know some of that, who some of those tūpuna are. So that's the discussion that would need to be held with the claimants. But it does come down to capacity in the end.	
	GEOFFREY MELVIN	
	Just continuing with your Native Land Court analysis there, paragraphs 41 to 48 of your report, you refer to the role of the Native Land – that the Native Land Court had and you say disenfranchising a tribal group and or a tupuna from a block?	
	ANTHONY PĀTETE	
	Yeah.	
	GEOFFREY MELVIN	
	You'd agree wouldn't you that considerably more research would be required to make any firm conclusions for specific groups or tūpuna.	
	ANTHONY PĀTETE	
	Yeah, if I give you an example, Rangitoto-Tūhua number 3 block, I wrote this down because I – thought you might be questioning me about something, which is the Taraunui Block. The Court came to a conclusion before it was appealed that it said, "The Court noted that this is the most difficult case to understand and the real history of the land has not been disclosed to the Courts. The true evidence	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	was designedly withheld in order to defeat the claims of the real owners." And so there were subsequently three appeals I think thereafter. It's – you know, it's very hard when you're looking at these Court minutes. You can obviously say that there's a degree of truth in them of course, depends. But you're getting the sort of comments though. It does require quite a bit of analysis and you know that particular Court case is 110 pages. You know, so to go through all that, but again, I think to some degree that some of those Court cases disenfranchise people. Look at the Rangitoto-Tūhua number 2, Pukuweka Block, how highly contested that was. Maniapoto – was Pukuweka Block. That was highly contested. Maniapoto felt very strongly that they had interest in that particular block. And they submitted several petitions at a Royal Commission. So – and the Court effectively decided based on occupation and ancestry not necessarily the tribal boundary.	
	JUDGE AMBLER	
	Ka pai. We will pause there for morning tea.	
	ANTHONY PĀTETE	
	Cool.	
	JUDGE AMBLER	
	Me hikitia tō tātou hui, ka hoki mai hei te rua tekau mieniети pāhi te tekau mā tahi karaka. We will return at 11.20.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	HEARING ADJOURNS: 11.00 AM	
	HEARING RESUMES: 11.21 AM	
1121	**GEOFFREY MELVIN**	
	Kia ora Mr Pātete.	
	ANTHONY PĀTETE	
	Kia ora.	
	GEOFFREY MELVIN	
	I just want to pick up on where we were before the break, and we were discussing the point that more research would be required in order to come to some firm conclusions for specific groups or tūpuna in respect of the effects of the Native Land Court, and an example that I came across in your report is at page 383, paragraph 860. This relates to Ngāti Hotu.	
	ANTHONY PĀTETE	
	860, do you have the para –	
	GEOFFREY MELVIN	
	Paragraph 860.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ANTHONY PĀTETE	
	Yes.	
	GEOFFREY MELVIN	
	And you record there that Ngāti Hotu claimants argue that the adversarial processes of the Native Land Court were unfamiliar to Māori and seriously diminished their ability to present – represent themselves sufficiently.	
	ANTHONY PĀTETE	
	Yes.	
	GEOFFREY MELVIN	
	And the claimants state that as a result, hapū such as Ngāti Hotu of Rangitoto-Tūhua were excluded from blocks in which they had a rightful claim while many names which should've been included on ownership lists, were not.	
	ANTHONY PĀTETE	
	Mhm.	
	GEOFFREY MELVIN	
	But would you accept that besides that assertion, there's no evidence in support of that?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ANTHONY PĀTETE	
	You could argue that, but Ngāti Hotu claimants are quite adamant that that's what had happened to them and so effectively that's their narrative. They claim that they obviously didn't have owners in that block, but that's their oral history I guess. It's – yeah. I mean it's hard you know, you can't – hard to prove that you weren't excluded from a Court I guess. But – and also they probably – they may have come under a different – used different whakapapa. No, not necessarily have come under Ngāti Hotu. And that's the issue that often happens, Court, where you deploy your whakapapa for a particular reason. So you know, when I mention in this summary Tanoa and used the Maniapoto tūpuna sometimes, some instances in their whakapapa or the Whanganui one on the other ones. So, it's yeah. Yes they would require further research in terms of ascertaining whether that is valid or not.	
	GEOFFREY MELVIN	
	Right. Now moving on or actually slightly backwards in your report to page 349, and here you're talking about Ngāti Hikairo and at paragraph 773, you say, "Ngāti Hikairo's lands were subsequently acquired pursuant to the North Island Main Trunk Railway Line Application Act 1886."	
	ANTHONY PĀTETE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	GEOFFREY MELVIN	
	Do – should – do you really mean, some of their lands?	
	ANTHONY PĀTETE	
	Some of their lands.	
	GEOFFREY MELVIN	
	It's –	
	ANTHONY PĀTETE	
	Well –	
	GEOFFREY MELVIN	
	– not their lands entirely.	
	ANTHONY PĀTETE	
	Yeah, could be some, could be all. In terms of the – 'cos you know the schedule that came with that particular Act was that included the whole, the Rohe Pōtae, Taupō-nui-a area down to Waimarino.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	It's – the railway exclude –	
	ANTHONY PĀTETE	
	Yeah well the Hikairo – I mean I'm not really totally sure they didn't provide a list of lands and it wasn't something, further research, but then again that can be – we can look at that if that was required. I can't give you a firm decision on that one Geoff at this moment.	
	GEOFFREY MELVIN	
	And – all right.	
	JUDGE AMBLER	
	Yes, I am confused by that because the Ngāti Hikairo who you are discussing around Rotoaira –	
	GEOFFREY MELVIN	
	Yeah.	
	JUDGE AMBLER	
	As I understand the evidence, do not – and this is what we heard in hearing weeks 1 or 2, do not actually claim to have any mana whenua interests within blocks, within our inquiry district. Their interest was in the more broader topic of the Ōhākī Tapu, the 1883 petition. So I have difficulty marrying	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the statement about the application of that Act to them if they did not have any land interest within our inquiry district –	
	ANTHONY PĀTETE	
	Within?	
	JUDGE AMBLER	
	Is it – south of here of our district?	
	ANTHONY PĀTETE	
	Yes. I guess I'm talking about the 1883. You're talking about Sir in terms of Te Rohe Pōtae District Inquiry boundary.	
	JUDGE AMBLER	
	Yes.	
	ANTHONY PĀTETE	
	Yes – no. Their interests are more political within Te Rohe Pōtae but within the 1883 boundary, they were asserted ~~(inaudible 11:26:33)~~ particular interests.	
	JUDGE AMBLER	
	Yes but as far as this Railway Legislation is concerned and	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the taking of land under that.	
	ANTHONY PĀTETE	
	Mmm.	
	JUDGE AMBLER	
	Do you know – you do not – you have no better idea about –	
	ANTHONY PĀTETE	
	No.	
	JUDGE AMBLER	
	– what they're talking about.	
	ANTHONY PĀTETE	
	Not really, no. It was just simply that they had raised that as an issue and I'd included in there as you can see from their particular quite on page 350.	
	JUDGE AMBLER	
	Thank you.	
	GEOFFREY MELVIN	
	Now I'd like to address some points with respect to Tatū	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Mine.	
	ANTHONY PĀTETE	
	Yes.	
	GEOFFREY MELVIN	
	And this is around page 543 of your report.	
	ANTHONY PĀTETE	
	500 and what sorry Geoff?	
	GEOFFREY MELVIN	
	43. And you say there at paragraph 1270 that there were approximately 137 acres of underground workings extending under Māori-owned land into the Rohe Pōtae District Inquiry.	
	ANTHONY PĀTETE	
	Mhm.	
	GEOFFREY MELVIN	
	And you source that to the –	
	ANTHONY PĀTETE	
	Amended Statement of Claim.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	– Wai 1594 Amended Statement of Claim. Is there any other evidence in support of that statement that the mine extended into the Rohe Pōtae District – Inquiry District.	
	ANTHONY PĀTETE	
	In terms of the Waiaraia Block or do you mean?	
	GEOFFREY MELVIN	
	Well in terms of the mine –	
	ANTHONY PĀTETE	
	Yeah.	
	GEOFFREY MELVIN	
	– I'm somewhat puzzled reading through your report as to the basis for the assertion that the underground workings extended into the inquiry district – this inquiry district.	
	ANTHONY PĀTETE	
	Yeah, yes, yeah.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	So I need, I need your help to –	
	ANTHONY PĀTETE	
	No that's cool. So the understanding is the opening is on Ōhura South K1 Block and that the underground mine shaft extend under the Waiaraia Block.	
	GEOFFREY MELVIN	
	Mhm and what's the evidence for that?	
	ANTHONY PĀTETE	
	Well the map I guess. They've got a map here, basically outlining where the underground –	
	GEOFFREY MELVIN	
	So which map?	
	ANTHONY PĀTETE	
	Figure 40, location map showing working shafts of Tatū Mine.	
	JUDGE AMBLER	
	What page is that?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ANTHONY PĀTETE	
	On page, page 544.	
	GEOFFREY MELVIN	
	The map –	
	ANTHONY PĀTETE	
	The map is not as clear as one would hope it to be. So –	
	GEOFFREY MELVIN	
	So –	
	ANTHONY PĀTETE	
	And perhaps also figure 39 on page 543 also where it basically shows location of Tatū Mine and the orange bit effectively extending under – I perhaps should've pointed that out as to what that orange little lob is that extends under the Waiaraia Scenic Reserve.	
	GEOFFREY MELVIN	
	All right, well if we look at that map first, figure 39?	
	ANTHONY PĀTETE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yeah.	
	GEOFFREY MELVIN	
	Whose map is this? Who's compiled the map?	
	ANTHONY PĀTETE	
1130	Do I have a reference from the source? Images – it was filed by counsel Mark McGhie.	
	MARK McGHIE	
	Yes Sir, I filed the amended Statement of Claim and the plans Ms Taurewa, the claimant actually got hold of those plans. I believe she went to a meeting and the plans were provided at the meeting.	
	JUDGE AMBLER	
	Well perhaps let the witness finish answering the questions and then you might need to follow up Mr McGhie.	
	GEOFFREY MELVIN	
	So it's a map that claimant counsel Mr McGhie -	
	ANTHONY PĀTETE	
	Yep.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	– provided to you. Have you interrogated the information youself?	
	ANTHONY PĀTETE	
	There were several files that I looked at. I can't say here and now whether – I mean they had maps on there but I would need to double check those to – I think this is the clearest map that could be located in terms of the underground shafts. It doesn't do it's justice under figure 40 but simply the map that was provided was much more clearer.	
	GEOFFREY MELVIN	
	Well if we look at figure 40 it's a map isn't it of proposed bore holes?	
	ANTHONY PĀTETE	
	Yes but if you look at the – can you still see there Geoff, the underground shafts?	
	GEOFFREY MELVIN	
	Well are you referring to the hatched areas?	
	ANTHONY PĀTETE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	GEOFFREY MELVIN	
	Which aren't – so they're not defined in the legend to that map are they?	
	ANTHONY PĀTETE	
	Well I can't even read, sorry just wait there. Oh sorry you mean they're not defined in the legend at all is what you are saying?	
	GEOFFREY MELVIN	
	Yes.	
	ANTHONY PĀTETE	
	Yes. Well….	
	GEOFFREY MELVIN	
	Am I right?	
	ANTHONY PĀTETE	
	You could be correct but then what is the other hypothesis for their resistance I guess.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	And what's the origin of this map?	Part 2 day 1 (0.11.14)
	ANTHONY PĀTETE	
	The origin – sorry I will just grab my glasses. That is from the amended Statement of Claim. These maps are the same maps that I recall as counsel McGhie had mentioned were given to me through counsel basically.	
	GEOFFREY MELVIN	
	And is the inquiry district boundary shown on these maps?	
	ANTHONY PĀTETE	
	Not that I can see. I would have to refer with counsel on that particular issue but my understanding is no but the Waiaraia Scenic Reserve is in there on figure 39.	
	GEOFFREY MELVIN	
	But the Waiaraia Scenic Reserve is outside the inquiry district, that's my understanding.	
	ANTHONY PĀTETE	
	I would need to consult with counsel on that one, I can't confirm that either. My understanding of the Waiaraia Block	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	was including within.	
	GEOFFREY MELVIN	
	The block but not – but the scenic reserve, the Waiaraia Scenic Reserve is outside the inquiry district.	
	ANTHONY PĀTETE	
	Yes I understand what you are saying. Geoff if you looked at perhaps figure 41 showing the Waiaraia Block, on page 546 -	
	GEOFFREY MELVIN	
	Yes.	
	ANTHONY PĀTETE	
	And you can see their approximate location of Tatū mine, now we could try and do a map overlay if that was required. If you look at the boundary of that where the location, approximate location of Tatū mine and then look at the boundary where I have got the location of figure 39 it would appear to match the Waiaraia Block but there would have to be a map overlay on that one.	
	GEOFFREY MELVIN	
	Well the point that I'm raising here is that not withstanding these maps they don't really in any definitive sense show	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	that the mine extended into the inquiry district. There are some markings on them -	
	ANTHONY PĀTETE	
	So are you asking -	
	GEOFFREY MELVIN	
	But it's not clear exactly what those markings are.	
	ANTHONY PĀTETE	
	So you would like something more substantive to verify that?	
	GEOFFREY MELVIN	
1135	The Crown's submission would be that based on this information it would be insufficient to draw definitive conclusions.	
	MARK MCGHIE	
	Sir, if I could break in again. The claimant for Tatū Mines, Ms Taurerewa was appearing on Thursday. She is not here now. I don't think her counsel is here, but there will be large scale copies of these maps and a Powerpoint presentation with the maps included. It might be a bit clearer then.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Sorry, who is the person who is appearing on Thursday?	
	MARK MCGHIE	
	The claimant for the Tatū Mines, Ms Geraldine Taurerewa, Wai 1594.	
	JUDGE AMBLER	
	Is she scheduled to give evidence?	
	MARK MCGHIE	
	Yes Sir, on Thursday.	
	GEOFFREY MELVIN	
	It's actually tomorrow I think. She's in the –	
	JUDGE AMBLER	
	Yes, it's tomorrow.	
	GEOFFREY MELVIN	
	– second session tomorrow morning.	
	MARK MCGHIE	
	Yes, well she'll be here with her counsel then, Sir, and with	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the maps.	
	GEOFFREY MELVIN	
	Well I can raise that with her then.	
	JUDGE AMBLER	
	All right. Just to be clear though, Mr Melvin, aside from the question over how far the Tatū Mine extends into our inquiry district, the Waiaraia Block is part of this inquiry district and it's the unusual sort of dog leg at the bottom of our inquiry district as I see it, but you have said that the Waiaraia Scenic Reserve is not in fact our inquiry district. So did that not come out of the Waiaraia Block?	
	GEOFFREY MELVIN	
	I don't know the specifics of the history of it, Sir, but it's certainly my understanding that apart from a very small little smidgen it's outside the inquiry district.	
	JUDGE AMBLER	
	All right, but certainly if we're looking at figure 39 where the arrow points to the Waiaraia Scenic Reserve. That does seem to be –	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes, I –	
	JUDGE AMBLER	
	– pointing to Waiaraia Block.	
	GEOFFREY MELVIN	
	It does and I, I – based on the information that I have, Sir, it would – it is somewhat misleading.	
	JUDGE AMBLER	
	Okay, all right.	
	GEOFFREY MELVIN	
	It should, it should point further south.	
	JUDGE AMBLER	
	All right, well that can be clarified, thank you.	
	ANTHONY PĀTETE	
	Interesting.	
	GEOFFREY MELVIN	
	Now you also say in respect of the purchase of Waiaraia Block that no consideration was given for the likely	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	value of the coal deposits in the land?	
	ANTHONY PĀTETE	
	Mhm.	
	GEOFFREY MELVIN	
	And you've sourced this to the Wai 1594 amended Statement of Claim.	
	ANTHONY PĀTETE	
	Which paragraph are you on, Geoff?	
	GEOFFREY MELVIN	
	1277.	
	ANTHONY PĀTETE	
	Yeah.	
	GEOFFREY MELVIN	
	So what evidence do you have that at the time the Crown purchased the block there were known coal deposits?	
	ANTHONY PĀTETE	
	There were no coal deposits?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	Known.	
	ANTHONY PĀTETE	
	Well I talk about the Ōhura-Tangarākau Coal Field in itself in the next section and –	
	GEOFFREY MELVIN	
	And do you know what that area was and –	
	ANTHONY PĀTETE	
	I do recall a map. I don't think I've got it in here, but I mean you also see in note 1852 where this block where this block will be discussed in more detail I guess in terms of the purchase details as well.	
	GEOFFREY MELVIN	
	Yes well what – so can you explain that footnote? What is meant by "will be discussed in more detail in another report"?	
	ANTHONY PĀTETE	
	That's the report that would go with the other 86 other land blocks.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	Right.	
	ANTHONY PĀTETE	
	The block itself has obviously been covered by Husbands and Mitchell as one of the appendices to their – I don't recall them mentioning the coal off hand, but I may be corrected on that. There is also figure 42, Geoff, on page 550 which identifies particular coal fields within Te Rohe Pōtae inquiry district and you will see with number 8 it's not a very good map unfortunately.	
	GEOFFREY MELVIN	
	Yes but that's a map – well what's the –	
	ANTHONY PĀTETE	
	It shows you –	
	GEOFFREY MELVIN	
	– age of it. When was that map prepared?	
	ANTHONY PĀTETE	
	1999.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	Yeah, so that's – it represented our knowledge of the coal fields at that time but it doesn't –	
	ANTHONY PĀTETE	
	You're suggesting, yeah, yeah, I know, I understand what you mean.	
	GEOFFREY MELVIN	
	– necessarily represent the Crown's knowledge at the time of the purchase of the block. That would be right?	
	ANTHONY PĀTETE	
	That could be correct, yes. You would have to wait until another report was submitted on the Waiaraia Block and the other blocks.	
	GEOFFREY MELVIN	
	Even if the Crown was aware that the block might be within a general area where there are coal deposits, it wouldn't – doesn't necessarily follow that it was aware of the extent of the actual coal deposits in that block at the time, does it?	
	ANTHONY PĀTETE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I can't comment on that.	
	GEOFFREY MELVIN	
	Now finally just one minor point that arises out of your answers to the Crown's questions of clarification and this relates to the rohe of Ngāti Hikairo.	
	ANTHONY PĀTETE	
	Yes.	
	GEOFFREY MELVIN	
	So that's at paragraph 674 and 675.	
	JUDGE AMBLER	
	So what number is that document?	
	GEOFFREY MELVIN	
	It's #A108(c).	
	JUDGE AMBLER	
	And which question sorry?	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Question 6 Sir. You'll need – unfortunately the questions aren't repeated in the answers so –	
	ANTHONY PĀTETE	
	Sorry about that.	
	GEOFFREY MELVIN	
	– the questions are set out in 3.3.648(a).	
	JUDGE AMBLER	
	Yes I don't have that but if there's a particular question that you're interested in can you perhaps read out the question before taking Mr Pātete to the answer?	
	GEOFFREY MELVIN	
	Yes, so the Crown asked you this question of clarification. It's question 6. At paragraph 674 you set out a description of Ngāti Hikairo's rohe which you source to Wai 898 document #1.2.6 which is the amended Statement of Claim dated 9 December 2011 for Wai 833, Wai 965, Wai 1044 and Wai 1065 and then at paragraph 675 you set out another description of those same claimants, rohe which you source to Wai 833 document #1.1.1(h) page 2, but it seemed to the Crown that they were really the same – you were setting out not in – instead of setting out descriptions of the two different claimant groups that you were dealing with,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	you were actually setting out the same description from the claimants who have the claims Wai 833, 965, 1044 and 1065.	
	ANTHONY PĀTETE	
	Which is the paragraph 674?	
	GEOFFREY MELVIN	
	Yes.	
	ANTHONY PĀTETE	
	Yeah, that's very – yeah.	
	GEOFFREY MELVIN	
	But also 675.	
	ANTHONY PĀTETE	
	Are you saying, why are there two descriptions?	
	GEOFFREY MELVIN	
	Well, the question was – as I understand it you were trying to set out two separate descriptions but you – it seems to counsel that you didn't. You – the same description is –	
	ANTHONY PĀTETE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Are you saying it's replicated?	
	GEOFFREY MELVIN	
	Yes and your answer unfortunately didn't assist me because it still seems like it's replicated.	
	ANTHONY PĀTETE	
1145	It could be replicated, but the claimants were quite adamant they were two distinct groups within Ngāti Hikairo, and so the purpose of that was to identify their respective rohe. Now it may be replicated. It may've overlapped. The wording may be slightly different, but that's what the claimants wanted, and hence, why that was put in there. And I think it's important though, the claimants in terms of their own identity to have their respective rohe put in there, even if it does replicate another groups. Does that settle your mind?	
	GEOFFREY MELVIN	
	Well I'll have to – it's somewhat difficult to sort out –	
	ANTHONY PĀTETE	
	Yeah.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	– in this form. I'll review it and – in light of your answer. Thank you very much Mr Pātete. Those are the Crown's questions.	
	ANTHONY PĀTETE	
	Thanks a lot.	
	GEOFFREY MELVIN	
	Thank you Sir.	
	JUDGE AMBLER	
	Given that their rohe doesn't come within inquiry district, it is not of great moment is it?	
	GEOFFREY MELVIN	
	May not be Sir, no.	
	JUDGE AMBLER	
	Thank you. Right, now, Mr Tootill we have got some claimant counsel who have questions?	
	GLENN TOOTILL	
	We have one Sir, so Ms Haira and Mr Boast don't appear to be here Sir and I understand from Ms Arapere that Mr Wilson no longer has questions. So it'll	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	just be Mr McGhie Sir.	
	JUDGE AMBLER	
	Thank you.	
	MARK McGHIE	
	Kia ora Mr Pātete.	
	ANTHONY PĀTETE	
	Kia ora Mr McGhie.	
	MARK McGHIE	
	Have a couple of questions on Waimarino at paragraph 19 of your summary of the Ngāti Hauā chapter.	
	ANTHONY PĀTETE	
	Just allow me to get to it. Yes.	
	MARK McGHIE	
	You say there's no evidence Ngāti Hauā were at Court and no indication that their rangatira Tōpia Te Mamaku was present.	
	ANTHONY PĀTETE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Sorry what's that?	
	MARK McGHIE	
	And no indication that their rangatira Tōpia Te Mamaku was present?	
	ANTHONY PĀTETE	
	Yes.	
	MARK McGHIE	
	But Ngāti Hauā were included in the ownership list. Tōpine himself was included wasn't he?	
	ANTHONY PĀTETE	
	Was he included under Ngāti Hauā?	
	MARK McGHIE	
	No but he was included under another hapū I think.	
	ANTHONY PĀTETE	
	But was he present at the Court though, I guess the quest – and the question is, no indication Tōpine was present at the Court? He may have been in the ownership list and they have come under a different hapū. I guess that's the point,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	yeah.	
	MARK McGHIE	
	Your final sentence there, you say, “Others associated with Ngāti Hauā were also granted reserves by the Crown many years later.”	
	ANTHONY PĀTETE	
	Yes.	
	MARK McGHIE	
	Are you referring to Te Keri and his family?	
	ANTHONY PĀTETE	
	I’d have to look at the main reports sorry. Are you able to refer me to the main report?	
	MARK McGHIE	
	I haven’t got the reference there, no.	
	ANTHONY PĀTETE	
	I’m more able to answer that later if you wish.	
	MARK McGHIE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Perhaps you could follow-up on that.	
	JUDGE AMBLER	
	Well, Mr McGhie how significant is that? We're not dealing with Waimarino.	
	MARK McGHIE	
	Well it's not that significant Sir. I represent the attendance of Te Keri. I was just wanting to check that Mr Pātete was actually referring to them there.	
	JUDGE AMBLER	
	All right, move on.	
	MARK McGHIE	
	In your next paragraph you talk about a Ngāti Hauā tradition that Waimarino was under the mana of the King.	
	ANTHONY PĀTETE	
	Yes.	
	MARK McGHIE	
	Do you think the influence of the ~~Kingtitanga~~Kingitanga went beyond the petition boundary, further south into the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Waimarino Block?	
	ANTHONY PĀTETE	
	Possibly could. I guess it depends on whether the hapū supported the ~~Kingtitanga~~Kingitanga or not. And obviously the support for the ~~Kingtitanga~~Kingitanga didn't rest at the boundaries. They may have been widespread support all around the motu for all I know. So – but yeah. I don't know that one Mark.	
	MARK McGHIE	
	Suggest that the southern boundary of Rohe Pōtae was drawn because of Crown land purchasing in the area.	
	ANTHONY PĀTETE	
	Mmm.	
	MARK McGHIE	
	The Crown had purchased several blocks where Kirikau made advances on other blocks, Patu, Ruapehu, that the boundary was drawn solely to exclude these areas where the Crown have made land purchases.	
	ANTHONY PĀTETE	
	You could be correct.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	MARK McGHIE	
	Moving on. Patutokotoko and Hekeāwai I think in paragraph 34 of your summary of the Whanganui Northern Cluster history.	
	ANTHONY PĀTETE	
	Grab that. 34 did you say?	
	MARK McGHIE	
	34.	
	ANTHONY PĀTETE	
	Yes.	
	MARK McGHIE	
	You talk about Te Pikikōtuku and Tukaiora and the mana extending from Tongariro to the sea.	
	ANTHONY PĀTETE	
	Yes.	
	MARK McGHIE	
	I did have a look in your main report or it's in the #112 report	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	at page 10.	
	ANTHONY PĀTETE	
	Yes.	
	MARK McGHIE	
	You have the quote there according to our knowledge of these people, the mana of Te Pikikōtuku, Paramount Chief and Tukaiora of Ngāti Hauā extends from Tongariro to the sea.	
	ANTHONY PĀTETE	
	Sorry Mark, did you say page 10 of the main report?	
	MARK McGHIE	
	Yes I think it's page 10.	
	ANTHONY PĀTETE	
	Oh, page 10 is still in the contents.	
	MARK McGHIE	
	I've got page 10 of 74 in 112 report.	
	ANTHONY PĀTETE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Are you talking about Ngāti Hauā or the –	
	MARK McGHIE	
	Yeah the Ngāti Hauā –	
	ANTHONY PĀTETE	
	Oh sorry yes. Just write that Mark, just grab a – okay.	
	MARK McGHIE	
	You see the quote there?	
	ANTHONY PĀTETE	
	Yes, yes.	
	MARK McGHIE	
	You've also got the page in your document bank, #108(a) at page 67. You got the page from the Minute Book.	
	ANTHONY PĀTETE	
	Are you saying that the source is incorrect?	
	MARK McGHIE	
	No just the quote is quite different from what you've said	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	down there.	
	ANTHONY PĀTETE	
	What's the quote got – that you've got?	
	MARK McGHIE	
	It's on page 67 of your document bank.	
	ANTHONY PĀTETE	
	Unfortunately I haven't got the document bank with me but I'll take your word for it, thank you.	
	JUDGE AMBLER	
	What does it actually say Mr McGhie?	
	MARK McGHIE	
	It says, "Metekingi~~re Kīngi~~, Metekingi ~~re Kīngi~~ the Chief is giving evidence. Pikikōtuku and Tukaiora were the principal chiefs of all this district from Tongariro to the sea. Food was given to them off this land. They left their authority to Pēhi Tūroa." So Ngāti Hauā not mentioned. These other glosses ~~losses~~ seemed to have been included.	
	ANTHONY PĀTETE	
	I'd have to double check that Mark. It might be an error in	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the source. I don't think I would've made that up.	
	MARK McGHIE	
	Right, might be just be an error.	
	ANTHONY PĀTETE	
	Yeah I'm more than happy to follow that up with if you wish.	
	MARK McGHIE	
	In both of your summaries, paragraphs 6 and 8 of the #112 summary, paragraph 35 of the #108 summary, you deal with Hekeāwai.	
	ANTHONY PĀTETE	
	Yes.	
	MARK McGHIE	
	And looking at the #108 report.	
	ANTHONY PĀTETE	
	This, what paragraph is that, 108 Mark?	
	MARK McGHIE	
	Paragraph 35 of the summary.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ANTHONY PĀTETE	
	Oh yes, yeah.	
	MARK McGHIE	
	And look at your main report, #108.	
	ANTHONY PĀTETE	
	Yes.	
	MARK McGHIE	
	Paragraph 562?	
	ANTHONY PĀTETE	
	5. Just wait there. Page 562?	
	MARK McGHIE	
	Paragraph 562.	
	ANTHONY PĀTETE	
	Jumped ahead.	
	JUDGE AMBLER	
	What page is that on Mr McGhie?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	MARK McGHIE	
	267 Sir, 267. Seems to be the conclusion of that section. If I can read, "What can be concluded is that two separate hapū emerged from the two unions of Hekeāwai and they became independent by dint of their separate occupation between the upper Whanganui River and Manganui-a-te-Ao.	
	ANTHONY PĀTETE	
	Sorry what paragraph are you at Mark?	
	MARK McGHIE	
	562.	
	ANTHONY PĀTETE	
	526. Yeah sorry, just repeat. And your question is?	
	MARK McGHIE	
	There you were saying there were two separate hapū from the two unions, the two families of Hekeāwai?	
	ANTHONY PĀTETE	
	Yeah.	
	MARK McGHIE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And I think at page, also back on page 261, you have the two whakapapa of Hekeāwai.	
	ANTHONY PĀTETE	
	With the whakapapa, yes.	
	MARK McGHIE	
	Saying two different families, two different fathers?	
	ANTHONY PĀTETE	
	Yeah.	
	MARK McGHIE	
1155	But in your summaries, at paragraph 6 and 8 of #112 and paragraph 35 of #108, you appear to have conflated these two families and they become one. You say in paragraph 35 at #108, "Over time led by Tōpia Tūroa, Ngāti Hekeāwai expended – extended their influence to the mouth of Whanganui River, region, and became known as Ngāti Patutokotoko.	
	ANTHONY PĀTETE	
	So are – sorry are you suggesting that there are two Hekeāwai tūpuna?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	MARK McGHIE	
	What you're saying in the main report is that there were two families, two hapū.	
	ANTHONY PĀTETE	
	No your right. I do remember we had this discussion during one of the wānanga as well, you and I. I guess and it's a question that you ask the Whanganui Inquiry as well where Belgrave ~~Bill Graven~~ and ~~–~~Young gave you some written answers to questions about the Hekeāwai whakapapa. And of course Hekeāwai, and you can correct me if I have this wrong, had two unions, one with Te Wakatotopipi and Te Uruwehiroa. Belgrave and ~~Bill Graven~~ Young couldn't come to a conclusion as to whether there were two Hekeāwai tūpuna. And if I may read from their written response if the Tribunal would allow that at paragraph 7 of Wai 898 #A066(b) where they basically say in conclusion, "We are unable to resolve the puzzle of the two distinct ancestral lines of Hekeāwai on the basis of the evidence available to us at this time. The ancestral lines suggest that there were two tūpuna known as Hekeāwai while the descent lines, particularly given the whakapapa recorded by Pei~~ta~~ Jones and the kōrero of the Ngāti Hekeāwai claimants suggest that there was only one. It is possible that there was only one Hekeāwai but his descendants in Manganui o te Ao identify as ancestral lines differently to those in the northern regions of the Whanganui	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	River. Whakapapa was always deployed by different kinship groups for different purposes and the ancestral lines used reflected those purposes." I am inclined not to disagree with that. I know Ngāti Hauā, there is a mention of Pei~~ta~~ Jones which refers I believe to his souvenir Marae booklet for the Ngāpūwaiwaha Marae. And Ngāti Hauā – when I had discussions with the claimants said they had no problems with the narrative of the kōrero within the booklet itself but they had issue with the whakapapa. They were never able to clarify exactly what those issues were but they didn't necessarily agree with the whakapapa in there. I can't give you a decision about whether there were two Hekeāwai tūpuna or not, I tend to agree with Belgrave and ~~Bell Graven~~ Young about this – the evidence is inconclusive. It does just depend on whakapapa, I guess the deployment of whakapapa. I don't know how that will satisfy ~~it as far as~~ your particular question but I'm probably not really willing to contend that there were two Hekeāwai tūpuna at this particular time.	
	MARK McGHIE	
	But you still maintain as you do in paragraph 6 it can be concluded that there were two separate hapū?	
	ANTHONY PĀTETE	
	You mean in the main report you were talking at? Mark?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	MARK McGHIE	
	Yes.	
	ANTHONY PĀTETE	
	Yes sorry. Yeah, it's a difficult one. I don't want to make any distinct – when it comes to whakapapa I am a little shy about telling one person whether they are correct and whether someone else is incorrect.	
	MARK McGHIE	
	Okay thank you.	
	ANTHONY PĀTETE	
	Yep.	
	MARK McGHIE	
	I just have one more question -	
	JUDGE AMBLER	
	Just before you go further Mr McGhie, I just wanted to understand this line of questioning in the context of our inquiry. I sense that you have pursued this issue in the Whanganui Inquiry. Can you just help us as a Tribunal to understand what is the essence of the issue here?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	MARK McGHIE	
	I think there are two different playing groups who both whakapapa to Hekeāwai. There is a Hekeāwai in the Taumarunui region and there is a Hekeāwai in the Manganui o te Ao who are my claimants. And we agree with what Mr Pātete said that there were two separate hapū, Manganui o te Ao Taumarunui region which evolved from Hekeāwai's two families. Just reading the summaries these two families appear to be conflated into one.	
	JUDGE AMBLER	
	Yes but does this present a problem for this inquiry Tribunal because we are not dealing with Manganui o te Ao so we are only concerned with those of Hekeāwai who claim within the Rohe Pōtae aren't we?	
	MARK McGHIE	
	Yes Sir, but it is unclear what their interests actually are because their broadened in the summaries to include the family in Manganui o te Ao ~~Manganui Ātiawa~~ as well. You are going to be writing about a different region as if the family in Taumarunui influence extends right down into Whanganui. It is just trying to avoid confusion Sir.	
	JUDGE AMBLER	
	Yes I am getting a better sense of it. Are we going to hear	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	from some Hekeāwai claimant witnesses this week who may be able to clarify this?	
	MARK McGHIE	
	I think there are Hekeāwai witnesses, yes Sir. I just have one more question.	
	ANTHONY PĀTETE	
	Yes Mark?	
	MARK McGHIE	
	Paragraph 28 of your summary of the Ngāti Hauā report -	
	ANTHONY PĀTETE	
	Let me just grab that one – 28 – yes, the Waiaraia Block Mark?	
	MARK McGHIE	
	Yes.	
	ANTHONY PĀTETE	
	Yes?	
	MARK McGHIE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Your final sentence you say, "The Crown acquired the Waiaraia Block in 1891 with the intent to sell at a profit to defray construction costs within the North Island Main Trunk Rail.	
	ANTHONY PĀTETE	
	Yes.	
	MARK McGHIE	
	Would you say that therefore the Waiaraia Block was acquired for a Public Works purpose?	
	ANTHONY PĀTETE	
	All right I guess that depends on how you define Public Works.	
	MARK McGHIE	
	It's been brought to fund construction of the railway, that's a part of works.	
	ANTHONY PĀTETE	
	But is – then the question would be is the land being used for Public Works or is it -	
	MARK McGHIE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	No. But the profit from resale is been used for construction of a Public Works.	
	ANTHONY PĀTETE	
	But then you could sell any piece of land and argue that that could be a Public Works.	
	MARK McGHIE	
	This was a railway and this was brought with money set aside to purchase land to construct the railway.	
	ANTHONY PĀTETE	
	I am – no I'm not willing to concede that – yep it comes down to the interpretation of the Public Works. You can sell any piece of land to buy another piece of land or to use it to fund a particular capital works. Yeah, I don't know how to comment on that one to be honest.	
	MARK McGHIE	
	Thank you.	
	JUDGE AMBLER	
	That is for legal submission isn't it Mr McGhie?	
	MARK McGHIE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes Sir.	
	ANTHONY PĀTETE	
	Cool.	
	JUDGE AMBLER	
	Thank you. There is no other counsel?	
	DR AROHA HARRIS	
	Kia ora Mr Pātete.	
	ANTHONY PĀTETE	
	Kia ora.	
	DR AROHA HARRIS	
	Thank you for your presentation this morning. Can you just tell me why the Ngāti Hauā chapter was developed and submitted separately from the other report.	
	ANTHONY PĀTETE	
	Do you want the honest answer?	
	DR AROHA HARRIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes?	
	ANTHONY PĀTETE	
	I'll give you the honest – my understanding but CFRT ~~Sir, Whati~~ will probably be able to confirm this, that initially the Ngāti Hauā claimants who are unsure about whether to participate within the cluster. CFRT ~~Sir, Whati~~ effectively said in the end that we would be willing to make a companion chapter, another separate report and so that clears the Ngāti Hauā claimants, hence why there was a separate – yeah, I mean yeah, it can be a little bit confusing but that's the reason why.	
	DR AROHA HARRIS	
	Okay thank you. And in – on page 68 of the main report #A112, you probably don't need to go to it -	
	ANTHONY PĀTETE	
	Oh okay.	
	DR AROHA HARRIS	
	You just – you mentioned that you will discuss Ngāti Hauā's interest in Rangitoto-Tūhua in a separate report.	
	ANTHONY PĀTETE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	DR AROHA HARRIS	
	Is that been done or is that part of the individual blocks?	
	ANTHONY PĀTETE	
	That was part of the discussion we had before. The Rangitoto-Tūhua No.2 has been discussed although I'd probably like to discuss it in further detail but there are a number of other blocks, Rangitoto-Tūhua No.3, 58, 52 possibly Rangitoto No.1, No.7, I am not too sure about No.8 but cos' I haven't looked at that but there is a degree of involvement – of possible involvement, I won't say confirmed of Ngāti Hauā so given the complexity of whakapapa around the boundary area it is very hard to determine. We just didn't have enough time to consider all those lands blocks. It would be worthwhile doing so if that could be done some time.	
	DR AROHA HARRIS	
	Okay.	
	ANTHONY PĀTETE	
	Yeah.	
	DR AROHA HARRIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
1205	Thank you. Now Ngāti Hekeāwai, you say in your summary, so we're going back to #A108 now that they don't currently have any Marae?	
	ANTHONY PĀTETE	
	As far as I understand that was the kōrero given to me.	
	DR AROHA HARRIS	
	Do you know what marae they used when they do need to use them?	
	ANTHONY PĀTETE	
	No but maybe counsel could or a claimant could identify that.	
	DR AROHA HARRIS	
	Okay thank you.	
	ANTHONY PĀTETE	
	Sorry I couldn't be of any help.	
	DR AROHA HARRIS	
	Oh no that's okay, and – now on page 249 of the main report and you probably don't need to go through it I think	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	again.	
	ANTHONY PĀTETE	
	Cool.	
	DR AROHA HARRIS	
	You just mentioned that for the, for the purposes of the claims in this inquiry that Hekeāwai claimants aren't Ngāti Maniapoto.	
	ANTHONY PĀTETE	
	Yeah they stressed that they were Maniapoto, is the –	
	DR AROHA HARRIS	
	For the purposes of this inquiry.	
	ANTHONY PĀTETE	
	Yeah.	
	DR AROHA HARRIS	
	So what does that mean?	
	ANTHONY PĀTETE	
	They just sort of stress it, for the purpose of this inquiry, they	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	would identify with Maniapoto. I guess because they also affiliate to Whanganui, they felt maybe the stronger emphasis on Maniapoto, perhaps because of Te Rohe Pōtae itself. I can't say. I didn't question them on that particular statement.	
	DR AROHA HARRIS	
	Do you think it's an example of deploying whakapapa for a particular purpose?	
	ANTHONY PĀTETE	
	Yeah, yeah definitely, yeah.	
	DR AROHA HARRIS	
	And so in the Ngāti Hauā chapter, you – oh, actually you I think you might have it in the summary, but you mention – you say in the Ngāti Hauā chapter that they whakapapa through Hekeāwai to Tūwharetoa? So how do we – what's the – how do we –	
	ANTHONY PĀTETE	
	I guess well because probably be whakapapa. They can whakapapa to Tainui or and Te Rohe Pōtae and to Tūwharetoa. You know, so the questions around Hekeāwai tome are complex. They're not necessarily simple. And each – Ngāti Hauā have their own distinct narrative on Hekeāwai. For instance the Wai 836 claimants for the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	cluster identify – in fact both Ngāti Hauā and the Wai 836 claimants who are Ngāti Hekeāwai acknowledge that Patutokotoko came from Hekeāwai. So the name changed to Patutokotoko. The Wai 836 claimants will say that Patutokotoko has nothing to do or is no connection – Mark may correct me on this – to Ngāti Hauā. 'Cos Ngāti Hauā will say, they're complete opposite. I can't answer your question on that my dear at the mō. I'm more than happy to you know, if you want something in writing, I can look at that to help clarify for you. Unless some of the – sorry, unless some of the Ngāti Hekeāwai claimants this week can –	
	DR AROHA HARRIS	
	Yeah.	
	ANTHONY PĀTETE	
	'Cos Ngāti Hauā, I also understand are presenting this Friday, so they can probably give you another perspective on that.	
	DR AROHA HARRIS	
	Yes okay. I'm actually interested – more interested in getting more general rather than more specific.	
	ANTHONY PĀTETE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yeah.	
	DR AROHA HARRIS	
	In terms of how politically does this, this kind of balancing that get expressed in the local politics of the inter-iwi politics in particular?	
	ANTHONY PĀTETE	
	I wouldn't be able to say to that yet. When I first met the cluster in May 2011, where they interviewed me about whether they want to take me on, they asked me a lot of questions about the Whanganui Upper Region, and Whanganui in general, and most of my answers were, "No". I didn't know much about that, and I was pretty honest, to be pretty open about that. So I'm not au fait with a lot of the political things that go on if you know what I mean.	
	DR AROHA HARRIS	
	Yeah.	
	ANTHONY PĀTETE	
	There were obviously political tensions. You can see that in the evidence and in the way that things were being, yeah things were happening, but that just shows there's so – this area being such interwoven area with all the main waka. Yeah I wouldn't like to make a comment on that.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
1209	And would you give the same response if – in terms of political expression historically?	
	ANTHONY PĀTETE	
	Yeah. That's the same with my own iwi down in the top of the South Island. You know, even bridge, start talking about political stuff well it just opens a can of worms. Everyone has a different perspective but they all have a similar narrative, just comes from a different side so to speak and often from a different whakapapa.	
	DR AROHA HARRIS	
	Okay thank you. Kia ora.	
	ANTHONY PĀTETE	
	Kia ora.	
	JOHN BAIRD	
	Thank you Mr Pātete. Just got a couple of questions arising from your summary that you went through this morning, #A108(b).	
	ANTHONY PĀTETE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yep.	
	JOHN BAIRD	
	On page 5, paragraph 11 about half, two thirds of the way down that it says, “Te Rohe Pōtae Māori had agreed to the exploratory survey but not the construction of the railway.” The next sentence is, Te Rohe Pōtae Māori had decided to also give land for the track and stations” -	
	ANTHONY PĀTETE	
	Yes that’s right.	
	JOHN BAIRD	
	When you were reading it this morning you said in the end you inserted there, what’s the significance of that?	
	ANTHONY PĀTETE	
	It wasn’t, I just sort of – I’m not going to say adlib but I just sort of went into the next sentence by saying well then in Te Rohe Pōtae Māori – it just gives a bit of context I guess.	
	JOHN BAIRD	
	So it seems as though they have changed their mind -	
	ANTHONY PĀTETE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yeah they did.	
	JOHN BAIRD	
	-in two sentences.	
	ANTHONY PĀTETE	
	Well this is the nature of a summary, it is a 500 page report I had to sort of try and get everything within the – unfortunately within the 18 pages not 15 pages but -	
	JOHN BAIRD	
	So I mean are you saying there was a lot of thought and discussion went down basically?	
	ANTHONY PĀTETE	
	Oh yeah, yeah, yeah absolutely. A lot of hui that were been held -	
	JOHN BAIRD	
	And a lot of order had been going to the bridge before.	
	ANTHONY PĀTETE	
	That came to the agreement. You know for the Whanganui and if I can make a general comment, I don't necessarily think they were reversed to opening up the area but they	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	wanted to open up the area on their own terms. The railway itself you could perhaps argue, that Te Rohe Pōtae Māori including up the Whanganui sought as leverage to get some reforms and concessions on how to open the area but again on their own terms. That's just a general comment so…	
	JOHN BAIRD	
	And on page 9, paragraph 27 talking about Tūtemahurangi's affair -	
	ANTHONY PĀTETE	
	Yes.	
	JOHN BAIRD	
	Soon after Nukuraerae found out, Tūtemahurangi killed hī –	
	ANTHONY PĀTETE	
	Yes.	
	JOHN BAIRD	
	And it then says, "This caused deep resentment among Tūtemahurangi's tribe" should it be against?	
	ANTHONY PĀTETE	
	Well that as well but even within his own tribe.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JOHN BAIRD	
	I see.	
	ANTHONY PĀTETE	
	When I say "amorous liaisons" he was obviously a man of fairly attractive qualities and that caused a whole lot of resentment when he started dating – or you know going out with someone else's wife. I am very careful how I describe to Tūtemahurangi's –	
	JOHN BAIRD	
	Happy to leave it at that. And lastly, if you were a member of this Tribunal panel after the research that you've done, what recommendations would you be suggesting arising from this research?	
	ANTHONY PĀTETE	
	Oh how long have we got? Look I can't say anything at the moment. I just, it's not something I've ever thought of to be honest and I'm not really willing to raise an opinion here least I get slightly reprimanded by the claimants or something like that. So I reserve that decision if I can.	
	JOHN BAIRD	
	Thank you.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ANTHONY PĀTETE	
	Don't listen to Aunty Grace.	
	PROFESSOR POU TEMARA	
	Tēnā koe Mr Pātete.	
	ANTHONY PĀTETE	
	Tēnā koe e pā.	
	PROFESSOR POU TEMARA	
	Thank you very much for your testimony. I want to draw your attention to paragraph 17 of your #A108(b), your summary.	
	ANTHONY PĀTETE	
	Yes.	
	PROFESSOR POU TEMARA	
	In there you talk about Ngāti Rangatahi having special sites of significance.	
	ANTHONY PĀTETE	
	Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PROFESSOR POU TEMARA	
	They align themselves to different Marae.	
	ANTHONY PĀTETE	
	Yes.	
	PROFESSOR POU TEMARA	
	Is what I am reading here, do they have Marae of their own?	
	ANTHONY PĀTETE	
	Look Aunty Grace is pointing to this particular Marae here. Yes.	
	PROFESSOR POU TEMARA	
	Okay, all right.	
	ANTHONY PĀTETE	
	But yes your right. I mean you will see some of these sites and you will be thinking well Ngāti Hari claim Hiakaitupeka and I guess it comes down to the whakapapa as well that they are using to claim certain areas and there was a lot of shared areas I would say also.	
	PROFESSOR POU TEMARA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	What was the reason for that? What is the reason for that?	
	ANTHONY PĀTETE	
	Whakapapa. I can only conclude whakapapa, they are close associations between each of the different hapū. Sharing common ancestors of some sort, that's what I would suggest.	
	PROFESSOR POU TEMARA	
	But it is an unusual situation?	
	ANTHONY PĀTETE	
	It may be unusual yep.	
	PROFESSOR POU TEMARA	
	And then we go to paragraph 20, we're talking about Ngāti Urunumia.	
	ANTHONY PĀTETE	
	Yes.	
	PROFESSOR POU TEMARA	
	And you describe Ngāti Urunumia as a 'border people'.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ANTHONY PĀTETE	
	Yes.	
	PROFESSOR POU TEMARA	
	That description, is there anything that is detrimental that puts them into a situation where it's detrimental for them? Have they gained anything for that or have they lost?	
	ANTHONY PĀTETE	
	Oh well that's a very good question. Well if your border people on the border you're bound to be in conflict with the tribes from other areas I guess. I don't know uncle, I don't know that answer to that one. Possibly.	
	PROFESSOR POU TEMARA	
	The possibilities is that you run with the hounds, you hunt with the – oh you hunt with the hounds, run with the rabbit.	
	ANTHONY PĀTETE	
	I'll be more careful with my choice of words.	
	PROFESSOR POU TEMARA	
	Yes but I'm the Tribunal.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ANTHONY PĀTETE	
	Yes.	
	PROFESSOR POU TEMARA	
	But I'm just wondering about that because I think you describe Ngāti Hikairo as being in a similar -	
	ANTHONY PĀTETE	
	Buffer iwi yes.	
	PROFESSOR POU TEMARA	
	Buffer – a buffer people and that gives connotations of a – people that have been buffed that's been -	
	ANTHONY PĀTETE	
	Oh yeah, well if that's – anyone has taken that context then I apologise for that, it doesn't infer that, it just means that they were always press between peoples basically yeah.	
	PROFESSOR POU TEMARA	
	But they had to be very careful about how they position themselves, who they align with so it's expedient for them to align themselves with a whole lot of people for their own integrity.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ANTHONY PĀTETE	
	I agree.	
	PROFESSOR POU TEMARA	
	I am just – I'm going to paragraph 29 here -	
	ANTHONY PĀTETE	
	Yes?	
	PROFESSOR POU TEMARA	
	Where you describe Tūao.	
	ANTHONY PĀTETE	
	Yes.	
	PROFESSOR POU TEMARA	
	And taking an active role in claiming land north of the Whanganui River such as Ōhura and Tūhua. Sounds like a free for all of this, the way you describe it.	
	ANTHONY PĀTETE	
	Perhaps the wording could have been a little bit better but you had – well I mean he may have put a claim before the Court in that sort of reference yeah, as opposed to just going	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	around and claiming this and this.	
	PROFESSOR POU TEMARA	
	So he had interests in the places where he laid claim to?	
	ANTHONY PĀTETE	
	Allegedly yes. Alleged or real. Because we haven't done the research for any of those Rangitoto-Tūhua blocks I am not willing to sort of concede either way I guess.	
	PROFESSOR POU TEMARA	
	Now I am looking at paragraph 36 here and you are talking about Ngāti Hekeāwai having no marae of their own, they are still in existence as a hapū, as a iwi.	
	ANTHONY PĀTETE	
	As far as I am aware yes.	
	PROFESSOR POU TEMARA	
	So they've aligned themselves of being – they've been absorbed?	
	ANTHONY PĀTETE	
	No they will probably strenuously deny that.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PROFESSOR POU TEMARA	
	Okay. I'm not too sure whether this question is for you. I'm looking at Ngāti Hotu.	
	ANTHONY PĀTETE	
1220	Yes.	
	PROFESSOR POU TEMARA	
	Paragraph 48.	
	ANTHONY PĀTETE	
	Yes.	
	PROFESSOR POU TEMARA	
	And you say that they come from India.	
	ANTHONY PĀTETE	
	Amended to Persia if you remember this morning Uncle.	
	PROFESSOR POU TEMARA	
	Yes.	
	ANTHONY PĀTETE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Based on DNA testing.	
	PROFESSOR POU TEMARA	
	DNA testing. Where can I find this DNA testing?	
	ANTHONY PĀTETE	
	Aunty Monica may give you a copy of it.	
	PROFESSOR POU TEMARA	
	All right, I'll –	
	ANTHONY PĀTETE	
	And I believe she's speaking this week.	
	PROFESSOR POU TEMARA	
	Yes.	
	ANTHONY PĀTETE	
	I may be correct on that but she –	
	PROFESSOR POU TEMARA	
	She will be the person that I will be –	
	ANTHONY PĀTETE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	It was interesting.	
	PROFESSOR POU TEMARA	
	– asking questions on.	
	ANTHONY PĀTETE	
	Yes, it's very interesting.	
	PROFESSOR POU TEMARA	
	Yes, we'll have an interesting discussion because I'm an academic –	
	ANTHONY PĀTETE	
	Yeah.	
	PROFESSOR POU TEMARA	
	– that looks at that sort of thing.	
	ANTHONY PĀTETE	
	Good.	
	PROFESSOR POU TEMARA	
	Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ANTHONY PĀTETE	
	They always knew that they were from, what was the term, far east I guess, and they initially thought it was India, so hence she did some DNA testing that took them back to Persia.	
	PROFESSOR POU TEMARA	
	Interesting.	
	ANTHONY PĀTETE	
	Mmm I'm very interested in that.	
	PROFESSOR POU TEMARA	
	Mmm.	
	ANTHONY PĀTETE	
	But apparently it's on Te Karere tonight I think at 8 o'clock, oh, 6 o'clock. Aunty's here, so check out Te Karere tonight.	
	PROFESSOR POU TEMARA	
	Yes.	
	ANTHONY PĀTETE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Or Māori TV.	
	PROFESSOR POU TEMARA	
	And I'll negotiate with the Judge, see if we can finish at 3.30. And who do I talk to about Te Pikikōtuku? Are you the authority on Te Pikikōtuku?	
	ANTHONY PĀTETE	
	Oh please no, no. There's – with respect to Ngāti Hotu?	
	PROFESSOR POU TEMARA	
	No I think the family of Ngāti – of Te Pikikōtuku.	
	ANTHONY PĀTETE	
	Oh, oh okay I mean a lot of the claimants identify Pikikōtuku as their tūpuna.	
	PROFESSOR POU TEMARA	
	So there will be other –	
	ANTHONY PĀTETE	
	Oh absolutely.	
	PROFESSOR POU TEMARA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	All right. I may bide my time. I'm interested in Te Kere.	
	ANTHONY PĀTETE	
	Yes.	
	PROFESSOR POU TEMARA	
	What was the breadth of his excursions around the country?	
	ANTHONY PĀTETE	
	He travelled widely. I know he travelled down to the Wairarapa, spent time in the Manawatū. I don't know much about his journeys, if any further north of Te Rohe Pōtae, certainly Taranaki. But the claimant I believe for Te Kere is speaking this week.	
	PROFESSOR POU TEMARA	
	Mmm okay.	
	ANTHONY PĀTETE	
	And he'll be able to provide on those sorts of questions hopefully. He's a fascinating person.	
	PROFESSOR POU TEMARA	
	Mmm.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ANTHONY PĀTETE	
	Mmm.	
	PROFESSOR POU TEMARA	
	Thank you very much for your answers Mr Pātete.	
	ANTHONY PĀTETE	
	Kia ora.	
	JUDGE AMBLER	
	Tēnā koe Mr Pātete, thank you for your evidence.	
	ANTHONY PĀTETE	
	Tēnā koe e Pā.	
	JUDGE AMBLER	
	Following on from Mr Melvin's questions, we should treat your report as only for the purposes of the oral and traditional history. Is that fair?	
	ANTHONY PĀTETE	
	I would say that's a fair comment, yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	You are not endeavouring to present substantive claim evidence on behalf of the claimants?	
	ANTHONY PĀTETE	
	Not that I was aware of. I would have liked to have done further research into the respective land blocks around Rangitoto-Tūhua. But you know with such a large cluster, there was a lot of organisation among the groups. So we effectively didn't really have the capacity to do that.	
	JUDGE AMBLER	
	And am I right that you presented evidence in the Whanganui Inquiry?	
	ANTHONY PĀTETE	
	No, no I didn't.	
	JUDGE AMBLER	
	I see.	
	ANTHONY PĀTETE	
	I had nothing to do with the Whanganui Inquiry. It was Bellgrave and Young represented for the cluster for the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Whanganui Inquiry.	
	JUDGE AMBLER	
	And did you present in the National Park Inquiry?	
	ANTHONY PĀTETE	
	No, this is the first – this is the first time I've ever been to – presented in an inquiry.	
	JUDGE AMBLER	
	Just staying with one or two bigger questions –	
	ANTHONY PĀTETE	
	Yeah.	
	JUDGE AMBLER	
	The report you prepared is on behalf of upper Whanganui.	
	ANTHONY PĀTETE	
	Yeah.	
	JUDGE AMBLER	
	And we have heard that term and we have heard Whanganui used, and what I am curious about is if we go	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	back to the 1883 petition –	
	ANTHONY PĀTETE	
	Yes.	
	JUDGE AMBLER	
	– by Wahanui and others. I cannot remember the exact number who signed it, but it was a significant number.	
	ANTHONY PĀTETE	
	415 I think.	
	JUDGE AMBLER	
	Yes, significant number of rangatira. Whanganui is one of the five iwi identified.	
	ANTHONY PĀTETE	
	Yes.	
	JUDGE AMBLER	
	And my question is who does that mean, Whanganui?	
	ANTHONY PĀTETE	
	That's a good question. I haven't really looked at that	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	particular question. We don't know who signed for Whanganui except for Te Pikikōtuku and because the original petition was never located. So they only had a hard copy with several signatures and, and others at the bottom sort of thing. I will suspect the Whanganui would be all those – certainly the upper Whanganui. May have been the middle and lower reaches but I suspect is the upper – I may be correct by counsel or claimants but I take that as my understanding.	
	JUDGE AMBLER	
	So you would really – to fully understand who they meant by Whanganui, you would need to see who were the rangatira who signed, yes?	
	ANTHONY PĀTETE	
	Yes you could say, yes.	
	JUDGE AMBLER	
1226	So Whanganui in itself in terms of identifying a tribe as at 1883 did that not have any particular meaning at the time?	
	ANTHONY PĀTETE	
	Probably just identified the particular area. And you often hear Whanganui hapū and so forth, but there are so many groups I guess. That was just a category easily used to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	identify the area upon which those hapū came from.	
	JUDGE AMBLER	
	Yes it's just – we compare it with the other four iwi identified.	
	ANTHONY PĀTETE	
	Mmm.	
	JUDGE AMBLER	
	Ngāti Hikairo that is at Kāwhia. Ngāti Maniapoto, Ngāti Raukawa and Ngāti Tūwharetoa.	
	ANTHONY PĀTETE	
	Mmm with their respect the hapū groupings within there, those particular groups.	
	JUDGE AMBLER	
	Yes.	
	ANTHONY PĀTETE	
	Yeah, yeah. Whanganui yeah – Whanganui I consider to be a larger group by terms of all the respective hapū within – along the river, and because they are also inter-related, it's hard to just – to separate them from any part of the river. They're all based at the river as one with them, and that was	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	when I first came on board. I was trying to separate them into Te Rohe Pōtae and they effectively, "No, the river is one." And you know, from me, from an outsider's point of view, it took me a little while to get my head around that, but I can understand that, the whakapapa is so interwoven, interwoven along the length and the breadth of the river. Probably doesn't help your question but –	
	JUDGE AMBLER	
	No well I am – you are not suggesting that the petition would have been taken right along the length of the river?	
	ANTHONY PĀTETE	
	Not that I know of, no I don't know that.	
	JUDGE AMBLER	
	And the tradition that you refer to of Te Pikik~~K~~ōtuku signing the petition, who does that tradition ~~petition~~ come from?	
	ANTHONY PĀTETE	
	Look, off-hand, I believe it's on the petition. I may be corrected by counsel, but certainly even if not the claimants from several different claims have identified the Te Pikikōtuku as being a secondary to that, to that particular petition.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	I thought we only had definite names of three –	
	ANTHONY PĀTETE	
	You may have yeah.	
	JUDGE AMBLER	
	– who signed on the face of it and the other pages have been lost.	
	ANTHONY PĀTETE	
	Yes you're correct and I may need to refer to the main report about where their identify – where Te Pikikōtuku was identified. But, no just sort of say that the claimants were quite adamant that he had signed that, and they weren't just claimants for one particular group. Pikikōtuku was quite a – was quite a ~~reknowned~~renowned leader of his time up and the length and the breadth of the river and into other areas of course as well.	
	JUDGE AMBLER	
	Yes I do not doubt that he signed.	
	ANTHONY PĀTETE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yeah.	
	JUDGE AMBLER	
	It is just that we – there is scant –	
	ANTHONY PĀTETE	
	Yeah. I'm more than happy to provide you with –	
	JUDGE AMBLER	
	– traditional evidence about who, –	
	ANTHONY PĀTETE	
	Yeah.	
	JUDGE AMBLER	
	– who did sign.	
	ANTHONY PĀTETE	
	Yeah.	
	JUDGE AMBLER	
	Taumarunui here is an interesting place in the sense we have the confluence of the rivers here, the Whanganui, Ōngarue and these three main tribal groupings of Ngāti	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Tūwharetoa, Ngāti Maniapoto, and Whanganui, and I just wanted to pick up on what Professor Temara was discussing with you about the hapū.	
	ANTHONY PĀTETE	
	Mmm.	
	JUDGE AMBLER	
	We do seem to have some hapū who perhaps do not have a single marae which they associate with or that there are some marae where there are more than one hapū that associate with that marae. Is that a – is that your impression of the region?	
	ANTHONY PĀTETE	
1230	Yes it was. I was actually quite surprised for own regions of – it's usually just – well except for Ngāti Kōhatu who haven't really got their own marae which they share. The Whakatū Marae with six other, well five other hapū.	
	Yeah, I was quite surprised because most of the Marae that I knew of myself in terms of my own affiliations had their own separate Marae that's not to any other particular hapū.	
	JUDGE AMBLER	
	So what does that tell you then?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ANTHONY PĀTETE	
	Well good question. That just shows me the close whakapapa of the whole region that is very hard to separate hapū from hapū almost. They had so many shared resources. They identified so many shared interests you know particularly in Marae and so forth. It was tricky I mean the challenge of this particular report was trying to identify everything and trying to get a grip on who was identifying what and in the end there was some conflicting narratives but in the end there was also shared interests in particular areas.	
	JUDGE AMBLER	
	Yes I think your answer to Professor Temara was something along the lines of complexities of whakapapa but that can be said almost anywhere.	
	ANTHONY PĀTETE	
	It could be.	
	JUDGE AMBLER	
	And yet marae seem to – or hapū manage to establish their own marae or marae associated with particular hapū so you can't offer anything more than that?	
	ANTHONY PĀTETE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Look I can't, you will have to ask the claimants for that one.	
	JUDGE AMBLER	
	And again picking up on your discussion with Professor Temara about Ngāti Urunumia as a 'border people'.	
	ANTHONY PĀTETE	
	Yes.	
	JUDGE AMBLER	
	They're not the type of border people we sometimes encounter who have been quashed between a couple of significant iwi, they're actually been placed at this part of the district for a strategic purpose, that's right?	
	ANTHONY PĀTETE	
	Yes. I believe that, and I may be corrected but I thought they were more for the southern portion of Te Rohe Pōtae. In fact I think at footnote 10 I could be – yeah footnote 10 of the summary on page 7 identify where they were – where those particular hapū were located. I can read it out if – I can read it -	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes no I can make that out.	
	ANTHONY PĀTETE	
	Cool.	
	JUDGE AMBLER	
	Now I will just see if there's any other matters to raise with you. Paragraph 13 of your summary #A108(b) -	
	ANTHONY PĀTETE	
	Yes.	
	JUDGE AMBLER	
	And you refer to – you are discussing Ngāti Rangatahi and you refer at the end of that paragraph to the fact that not all Ngāti Rangatahi left, that those who remained appeared to refer to themselves as Ngāti Maniapoto. So in saying that, are you saying that they left behind their Ngāti Rangatahi identity and assumed another hapū identity or did they maintain the Ngāti Rangatahi identity?	
	ANTHONY PĀTETE	
	They may have retained it, that's why I put in bracket 'appear to'. I guess I was a little bit hesitant about making a conclusive comment on that so I sort of caveat with that	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	expression trying not to be drawn upon making a conclusive argument on that.	
	JUDGE AMBLER	
	Well perhaps if the approach the issue in another way. We have throughout this inquiry heard of different hapū who have disappeared, some mourn their disappearance, some blame the Crown for their disappearance, others seem to place it in the perspective of the waxing and waning of hapū and I just wondered if you had a view on that, a view on how we regard Ngāti Rangatahi in terms of their interests in their Ōtorohanga area?	
	ANTHONY PĀTETE	
	Yeah, I guess those who remained may have felt better to identify themselves from Maniapoto for whatever particular reasons. Whether that was political, whether that was for fear of life or something like that. Yeah, that's – yeah, I don't – yeah, I couldn't really comment on that aside from those few comments that I just made. Don't know whether that helps your assessment or answer your particular question. Perhaps I can make analogy. I have just been doing some work for the Coromandel area. Coromandel was peopled by those of Te Arawa waka and one particular tribe that I'm looking at, Ngāti Raukatauri claimed in the Land Court through their Maratuahu whakapapa. Maratuahu came in later on by conquest, intermarriage and so forth, intermarried with the earlier peoples. They claimed Ngāti	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Tamatera~~ha~~ and when I asked them about that because I knew that they were Ngāti Huarere they said the tūpuna wouldn't have done that because Ngāti Huarere, a lot of the hapū were considered to be a vanquished tribe. And thus they sort of kept themselves alive by identifying with another particular iwi. Thus to secure in particular their own land interest. The kāinga tūturu and all those sorts of things to ensure that they survived and that basically I said well there is nothing in Court about their being vanquished and they said they wouldn't have brought that up. But perhaps with along Ngāti Rangatahi up that way maybe they did a similar thing in order to ensure that they – their longevity, their survival, whether they use the hapū Ngāti Rangatahi or another name Maniapoto identified with their near Maniapoto whakapapa. Actually I don't know how useful that analogy was but yeah.	
	JUDGE AMBLER	
	Another aspect to this is the debate that you've had about Ngāti Hekeāwai but also you have got a discussion about the different Ngāti Hikairo and you have offered an explanation in terms of the different pronunciation and so forth.	
	ANTHONY PĀTETE	
	Yes.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	So is that something you have come up with?	
	ANTHONY PĀTETE	
	No that's something the claimants came up with. The initial draft for the Hikairo chapter was – I will put this kindly, was taken out by the claimant. Mainly because I had used the Hikairo ki Tongariro, Tūwharetoa report I think it was for the National Park sourced that a lot and they said actually they were quite different that they were not identified with that report and since that they identify as I have noted in the summary they were quite distinct and they made that point to me. Because in the initial draft I hadn't consulted with them at that particular time and so yeah, that's their narrative. I understand that they submitted a brief of evidence, the claimants whose name I do forget but he submitted the brief of evidence that detailed that kōrero about the different Hikairo and which he's referenced a lot of the academic material to support that as well.	
	JUDGE AMBLER	
	Well so just to be clear, we have heard in hearing week 2 from different people from Ngāti Hikairo at Rotoaira.	
	ANTHONY PĀTETE	
	Yep.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And some who align with Tūwharetoa and some who say they are separate. And so the people that you have taken the material from are the people who claim that they are a separate people?	
	ANTHONY PĀTETE	
	Well I wouldn't say they are separate from the other Ngāti Hikairo groupings within that inquiry.	
	JUDGE AMBLER	
	Well no sorry separate from Tūwharetoa.	
	ANTHONY PĀTETE	
	Yeah, they identify with Tūwharetoa but they consider themselves not to be of I guess a relegated hapū of Tūwharetoa.	
	JUDGE AMBLER	
1240	So did you also have as informants those who align with Tūwharetoa or not?	
	ANTHONY PĀTETE	
	No, I only stuck with the claimants that we were given, yeah.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And so in your report do you source who you rely on for that explanation of the different..?	
	ANTHONY PĀTETE	
	Yes I do, yeah. You might find in there that it's, and I may be corrected, but I believe it's an email from one of the counsel who has basically been the mediator between the claimants and myself with regard to that.	
	JUDGE AMBLER	
	The final question is to do with the Waiaraia Block.	
	ANTHONY PĀTETE	
	Yes.	
	JUDGE AMBLER	
	At paragraph 27 of your summary #A112(a), you say, "The Waiaraia Block was not the rohe of any hapū group, but a remnant left over following awards in parent blocks."	
	ANTHONY PĀTETE	
	Yes.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I just wanted to be clear what you meant by that?	
	ANTHONY PĀTETE	
	From my understanding of the reading of the Husbands and Mitchell report where most of this was sourced, the parent blocks or the Taonui and Umukaimata Blocks and I may be corrected but when they had the hearings for that there was a remnant left over in terms of the survey of the blocks and that block was the Waiaraia Block. I mean that's a very simplistic analysis but they surveyed there was this little bit left over which that became the Waiaraia Block.	
	JUDGE AMBLER	
	Hence its unusual shape.	
	ANTHONY PĀTETE	
	Very unusual, yeah.	
	JUDGE AMBLER	
	But you're not, you're not saying that hapū had no traditional interests in it?	
	ANTHONY PĀTETE	
	No, but I mean you'll see that it was claimed under – by Whāroa Kaitangata with his particular ancestry. No, I mean	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the Mitchell – Husband and Mitchell Report basically stated that no they weren't identifying with any particular hapū group. It was simply that there was this residue piece of land and in fact it was split. My understanding is it was split between Whanganui and Maniapoto but only to expedite the sale of it.	
	JUDGE AMBLER	
	Ka pai.	
	ANTHONY PĀTETE	
	Kia ora.	
	JUDGE AMBLER	
	Ngā mihi ki a koe. Ms Manuel, Mr Singh, anything arising?	
	CAREY MANUEL	
	None arising from me, Sir.	
	YASHVEEN SINGH	
	Nothing arising, Sir.	
	JUDGE AMBLER	
	Ka pai. Tēnā koe Mr Pātete.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ANTHONY PĀTETE	
	Tēnā koe. Tēnā koutou.	
	JUDGE AMBLER	
	Mr Tootill, where too from here?	
	GLENN TOOTILL	
	Yes Sir. Ms Rongo will be setting up for the virtual site visit now, Sir.	
	EVE RONGO	
	Sir, just while the panel is setting up I'll give another introduction of who will be presenting today. We've got Grace Le Gros driving our PowerPoint presentation. We'll have Tame Tūwhāngai and Robert Jonathon as our tour guides who will be taking us around what would have been the balance of our site visit yesterday and we'll also have Louis Tutemuhurangi and Georgina Cribb who will be sitting with the panel and available for questions concerning sites that are significant to their claim.	
	JUDGE AMBLER	
	Sorry, what was that last name?	
	EVE RONGO	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Georgina Cribb.	
	GEOFFREY MELVIN	
	Sir, can I just clarify that this presentation is separate from the briefs of evidence that particular witnesses are giving?	
	JUDGE AMBLER	
	Yes, that's my understanding.	
	EVE RONGO	
	Yes the – from what I understand they will be available to take questions from the Tribunal as they would have in a site visit, but that's my understanding. It's separate from their actual briefs.	
	JUDGE AMBLER	
	So I'm assuming the panel's going to sit at the table, Ms Rongo? Yes?	
	EVE RONGO	
	Yes, they're just making their way up, Sir.	
	GRACE LE GROS	
	Tēnā koutou katoa.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ngā mihi nui ki a koutou kua huihui mai nei i te kaupapa o tēnei rā.	Greetings everyone gathered here today on this matter.
	As most of you yesterday went on a site visit, it was a shortened version due to time restraints. However, today the Judge in his kindness has allowed us to continue on a virtual site visit. That should not take more than lunchtime. So I'd like to pass at this time over to Tame Tūwhāngai and go to the first block. Kia ora koutou.	
	JUDGE AMBLER	
	Tēnā koe Tame. When you start can I get you to start back with the first slide?	
	THOMAS (TAME) LESLIE TE NUINGA TŪWHĀNGAI	
	Kia ora e te Taraipiunara. The first slide here, as we can see, is the picture of Tūhua and Hikurangi both together taken from an easterly direction actually coming together as the two maunga. As you can see the shape of Hikurangi, a beautiful mountain and as one of the speakers said yesterday the number one. And Tūhua Maunga which is a long ridge which extends over into the Hauhungaroa Ranges. And to our right there we have the maunga of Ruapehu.	
	JUDGE AMBLER	
	So just to be clear, you said easterly direction but we're	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	looking at it from the west?	
	THOMAS (TAME) TŪWHĀNGAI	
	That's right.	
	JUDGE AMBLER	
	Yes, because the, the shape of Tūhua wasn't as clear as that from yesterday's bus trip but it's quite striking.	
	THOMAS (TAME) TŪWHĀNGAI	
1250	Yes Sir, it is quite striking. When you're underneath it, it actually just – it just sort of overpowers you by the height of it.	
	Yes I am just coming over here. If we would have taken the Ngākoaunui Road over to the Ōngarue Road we'd of come to a place called – around here is – is a place called Otamakahi. This was the village here where Tūtemahurangi – where his life came to an end and the place is under a farm trust now and the bush that you see there is actually still reserved and still hilled as tapu land. This is on top of Otamakahi looking towards another angle at Hikurangi Maunga and it has a how would you say, it has different features every time you look at. And from this side there looking from the northerly direction as you can see it shows another different shape, it looks more cone shaped. Well the caption over here is part and parcel of the land	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	which is just over the ridge over here. Part of it is what they call the Rangitoto-Tūhua 74 Block which is called Te Uranga and on this block there was the papakāinga called Te Uranga. And behind the kāinga was this urupā which was set aside for the local – for the family and also for those of Ngāti Apakura that came over here after the epidemic was over there in Tokaanu~~ekanu~~ and many of our tūpuna from Ngāti Apakura are buried in that urupā, particularly my great great grandmother. Kia ora.	
	JUDGE AMBLER	
	Sorry what period are you talking about the epidemic? 1918?	
	THOMAS (TAME) TŪWHĀNGAI	
	No the epidemic that took the lives of Ngāti Apakura around 1869, 1870 after they came over from Rangiaowhia to Tokaanu.~~ekanu~~. As we are going around there Tūhua Maunga as you expected, no~~i~~ne have actually really spoke about Tūhua Maunga but it is an ancient name. The name actually is a name that I have researched actually came from the Tahiti which is – used to be an island out there on the eastern side of Tahiti. Because of the name change there in Tahiti it is called Mehetia now but that's where the name actually came from, from that area from – and was brought here by our	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	earlier explorers of Rakataura and Kahurere or Kahupeka as some people know ~~him~~. And of course these will be on record for you to read. Moving on here this is Otutewehi, this is one of the major pā sites or fighting pā's. If you can see the poplar trees just in the distance just coming forward a bit Tānekaha stands – it's actually still reserved and the fortifications, well the Maioro or the earth embankments are still on that area but it has a major significance to a lot of our hapū especially in the valley of Mangakahu. And as you can see Otutewhei fought and you can see the quarries which have, as some of the other claimants have actually put in their claims about the effects of the quarry up on that area around the fort. And most of these quarries are on Rangitoto-Tūhua 66.	
	DR AROHA HARRIS	
	Excuse me, excuse me. Can you please just orient me? Is this is the Mangakahu Valley?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes.	
	JUDGE AMBLER	
	I just wondered if the Tribunal staff or counsel have a copy of the original proposed site visit because these sites were identified on those. You carry on and we will see what we can come up with.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	THOMAS (TAME) TŪWHĀNGAI	
	Thank you Judge. So this Otutewehi fort and as you can see there is a quarry here and there is another old digging of a quarry over here. Most of the quarrying is done for the local, what do they call that stone, they use it for greywacke. And so they quarry it for greywacke. The quarries are privately owned and are no doubt being given RMA permission by the Ruapehu District Council for the quarrying work. Next slide please.	
	PROFESSOR POU TEMARA	
	That's quite a way away from the Otutewehi fort is it? Or does it affect the greater shape of -	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes this is the fort area right in there as you can see and it is getting quite close to the actual pā site. It's actually going into what they call an old part of the river bed that used to come around here and actually quarrying into the old river bed down along here and in here. The river now runs along here at the back.	
	PROFESSOR POU TEMARA	
	And that land is – who owns it?	
	THOMAS (TAME) TŪWHĀNGAI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	It is to me our – I don't know who owns the land, if it is under DOC or whoever. I know that these two particular pieces of Māori owned land, one just below this quarry and one just above this quarry and one particular on this side is the Otamakahi Land Trust which is Māori owned which is Rangitoto-Tūhua 73	
	DR AROHA HARRIS	
	And which river is that?	
	THOMAS (TAME) TŪWHĀNGAI	
	This is the Mangakahu River which flows past here.	
	JUDGE AMBLER	
	And that eventually flows into the Ōngarue?	
	THOMAS (TAME) TŪWHĀNGAI	
	That's correct.	
	JUDGE AMBLER	
	You describe this Otutewehi fort as being on a reserve so you think it is either a DOC reserve, a council reserve or it may actually a Māori land reserve?	
	THOMAS (TAME) TŪWHĀNGAI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Exactly right. I have not found any ownership on Māori Land Online on this particular area. Over here is our local Ngairoka kāinga which is just below Tūhua Maunga. Has a few – as you can see it's a, you know these are what I call our chateau's and that, that we have our kāinga. But all that is left of here is the 42 hectares which belong individually to my grandmother and a few of our other owners in there and a lot of the roadway there we actually dug ourselves and at one time there the council had a roadway there but their road fell into the river and so most of the people that used to come through used our roadway to access the state forest park up in the ~~Puriora~~Pureora. Carry on. And as you can see this is just at the back of Tūhua looking from our kāinga out onto our area and this is on Rangitoto-Tūhua 21. Most of the land that you see on the top here belongs to DOC and land that is just below here is all secondary growth. This particular block my grandmother had to cut the trees on here so she could pay the rates. Kia ora. This was just a particular place here and this is quite near to Ōngarue. This place here is what we call Puketui. Up here was an old pā site up here and in 1822 a raiding party from Ngāti Tama came up here and a lot of the Ngāti Urunumia people were actually killed up on this area.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	So is that why that area is still in bush to signify that?	
	THOMAS (TAME) TŪWHĀNGAI	
	A lot of it is privately owned but what I've heard is that there are – they do recognise that there was pā sites up there. There is an old kōrero that the pā site was built by the Patupaiarehe and from then on it was occupied by many other tribes so it still has a lot of bush on there and I would put that down to probably respect from the local farmers I suppose.	
	JUDGE AMBLER	
	But we can't take it that the site of the massacre is only in relation to the bush, it may be wider than that, you just don't know?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes so well only – I only know that this pā was taken by Ngāti Tama in 1822 and quite a few numbers of our ancestors were killed up on that site. In particular that is well recorded with historical books about Taringa Kurī of Ngāti Tama being up in this area while at the same time Waikato were defeated down Motunui. And from this area we leave the Ōngarue area and I know that you actually had travelled there and you had been pointed out to a lot of areas in the Waimiha~~ea~~ hearing but we travel along and we come to, how would you say, the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	back road of the roadway road to Ōhura. And I will pass this onto Mr Jonathan, this is his area of interest.	
	JUDGE AMBLER	
	Ka pai, me hikitia. We will leave it there for now Mr Jonathan, we will return at 1.40. Kia ora.	
	HEARING ADJOURNS: 1.02 PM	
	HEARING RESUMES: 1.42 PM	
1342	**DANIEL ORMSBY**	
	A kia ora tātou whānau. Teretere mai te noho. Ka haramai ki roto, nohonoho mai.	
	JUDGE AMBLER	
	Kia ora anō tātou. We are going to return to Mr Jonathan. Just for the benefit of counsel, the – one of the preliminary site visit maps is 3.3.653(a) which helps orientate us in terms of some of these sites. Mr Jonathan.	
	ROBERT TE PAPĪ JONATHAN	
	Tēnā koutou katoa. Ngā mihi ki ō koutou. Just to give you an overview about our site visit, it really was put together to enhance the Wai claimants in our cluster. I'm talking about Wai 987, 1064, 1230, 972, 1073, 1308, 1203, and 1147. There are others to add in that list, but really it encompasses	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	all the claimants throughout this whole site visit. Okay as well move on, we are now down State Highway 43, down to Otohura [sic] and the first place we came to down at highway was Ōngarue Sub-station, and this particular area or this particular construction was put together in the late 1940s right through to the late 1950s and 1959 to coincide with the electrification of all the rural blocks. And it also relays electricity from Arapuni all the way down to Bennеydale. There are other appliances just like this one. I believe there's one in Ōkahu – Ohakunеa and I think there is another one further north, Hangatiki. And this particular substation was – is joined by the pylons construction as a 110 Kv power line which is dated. And in the evidence that's going to be presented in Wai 1064, there be more information put forward towards the Tribunal. Okay thank you. This particular site is the old site of the Tūhua School. It was opened in 1963 and closed in 1975. It has been put to the Ruapehu District Council just a month ago in regards to what happened to this site and there's been – they said they were going to do more research. They didn't know what happened to this particular site. It's unlike all the other schools that closed. Ruapehu District Council don't have that information at the moment. This particular place is on the – resites river of Otahu and the Ōkahukura Saddle Road. As we are looking, we are looking to the east to the top of Ōkahukura Road, and as	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	you go over down to the Ōkahukura – into Taumarunui District. Kia ora. This site is Te Mangamaire. It's about three or four kilometres north of Matiere and there are many events. There were many – this particular valley was unlike any other valley, was used for its resources like eels. I'm reminded by a story where Tūtemahurangi's son, Heokio was burnt and he died of those injuries in this particular valley as they were eeling. Kia ora Grace. This particular bush area is at the top of Otahu Road, and Ōkahukura Saddle Road. And it's just at this point, which is the highest point. If you look to the north, we're looking south at this photo. If you look north, it's Pukepoto Tower, and we'll go to the next slide.	
1350	And as we make our way down Ōkahukura we're looking at Eastward~~ood~~ and you've got a marvellous view of Tūhua Maunga. This side here is at the bottom end of Taringamotu~~anga Motu~~ next to the Ruapehu District Council quarry and it also resides Rangitoto-Tūhua 52 and also Rangitoto-Tūhua 55 right on the very point. And if you look over the hill just to the right you are in the Whanganui Inquiry and the bank on this side on the left you're in the Te Rohe Pōtae inquiry. Kia ora. And again that's the view from Otahu Road there of Tūhua and Hikurangi in it's graciousness. I think at this point we go to Google Earth and we can look at it better and this gives a better as our trip which started at the bottom yeah – at the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	bottom there where we visited yesterday and we went around to Te Umutoi. You can see all the places that we captured along the way in regards to the issues in this area. There were many issues just in that block alone and the major one really is the timber extraction at the time but along the way you have got kāinga, you have got Marae that have stood while those changes in the early 1900s happened and they still exist today. See this trip here, that's the crossing of Otahu and Ōkahukura going out to Matiere to capture these areas. Grace can I ask you to – there just double click on that one – go back to the sites. What we were trying to do is encompass all the land blocks where this particular site visit incorporated and captured with our claimants. You will have to go right through it if you wanted to – don't worry – yeah. Grace is going to open all the blocks and as you can see as she is working her way down that this area here is te Whanganui Inquiry but we're really mainly concentrating on the Rangitoto-Tūhua Blocks within this site visit. Along there we have also noted that we've added in the Marae, you have got Te Rongoroa, you have got Whānau Maria, Manau ~~u~~ Aa~~a~~riki is also in there as well. All captured inside what we call the blocks of issues. And I think that's pretty much our presentation. Kia ora.	
	JUDGE AMBLER	
	I'll just see if there are any other questions while the panel are there. Mr Melvin was there anything arising?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	Are you able to just in a general sense indicate the inquiry boundary on that map?	
	ROBERT JONATHAN	
	I'm just going to say that in this map – I don't know whether you can bring it up anyway Grace but the Taringamotu ~~Taranga Motu~~ River is the inquiry boundary.	
	GEOFFREY MELVIN	
	That's the southern boundary.	
	ROBERT JONATHAN	
	Yep, yep. But as you go towards Hiakaitupeka Marae, you passed that yesterday, you have got Rangitoto 8 but then you drive into the Whanganui Inquiry from that point onwards just further down the road.	
	GEOFFREY MELVIN	
	Kia ora thank you.	
	JUDGE AMBLER	
	No other counsel? No? The only question I had was – probably going to leave it for later but I might as well raise it now, Tame on the bus trip yesterday and also in some of the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	discussion today people were able to – or you were you able to move easily between the Rangitoto-Tūhua Block numbers and the other – sorry the Rangitoto-Tūhua Block names which are by number and your own traditional names for those blocks. And I was just wondering if – is that common, did your tūpuna talk about them in terms of their actual block names as traditionally known or as their block numbers through Rangitoto-Tūhua or both, is that how you learnt them or was this from your own study?	
	THOMAS (TAME) TŪWHĀNGAI	
	That was from my own study. Our tūpuna usually used the old names. Hikuorangi which is Rangitoto-Tūhua 52, Ngairo which is Rangitoto-Tūhua 21 and so on and so on and that's how our old people used to know those names.	
	JUDGE AMBLER	
	And is that how you knew them before you did the research and lined them up with the actual Rangitoto-Tūhua Block names?	
	THOMAS (TAME) TŪWHĀNGAI	
	Exactly right.	
	JUDGE AMBLER	
	Ka pai, thank you. Ngā mihi ki a koutou, kia ora.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	THOMAS (TAME) TŪWHĀNGAI	
	Kia ora.	
	JUDGE AMBLER	
	Just while we're setting up, counsel can remove their jackets, it's getting warm. Now Ms Rongo is it – your witness is?	
	GLENN TOOTILL	
	Sir, Mr ~~Tootil~~Tootill here we've had a slight change to the timetable so the next witness who will be presenting is Mr Paora Rōpata document #R014. Mr Rōpata has to attend a tangi tomorrow so hence we have moved him forward and he will be lead Sir, by Ms Putaranui.	
	PETER JOHNSTON	
	Thank you Sir, Johnston here Sir. If I could just make an appearance today for Wai 1147 AND Wai 1203. As Your Honour pleases.	
	HAYLEE PUTARANUI	
1400	Tēnā koe Sir. Ms Putaranui. I understand that Mr Tootill included me in our introduction and obviously we've had some changes this afternoon. So our next witness is Mr Paora Rōpata. His document is #R014. Now obviously	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Mr Rōpata is supported by Mr Keenan and Ms Mārie Stewart. Because Mr Rōpata has given evidence on three separate occasions, he will do a brief introduction and then move straight to the Rangitoto-Tūhua 55A Case Study which begins on page 6 of his brief and Mr Rōpata is also supported by some of the Mana Ariki whānau who are here and after questions they will conclude with a waiata. Kia ora.	
	PAORA RŌPATA	
	A, te wāhi tuatahi me tū ake ki te mihi atu ki a koutou. Tēnā koe e te Kaiwhakawā. Tēnā koe mō ō pou taha, tō tēpu e tū ana e noho ana i tō taha. E mihi atu ki a koutou e noho whakarongo ana ki ngā mamaetanga o te iwi kei roto i tēnei rohe, Te Rohe Pōtae. Mihi atu ki a koutou me ā koutou tini aituā ko rātou kua huri atu. Mihi hoki ki ngā tāngata o te Karauna, ki ngā tāngata o ngā kaitono, ki te hunga noho, te haukāinga, ki a koutou e hara mai i tēnei rā ki te whakarongo ki te kōrero ki ēnei, kei roto i tēnei whakaritenga. E mihi atu ki a tātou. Tēnā koutou, tēnā koutou, tēnā tātou katoa.	Greetings everyone. Greetings Judge Ambler and your fellow members of the Waitangi Tribunal. Greetings to you listening to the grievances of the people of Te Rohe Pōtae. We greet you and acknowledge your losses and we acknowledge the Crown counsel and the legal counsel representing claimants, to the home people who have come this day to listen to these evidence.
	JUDGE AMBLER	
	Just before you start. Ms Putaranui, perhaps if you can return to your seat at counsels' benches and then you can lead the witnesses as would normally be the case.	
	PAORA RŌPATA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Good afternoon Your Honour. Ladies and gentlemen, good afternoon.	
	READS BRIEF OF EVIDENCE #R014 "My name is Paora Rōpata. I am a descendant of Ngāti Raukawa, Ngāti Toa and Te Ātiawa. I am the named claimant of the Wai 50 claim. I I am also involved with (and supported by) the named claimants of the Wai 1059 claim. I have previously given evidence before the Tribunal including during Ngā Kōrero Tuku Iho hearings in 2010 at Māniaroa Marae where I spoke to my notes~~i~~ and Te Tokanganui a Noho Marae. During Hearing Week 5 (at Waimiha) I spoke in support of the Wai 1812 claim in respect of the Ōngarue, Ōhura and Otunui Rivers. I have been involved with the Te Kotahitanga Society Incorporated ('the Society') since 1959 and am a kaumātua for Mana Ariki. As such, I am here on behalf of our kaitohutohu (appointed leader) Ms Shirley-Ann Phillips and all of our Mana Ariki whānau."	
	HAYLEE PUTARANUI	
	Mr Rōpata, Mr Rōpata, sorry, Ms Putaranui here.	
	PAORA RŌPATA	
	Kia ora.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	HAYLEE PUTARANUI	
	Mr Rōpata can I take you to paragraph – on page 6, paragraph 26 the case study.	
	PAORA RŌPATA	
	Page 6. All righty.	
	HAYLEE PUTARANUI	
	Thank you.	
	PAORA RŌPATA	
	The claim we present today, Your Honour, is a claim that the Crown has dismissed our spiritual values. Our spiritual genealogy is not a series of stops of starts but a continuum that has lasted for generations. The Rangitoto-Tūhua 55A claim is one that illustrates the wrongdoing of the Crown. I explained at Māniaroa about Ōkahukura Puke Kowhatawhata a Rangi, the spiritual cloak which was brought from the homeland by Rongorongo on the waka Aotea. I also explained at Māniaroa the commencement of the Rohe Pōtae by Tāwhiao and the kōrero of Pōtatau Te Wherowhero who said to him,	
	"Hoki atu ki te Nehenehenui."	"Return to Te Nehenehenui."
	At that time, Your Honour, I heard people trying to explain	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	what was the meaning of Te Nehenehenui, and I would like to say that the Nehenehenui is a very, very spiritual name and it also illustrates the spirituality of our people. The nehenehe is a forest, a ngahere, and a nehenehenui is a tree that stands in that forest. It is the biggest tree, the tallest tree, the most foliated tree, it can be seen from anywhere in the bush. You stand in the valley you'll see that tree. You stand on the top of the hill you'll see that tree. That is the nehenehenui. The nehenehe is the forest. Our people were spiritual men and women. The nehenehe represents the people. The nehenehenui represents God almighty. When Tāwhiao spoke to his son he said, 'Hoki atu ki te nehenui.' He said, 'Go back to the people, go back to God, kōrero i ōu kaumātua,' and, 'Talk with your elders,' and that's what he did and that is the meaning of the Nehenehenui. It illustrates the spirituality of our people. When Tāwhiao drew the ring around the map around the borders of his hat and named the Rohe Pōtae, he dedicated the Rohe Pōtae as a footstool for God on Earth.	
1407	Over the years the Crown has trampled those words, trampled that dedication, trampled the dedication of Ohakukura Pokokowhatawhata-a-Rangi and they have set about dividing this land. When Rongorongo laid her cloak at Ōkahukura, she said,	
	"Kaua te whenua e wāwāhia e aku nei uri whakatipu."	"Do not break up the lands."

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Let no descendent of mine divide this land.	
	HAYLEE PUTARANUI	
	Mr Rōpata, Mr Rōpata can I please ask you to go to paragraph 26 on paragraph – on page 6 of your brief please?	
	PAORA RŌPATA	
	Thank you. So this paragraph 26 is my case for Rangitoto-Tūhua 55A explaining what the Crown has done. **CONTINUES READING BRIEF OF EVIDENCE #R014** "Since 1980, we have had ongoing dialogue with various Crown agencies regarding the status and return of the Rangitoto-Tūhua 55A Block to Mana Ariki and as set out below. Attached and marked 'A' in the folder are copies of correspondence between our (then) Lawyer and Mr Mike Malloy and the Crown agents. **The Native Land Court** On 23 October 1888, the Native Land Court heard an application for the large Rangitoto-Tūhua Block. An application for survey dated 29th August 1900 and stamped by the (then) Lands and Survey Office was drawn in respect of 'Rangitoto-Tūhua Nos 52, 55, 57, 56, 60, 61 and 65 Blocks'. The application was signed by 'Hiru Petere	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Kereti, Hohepa Pētera, Mehana Tūhoro and Parekaihina Tūhoro'. I assume they signed as on behalf of owners. Attached and marked 'B' is a copy of the application for survey. After the survey was completed, the Native Land Court made an order, dated 29 November 1900, for the Rangitoto-Tūhua 55 Block containing 1548 acres and in the names of 28 owners. Attached and marked 'e' is the list of owners for the Rangitoto-Tūhua 55 Block." Katarina – there's a mistake in that name, Kātarina not Kataraina. **CONTINUES READING BRIEF OF EVIDENCE #R014** "Katarina (and her sister Waikura Te Waihanea) are included in the list of owners. Katarina is the great, great, grandmother of Mr Alexander Phillips, the Kaiārahi of Mana Ariki. And attached at 'd' is the whakapapa from Katarina to Mr Alexander Phillips (and down to our Kaitohutohu Mrs Shirley-Anne Phillips).	
1410	A curious point about the application for survey is that Hiru Petere Kereti, Hohepa Pētera, Mehana Tūhoro and Parekaihina Tūhoro were not included as owners of Rangitoto-Tūhua 55 but yet they authorised the survey of several blocks, including Rangitoto-Tūhua 55. A mortgage in favour of John Harrison and Alfred Foster, as Surveyors, was noted against the Rangitoto-Tūhua 55 Block. I understand that the Native Land Court Acts allowed	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	for costs of survey, if not paid at the time of survey, to be registered as a mortgage against the surveyed land in favour of Surveyors or the Surveyor-General. I do not know if this same legislation allowed non-owners to authorise 'the survey of blocks as happened with Rangitoto-Tūhua 55. Subsequently, the Rangitoto-Tūhua 55A or Aurupu Block was created by order dated 15th of November 1906 and in the name of the Crown. The Rangitoto-Tūhua 55 Block remains in Crown ownership. Attached and marked 'E' and 'F' respectively are copies of the order creating Rangitoto-Tūhua 55A and the computer interest register for the Rangitoto-Tūhua 55A Block. As above, I presume that it was the Native Land Act which enabled the Crown to be rewarded with ownership of the Rangitoto 55A Block as payment of the survey charges incidental to the survey of Rangitoto-Tūhua 55 Block but which were authorised by people who were not named as owners of the block. Since the Rangitoto-Tūhua 55A Block was transferred to Crown ownership the land has undergone several changes to its boundaries and Proclamation orders have been gazetted setting aside areas for rail, road, education and other uses. Attached and marked 'G' is a copy of correspondence from the New Zealand Railways Corporation acknowledging our claim or interest in railway lands (being parts within the Rangitoto-Tūhua 55A Block).	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	As above, we have had a long history of trying to convince the Crown to transfer ownership of the Rangitoto-Tūhua 55A Block to Mana Ariki. The basis of our reasoning includes: • The descendants of those named as owners of Rangitoto-Tūhua 55 remain of the view that the survey was authorised by those without authority to do so; • That being the case, the Crown was incorrectly awarded ownership of Rangitoto-Tūhua 55A Block in satisfaction of the unauthorised survey (and incidental charges); • The same descendants are long time followers and supporters of Mr Alexander Phillips and Mana Ariki. The same descendants support the land being used for our charitable and spiritual purposes; • The Society purchased old school buildings located on Rangitoto-Tūhua 55A (formerly part of Ōkahukura School); • Parts of Rangitoto-Tūhua 55A have been unused for many years and would be better utilised by us, we claim. We have not had contact from any Government Organisations in relation to the unused parts of Rangitoto-Tūhua 55A for some years and I can only assume that whoever is responsible for the block is no longer interested nor motivated to do anything about it. Tō me, it would make sense if the unused parts of the block were	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	given to us so that we can make use of it as we are the only prominent organisation in the area. **Future Aspirations** We want to do justice to our Elders. We want to justice to the people who were the very idea behind Mana Ariki. We want to be able to use knowledge to help all people who require spiritual guidance and sustenance. We want to use the ancient knowledge we have been taught and live by to help others. We are just trying to be pragmatic and show people how they can help themselves and each other. The prophets are present in spirit and we acknowledge them every year. In particular, we invite the Tribunal to consider the following: • In respect of the Rangitoto-Tūhua 55A Block, we want the unused parts transferred to us. If that is not possible then we want compensation to buy the block from the Crown; • We want to be able to have Mana Ariki recognised as the Sovereign area of land for our Māori people to maintain honour and promote their own spiritual beliefs and teachings; • We want legislation to protect our Mana Māori Motuhake which does not prejudice those of us who live by ngā kōrero tuku iho handed down through our Elders; and • Finally, we want the Crown to recognise Mana Ariki as a place of Māori sovereignty under Mana Māori	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Motuhake for the Unity of all people." Thank you.	
	HAYLEE PUTARANUI	
1415	Thank you Mr Rōpata. Can I ask you to remain there please while – for questions from the Crown, claimant counsel and the Tribunal please. Thank you.	
	AMY WILLIAMS	
	Tēnā koe Mr Rōpata. At paragraph 25 of your brief of evidence, which is on – near the bottom of page 5. Sorry paragraph 24, my apologies.	
	PAORA RŌPATA	
	Āe.	
	AMY WILLIAMS	
	You state there that despite record numbers leaving to seek work overseas the population has almost doubled over the past decade. Could you just clarify for us where you have got those statistics from if you could?	
	PAORA RŌPATA	
	Where have I got the statistics from? Well I do know that our population was a steady 3 million people but now it is exploded, it is beyond 3 million people. So those figures I have not plucked out of the air~~re~~, I have just used a bit of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	common sense.	
	AMY WILLIAMS	
	Okay thank you for that Sir. And the next question I just had was around paragraph 31 of your brief which is over on page 7.	
	PAORA RŌPATA	
	Yes.	
	AMY WILLIAMS	
	So you mentioned that Hiru Petere Kereti, Hohepa Pētera, Mehana Tūhoro and Parekaihina Tūhoro, they authorised the survey of Rangitoto-Tūhua 55?	
	PAORA RŌPATA	
	That's correct.	
	AMY WILLIAMS	
	And other blocks despite not being listed as owners of the 55 Block. Were those surveys authorised prior to the ownership of the blocks being settled?	
	PAORA RŌPATA	
	Were those surveys authorised before?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	AMY WILLIAMS	
	Before the ownership lists were settled?	
	PAORA RŌPATA	
	The Rangitoto-Tūhua 56 Block was cut out of the major block at the same time as those – the other blocks were, 61, 52, and the others are nominated in there~~aren't they~~. The Rangitoto 55 Block – 55A Block was cut out to pay the survey charges for the total survey.	
	AMY WILLIAMS	
	Yep okay. So were those people included on the list of owners of other blocks within that -	
	PAORA RŌPATA	
	Not as far as I know and not as far as the records show.	
	AMY WILLIAMS	
	Okay. Did you know who they were? Were they related or associated to the owners of the 55 Block?	
	PAORA RŌPATA	
	No I do not know who they are. I know their names, that's all.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	AMY WILLIAMS	
	Okay, that's alright. Do you have anything else?	
	HAYLEE PUTARANUI	
	Those are all the questions that we have. Thank you very much for your evidence.	
	JUDGE AMBLER	
	Any other counsel? No? Tēnā koe Mr Rōpata. Ngā mihi ki a koe.	
	PAORA RŌPATA	
	A tēnā koe.	
	JUDGE AMBLER	
	I appreciate you truncating your evidence because you have covered some of these important things in the past but just in terms of this block that remains in Crown ownership. I see on the title that it is 116 odd hectares.	
	PAORA RŌPATA	
	Yes Sir.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And I just wanted to be clear on how is the Crown using it today?	
	PAORA RŌPATA	
	The railway – the part gazetted for railway use is still being used of course. The rest of it is being leased. It's not being used by the railway apart from giving revenue I guess from the leases.	
	JUDGE AMBLER	
	So it's leased to neighbouring farmers is it? Mr Keenan?	
	GREG KEENAN	
	Kia ora Sir. They existed in a land that's – the original railway station has been dismantled. The land is leased by existing – one existing farmer and the one from another district who runs horses and two blocks are being leased by the Kotahitanga Society, yep.	
	JUDGE AMBLER	
1420	And in terms of the discussions about acquiring the land, from the correspondence you had that seemed to end in the 1980s. That would be right?	
	PAORA RŌPATA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	JUDGE AMBLER	
	So has there – have you made any attempts in recent years? Do you know what the Crown position is in relation to the land?	
	PAORA RŌPATA	
	Once, once our, once our attempts at getting some reaction from the Crown seem to become exhausted, we didn't know where to turn. Our – and our lawyer Mr Mike Malloy, Michael Malloy, he said there is a case here to put before the Tribunal. So in 1988 this case was raised and placed as a case for the Tribunal to deal with.	
14:20:51	**UNIDENTIFIED MALE SPEAKER**	
	Do you want to add?	
	PAORA RŌPATA	
	Great.	
	GREG KEENAN	
	Yeah and also relating to the – Paora has spoken, the Kotahitanga purchased some lease land off the railways, roughly about 1992 with the vision of purchasing more. But	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	we got their answer because of the Treaty claims as the land – gonna be land-banked.	
	JUDGE AMBLER	
	Ka pai, he mārama. Thank you. Ngā mihi. Anything arising Ms Putaranui?	
	HAYLEE PUTARANUI	
	No, no Sir, thank you.	
	JUDGE AMBLER	
	Ka pai. He waiata nē?	
	WAIATA	
	Te tohu huarahi O ngā iwi eee He ngira o te ao Kei runga o Manariki He huarahi mai O ngā iwi o te ao E tū nei Uenuku Me te whetū o te rangi Hei tono te Whaea	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Mō ngā ao katoa Kei amo taketake I haia atu nei Kei runga o Mangariki I ngā maunga tiketike Kei reira ngā Kīngi Te Kaumarua Mana hei whakawā Ēnei take (inaudible 14:22:54) o te ngira Tuia mai ngā iwi Miro mangu miro whero Miro mā eē Ē tū nei te Whaea Me te whetū marama He tohu huarahi Mō ngā iwi e Hē tohu huarahi Mō ngā iwi eee Hī auē hī	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PAORA RŌPATA	
	Ana e tū ake ki te mihi atu ki a koutou e whakarongo mai nā ki to mātou nei kōrero. E mihi atu ki a koutou mō ā koutou mariatanga, e noho whakarongo ana ki a tātou. E mihi atu ki a koutou e noho mai nā kei roto i tēnei piringa o tātou. Tēnā koutou, tēnā koutou, tēnā tātou katoa.	Sir thank you for listening to our evidence. Like to thank you for patience and fore bearing to listen and so to thank you all gathered here.
	ALL PRESENT	
	Kia ora.	
	MĀUI SOLOMON	
	Kia or a Sir. Mr Solomon here. I'll be next presenting submissions for Ngāti Rangatahi.	
	UNIDENTIFIED MALE SPEAKER	
	Thanks Bro.	
	MĀUI SOLOMON	
	And that will be followed by evidence from two claimant witnesses.	
	JUDGE AMBLER	
1425	Mr Solomon your opening submission has been given the number 3.4.68.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	MĀUI SOLOMON	
	Yes Sir. Ā tēnā koutou te hunga kāinga o Ngāti Rangatahi. Ngā mihi ki ngā mate me ngā aituā. Ā ki te Kaihanga homai ki a tātou. No reira, e kui mā, koro mā, rau rangatira, tēnā koutou, tēnā koutou, tēnā koutou katoa.	Greetings to the home-people of Ngāti Rangatahi and we observe our losses. Tō the elders, greetings.
	Ngā rōia, te Kaurauna, tēnā kōrua. Te Rōpū Whakamana o te Tiriti o Waitangi, tēnā koutou, tēnā koutou, tēnā koutou katoa.	Crown counsel, greetings to you, and greetings to the Waitangi Tribunal.
	READS OPENING SUBMISSION #3.4.68 "This claim is made by Wayne Herbert and the late Roger Herbert in Wai 366 and the late Robert Waretini Tūkorehu Herbert and Robert Jonathan and Wai 908, all on behalf of Ngāti Rangatahi whānau, hapū and iwi within the Rohe Pōtae District Inquiry. The land on which Wharauroa Marae stands, was designated as a Māori Reserve for Ngāti Rangatahi and three other hapū in 1967. The principal named claimant for Rangatahi, the late Robert Waretini Tūkorehu Herbert (who passed away in 2008) and his family helped rebuild the old wharenui here and the marae over the following 20 or 30 years. I wish to acknowledge Mrs Elaine Herbert, Robert's widowed wife who is here today. And I would also like to acknowledge the passing of Roger Pūhia Herbert. This is the third Tribunal Inquiry Ngāti Rangatahi have been involved with. The first two were the Wellington District Inquiry (Wai 145) in the 1990s and the Whanganui District	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Inquiry (Wai 903). Ngāti Rangatahi had originally intended to have their Wai 903 claims heard within the Rohe Pōtae Inquiry but due to the inclusion of the township of Taumarunui within the Whanganui district this was not possible. Traditionally, Ngāti Rangatahi is a hapū of Ngāti Maniapoto but maintains close links – and maintains close links with that iwi and other hapū of Ngāti Maniapoto. Through inter-marriage, Ngāti Rangatahi also acknowledges close relationships and whanaungatanga with Whanganui Iwi and hapū, particularly in and around the Taumarunui area. The founding ancestress 'Rangatahi', has been described in the evidence of Kuia, Rovina Maniapoto Anderson, as the, and I quote "Matāpuna of the eponymous ancestors of Tainui Waka from the 18th century onwards". As such, Ngāti Rangatahi has direct lineal whakapapa connections to many of the hapū claimants in this inquiry especially to Ngāti Hari, Ngāti Urunumia, Tanoa, Tūtemahurangi and others. In this sense, Ngāti Rangatahi wishes to acknowledge their close whakapapa connections to these and other hapū in this inquiry and to tautoko the claims they bring before the Tribunal. Throughout their history, Ngāti Rangatahi have retained their own separate tribal identity and autonomy which they maintain today through the Ngāti Rangatahi Whanaunga Association Incorporated, established in 1992. The claims of Ngāti Rangatahi focus on the breaches of the Treaty of Waitangi resulting in loss of lands through, the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Native Land Court processes, Crown purchasing activities, compulsory acquisitions, taking of land for railway purposes, loss of identity through loss of land and loss of tikanga. Other than the land on which Wharauroa Marae stands, Ngāti Rangatahi do not have any tribal lands within their traditional tribal rohe today. Specifically, the land claims focus on the Treaty breaches associated with the blocks of land in the Rohe Pōtae which as listed from sub paragraphs "a" to "h". **The Claimant Evidence** Wayne Herbert was here with me today and has come from Australia to give his evidence, is one of the named claimants in the Wai 366 claim. His evidence will provide some of the background to the Ngāti Rangatahi claim in the Rohe Pōtae and to the establishment of Ngāti Rangatahi Whanaunga Association Inc as a vehicle to represent the modern day descendants of Ngāti Rangatahi." And Sir I just like to interpolate here for a minute. In light of the questions that – from the Tribunal that were put to Mr Pātete this morning concerning the status of Ngāti Rangatahi today and whether they have any active marae, Mr Herbert, Mr Wayne Herbert has asked for leave to add to his evidence to clarify this issue for the Tribunal and I anticipate that this would take an additional five minutes. The second witness Mr Robert Te Papī Jonathan, his evidence will focus on **CONTINUES READING OPENING SUBMISSION #3.4.68**	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	"The second witness Mr Robert Te Papī Jonathan, his evidence will focus on the claims and Crown breaches relating to the land blocks listed above in paragraph 8, the remedies that Rangatahi are seeking and his hopes and aspirations for his people in the future." And accompanying Robert's presentation will be PowerPoint and mapping displays. **CONTINUES READING OPENING SUBMISSION #3.4.68** **"Conclusion** Ngāti Rangatahi's post-colonial history has been marked by several heke to and from their traditional lands within the Rohe Pōtae. Some of these have been voluntary and some have been at the point of colonial guns. During this time their tribal land base has been eroded and lost as a result of broken promises and breaches of the Treaty of Waitangi. As a result of these losses, their proud identity as Ngāti Rangatahi has been seriously eroded and marginalised. The Ngāti Rangatahi claimants in this inquiry seek an acknowledgment of the losses they have suffered and eventually an honourable settlement with the Crown that will enable them to restore a tribal land base and secure a better future for their people as was guaranteed to them under Te Tiriti o Waitangi." And those are my submissions Sir.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Tēnā koe. Thank you Mr Solomon. Can I just clarify two or three matters? In terms of this marae, you refer to Ngāti Rangatahi and three other hapū being identified in the ***Gazette*** or setting it aside as the Māori Reservation –	
	MĀUI SOLOMON	
	Yeah. Papakāinga	
	JUDGE AMBLER	
	Which are the other three hapū, do you know?	
	MĀUI SOLOMON	
	Yes, Ngāti Ririmai, Ngāti Hinewai and Ngā Poutama.	
	JUDGE AMBLER1	
	And that was in 1967.	
	MĀUI SOLOMON	
	Yes the – it was in 1967, but the ***Gazette*** notice wasn't actually registered until 1972 because in 1967, this land was actually technically it was insolvent because it owned rates, and so the council was going to sell it but that matter was dealt and so there is a delay in the registration of that ***Gazette*** notes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
1535	All right. Secondly at paragraph 7 where you refer to Ngāti Rangatahi not having any tribal lands within their traditional tribal rohe. Did the Native Land Court award any blocks to Ngāti Rangatahi specifically?	
	MĀUI SOLOMON	
	Well there were – there was land awarded to Ngāti Rangatahi Sir but those lands have been gradually eroded over time. There are still Ngāti Rangatahi descendants who are shareholders within those blocks, but I'm referring specifically to a tribal land base, a collective tribal land base.	
	JUDGE AMBLER	
	So there are blocks that were awarded to Ngāti Rangatahi, which remain in Māori ownership in the ownership of individuals?	
	MĀUI SOLOMON	
	In the ownership of individuals, yes.	
	JUDGE AMBLER	
	And are those – do those include Rangitoto-Tūhua Blocks?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	MĀUI SOLOMON	
	Yes they do Sir and they'll be addressed today by – in Mr Jonathan's evidence.	
	JUDGE AMBLER	
	Right. So the list at paragraph 8 is that a complete list of the blocks in which Ngāti Rangatahi were awarded interests or are there others?	
	MĀUI SOLOMON	
	Well those are my instructions Sir that these are the blocks but that might be a question, you might wish to put to the – to Mr Jonathan.	
	JUDGE AMBLER	
	And otherwise, just in terms of a clear idea of the result of the heke to the Wellington District and the return back, I have read the briefs but I just wanted to be clear, there were some awards to Ngāti Rangatahi in that district at some point in time?	
	MĀUI SOLOMON	
	Not in Wellington there weren't Sir, no.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	All right.	
	MĀUI SOLOMON	
	They were pushed out of Wellington before that could happen.	
	JUDGE AMBLER	
	And not in the Horowhenua, Manawatū Region?	
	MĀUI SOLOMON	
	There were land blocks awarded to Rangatahi in the – in the Manawatū area around Fielding, the Kākāriki area and that's subject of the inquiry in the Parerua ki Manawatū District Inquiry.	
	JUDGE AMBLER	
	Okay so in terms of land awards; there were some down there and otherwise within the Rohe Pōtae itself?	
	MĀUI SOLOMON	
	There were individual awards of land Sir, members of Ngāti Rangatahi.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Thank you, that's helpful.	
	MĀUI SOLOMON	
	So Sir, I'd like to call Mr Wayne Herbert to give his evidence. It's on the Record of Inquiry as #R006(b).	
	WAYNE HERBERT	
	Ngā mihi ki a koutou, Te Rohe Pōtae, Apanui, tēnā koutou.	
	I'm just gonna do history of this marae. It is Rangatahi – you are in my Rangatahi. My mother's name is Te Wharekai and that was named after to all the work that not only she did, but did led to resurrect this marae to be where it is today. Is that a people… Buster Barton, Carl Tāmihana…	
	MĀUI SOLOMON	
	Excuse me Wayne, sorry to interrupt.	
	WAYNE HERBERT	
	Sorry.	
	MĀUI SOLOMON	
	Can you – might be better if you stand behind the rostrum so that your kōrero is recorded.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	WAYNE HERBERT	
	Aroha mai I'm very passionate about where I'm going on this and I been listening to people question Ngāti Rangatahi and we are a people. We also reside on this marae. There's plenty of Ngāti Rangatahi people here. As I said, this wharekai was named after my Mum. In the 60s, we resurrected this pā because it was in a state of disrepute. It was in bush and everything, and along with her was Carl Tāmihana, Buster Barton and all those people out there. Their whanaunga Elaine Herbert whose been my sister-in-law and probably a Trustee over 50 plus years of this marae, and we are Rangatahi. Tūkorehu, that is my grandfather. My grandfather's name's on that paepae out there. My grandfather had a lot to do with books, Ngā Mōteatea, you guys remember that. He was the knowledge behind Pei Te Hurinui Jones to get those whakapapa and all those pātere and stories out. My family, and whānau and my ancest – my late brother is Roger Herbert and Robert Waretini Herbert laying here with my mother and Tūkorehu and other Ngāti Rangatahi lot. Not to mention also Putama, Reremai, Hinewai. So we do belong here. This is the Maniapoto southern most marae, but I have to acknowledge that Bernadette Arapere whose legal counsel and her whānau down in Mani – Kākāriki ki Rangitīkei is also Rangatahi. And that's our southern most marae at the moment.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	So I like to pay homage and thank you to see you guys here. Danny Karetia Goddard. It's good to see a tautoko from Manawatū. So we've got a lot in common. This is Ngāti Rangatahi. This is matekore. Matekore was Maniapoto's younger brother. We come from Maniapoto and that's where we belong. And now we got our own iwi status through Maniapoto, through the Maniapoto Trust Board, we stand here proud today, and we're not going away. But I make this brief. We talked about the prohibition. We talked about Tuku – Te Heu Ngarupiki. He's buried over there and that's – he got burnt so he's in rail line trying to stop the prohibition. Trying to stop the grog from coming…	
	MĀUI SOLOMON	
	Wayne, excuse me –	
	WAYNE HERBERT	
	Sorry.	
	MĀUI SOLOMON	
	– you are going to have to stand behind that microphone I'm afraid.	
	WAYNE HERBERT	
	Sorry. I'm passionate. I been here before. Okay. These men on here tried to stop the grog from coming into	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Taumarunui because they knew it would affect our people. The only two not on there is my uncle, Sir Bob Emery and our Koroua, Tukuteihu Te Narupiki. My grandfather's there and the other guys from the Maniapoto. They also were very powerful in the Kingtitanga. They promoted the Kingtitanga, and that's what that photo is about. So if you want to have a look at it, this is it here. Yes I am pr – I am passionate. I am passionate because we been doing it for 23 years and I stand up here and I keep standing up here and I see some new claimants coming, and I see some more new claimants coming and we're still standing here. Maybe I shouldn't be here, but I'm fighting for something we believe in. Something that has been wronged. And I flew from Sydney because we need to be heard again and again and again. So that's why I'm passionate. I will now start my brief of – or statement of evidence. Unless you've got questions on that kōrero, I'll be happy to answer. If not, maybe later on. Thank you.	
	WAYNE SOLOMON	
	READS BRIEF OF EVIDENCE #R006(b) "E te Atua kaha rawa Manaakitia mai tau pononga E whakaputa nei i ngā taonga whakamirimiri Waihotia iho e ngā tūpuna Ki te ao tūroa	 Almighty God, Look kindly upon thy servant Who speaks of the legacy Left by elders

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I raro i te ingoa o te Matua,Tama, Wairua Tapu Āmine.	In the name of Father, the Son, the Holy Spirit Amen.
	Kia ora. My name is Wayne Herbert. I am a brother of the late Robert Waretini Tūkorehu Herbert and late Roger Pūhia Hāpeta." As you can see on the screen before you, we have been in this claim since 23 years, 25 years, and I began this claim process for Ngāti Rangatahi with my brothers and whānau. I am sad that my brothers are no longer here to continue this journey through to its conclusion, but it's all right. We are here.	
	My relevant whakapapa is at the back attached to this evidence. It's whakapapa (b). My evidence is intended to paint the picture of the claim process Ngāti Rangatahi has been following over the past 25 years. We began in Whanganui-a-Tara in 1991 and now we are ending up where we originally came from, Te Rohe Pōtae. Ngāti Rangatahi, like some other iwi have whakapapa, wāhi tapu and whenua connections in the many places – " And as I heard before, there was a guy that said that we were fragmented things, but that's fine. **CONTINUES READING BRIEF OF EVIDENCE #R006(b)** "– our tūpuna travelled. For this reason we have been claimants in the Wellington Inquiry, the Whanganui Inquiry and the Rohe Pōtae. We also have claims with the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Manawatū Inquiry where many of our people sought refuge after being evicted from the Hutt Valley in 1846 by the Crown militia. I have previously given evidence in support of the Wellington and Whanganui hearings. In terms of the Rohe Pōtae, this is where our tūpuna Rangatahi was born and where we as a people originate from. We acknowledge our whakapapa connections principally to Ngāti Maniapoto but also to Whanganui and hapū. In terms of this claim we are here to awhi and support other hapū such as Ngāti Hari, Urunumia and Tanoa who are all descended from the ancestress Rangatahi." And Robert Jonathan my nephew will be speaking about these matters in his evidence after I do. The Hut Valley Claim Paragraph 6 and 7, I hope you take this as read or you want me to read it out?	
	MĀUI SOLOMON	
	No.	
	WAYNE HERBERT	
	Okay thank you. **CONTINUES READING BRIEF OF EVIDENCE #R006(b)** "This was all very new for my brother and I. We felt overwhelmed by the events that followed but knew they were going to affect our lives and the lives of our	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	mokopunas. We remain grateful for the opportunity to now pass on to others the knowledge and experience we have granted from this journey. In order to set up a legal body to support our claim process, it was decided to have hui in the Kākāriki ki Rangitīkei rohe where a constitution was put together with the help of whānau there, including the Rēnata family, the Skippers, the Searanckes and the Durie whānau. Later that winter another hui was organised by all concerned at Wharauroa Marae here in Taumarunui. It was here that we reported back to the people and explained to them what had happened so far regarding the claims at the Hutt Valley and also wider areas. We also tabled the draft constitution at that time. Our claims covered five rohe that had Ngāti Rangatahi marae so it was proposed to elect five trustees – one for each rohe. I will name them, the first Trustees were Christine Allen, Sally Kerapa, Meihana Skipper, Melissa Manawaiti, and Neville Denny Fox. Claim researchers appointed at that time were, myself, my brother Roger Herbert, and Matthew Manawaiti. Our oldest brother Robert Herbert was elected the Chairman with Dawn Manawaiti as Treasurer and Elaine Herbert as Secretary, and is still Secretary. The intention from the beginning of this journey in 1992 was to reclaim the tribal identity of Ngāti Rangatahi and to be as inclusive as possible by having representative trustees from each of the five main rohe where our people are based.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	The Heke of Ngāti Rangatahi to **Whaganui-a-Tara"** All right, this is interesting for me. **CONTINUES READING BRIEF OF EVIDENCE #R006(b)** "Ngāti Rangatahi were residing in and around Taumarunui at the time that Te Rauparaha and Ngāti Toa were leaving the Kāwhia Harbour to migrate to Whanganui-a-Tara. Some of our people joined Ngāti Toa south of Taumarunui near a place called Rētāruke after a skirmish with Ngāti Hauā (Tōpine Te Mamaku). We joined Ngāti Raukawa and Ngāti Toa to migrate to Whanganui-a-Tara on the heke known as Tataramoa. Our people were led by Kāparatehau, who was linked to other Ngāti Rangatahi leaders Mātakitaki, Te Ngarupiki. They were joined by Kakaherea, Te Koherā and Te Pau. Now te latter was executed in Wanganui for the murders of Gillespie and his son at their farm in Hutt Valley at the time of our expulsion from the Hutt Valley. In 1846 we were forced out of the Hutt Valley by the Crown's militia force going through Battle Hill over the Paekākāriki Hill into the Foxton area. Some of us settled there; some of us in the Rangitīkei area and others returned eventually back to Taumarunui where the whānau stayed and are still living here today. Some of our people settled in the Rangitīkei Rohe where they had a marae called Marama-i-Hoea, which was situated on the banks of the Bull's River opposite Parawanui Marae where they settled. A lot of land Court hearings were held there. This is referred from Reverend Richard Taylor's journals. Some Rangatahi stayed on in the Rangitīkei area	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	and some moved back to Taumarunui and some moved to the Rohe Pōtae. Ngāti Rangatahi still have strong links with the Rohe Pōtae through whakapapa." As you know of William Anderson Maniapoto, our kuia. **CONTINUES READING BRIEF OF EVIDENCE #R006(b)** "And through the interests and land blocks. We also have representation on the Maniapoto Trust Board," which is Tame Tūwhāngai. And I hear Robert Te Pape Jonathan's involved in that. **CONTINUES READING BRIEF OF EVIDENCE #R006(b)** **"In Conclusion** I hope through this hearing process and future relationships with the Crown that the mana and identity of Ngāti Rangatahi can once more be recognised and restored for the present and future generations of our people." Kia ora.	
	JUDGE AMBLER	
	Mr Melvin.	
	GEOFFREY MELVIN	
	Tēnā koe Mr Herbert.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	WAYNE HERBERT	
	Kia ora.	
	GEOFFREY MELVIN	
	Thank you very much.	
	WAYNE HERBERT	
	Mhm.	
	GEOFFREY MELVIN	
	– for your brief of evidence. I don't have any questions for you though. Thank you. Kia ora.	
	JUDGE AMBLER	
	Counsel?	
	DR AROHA HARRIS	
	Kia ora Mr Herbert.	
	WAYNE HERBERT	
	Kia ora.	
	DR AROHA HARRIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I just want you to help me understand the Ngāti Rangatahi situation to date. Is it the case that in all the different places where Ngāti Rangatahi people have a presence now, that you're trying to consolidate that presence?	
	WAYNE HERBERT	
	Yes.	
	DR AROHA HARRIS	
	And is it the case that therefore, the Ngāti Rangatahi people all are present in all of those areas or have some look parts of Rangatahi sort of grounded themselves more in place than another?	
	WAYNE HERBERT	
	Yes they – there were some places where Rangatahi have still remained, but I gotta be honest. Some have dispersed into other groups, but they still have Ngāti Rangatahi links through their blood and that's the only way I can answer you.	
	DR AROHA HARRIS	
	But have some parts of the – like maybe with your own whānau, are you – do you feel connected to multiple places or do you feel more strongly about one place than some of the others?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	WAYNE HERBERT	
	No I'm Ngāti Rangatahi. This is my marae. This is my tūrangawaewae. This is who I am. That's why I'm fighting today. I'm not connected – I might be connected through blood links but I'm here as Ngāti Rangatahi. If you – if that's what answers your question?	
	DR AROHA HARRIS	
	I really mean amongst, within Ngāti Rangatahi. So if this is your marae, then do you also feel connected to those other places?	
	WAYNE HERBERT	
	Yes.	
	DR AROHA HARRIS	
	Or is – is it the same kind of connection do you think or is it a different kind of connection?	
	WAYNE HERBERT	
	It is – I mean you – as a family, you have your whānau bond and then you have your, say your relations. But do you feel connected to everyone else because they are Ngāti Rangatahi? But this is my tūrangawaewae first and foremost. But we have got blood down in Kākāriki. We've	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	got blood in Ōrāhiri, Mangatoatoa, yeah, Ōtewā, all along the Waimiha area.	
	DR AROHA HARRIS	
	Okay.	
	WAYNE HERBERT	
	All along the Rohe Pōtae, yes.	
	DR AROHA HARRIS	
	Kia ora that's the answer thank you.	
	WAYNE HERBERT	
	Thank you.	
	JUDGE AMBLER	
	Tēnā koe te rangatira.	
	WAYNE HERBERT	
	Kia ora.	
	JUDGE AMBLER	
	The photo you had?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	WAYNE HERBERT	
	Yes.	
	JUDGE AMBLER	
	Can you just hold that up again?	
	WAYNE HERBERT	
1455	This is – this is not the original. The original's got my father's kōrero on, that's Tūkorehu. Unfortunately I haven't got it but I was lucky to borrow Robert Herbert's one here. It's got names on it. I'm quite happy to you to come and ask me who these people are.	
	JUDGE AMBLER	
	Well can you tell us now because it looks like a very formal photo of a committee or something like that?	
	WAYNE HERBERT	
	It is a committee. It is a committee that was formed in Te Kūiti, more likely Tokanga-nui-a [sic] Marae. They were formed to stop the railways from going through Taumarunui for the reason they didn't want beer going through here. They knew it was gonna affect our people and it is today. And that's what it is. And the names are there, are all from Maniapoto and Tukuriteaipu as the paepae out there, which	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	is my grandfather. If you want to have a look or you want to tell me the names, I can.	
	JUDGE AMBLER	
	Well yeah if you – I see the names are actually printed on it.	
	WAYNE HERBERT	
	Yes.	
	JUDGE AMBLER	
	So can you just read that out for the record?	
	WAYNE HERBERT	
	Certainly. Here we go. That one there is Wētini Hotu. That one is Tūkorehu Te Ahipu which is my grandfather. That one there is George Turner, another relation of ours, kaumātua. That one is Gabrielle Elliott, and that's – I think his name is Whare Hotu. Now if I could get you the copy of the original one with the story on the back, I'll be happy to send that to Māui to forward on to, if it's of any relevance.	
	JUDGE AMBLER	
	Yes I will ask Mr Solomon to file that.	
	WAYNE HERBERT	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Okay I will do that. My sisters here, she has got possession and I will make sure that comes to you so it does fill in the gaps for Ngāti Rangatahi here.	
	JUDGE AMBLER	
	Yes and when you started off, I think you said that a couple of people were missing from the photo.	
	WAYNE HERBERT	
	Yes. One is Tuku Te Ngaru Pikihu who is buried over there. He was another one, a strong advocate of that Māori land – railway line not going through here.	
	JUDGE AMBLER	
	Yes.	
	WAYNE HERBERT	
	Hence he got burnt over, yeah. And the other one is Sir Bob Emery. He was our grand uncle from Te Kūiti. I don't know if you people know Sir Bob Emery, but he was an advocate. They cared for our people. They knew what alcohol was gonna do to our people.	
	JUDGE AMBLER	
	And what – can you date that photo at all?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	WAYNE HERBERT	
	No I'll have to get the kōrero off the back of that one. It's written in shorthand. If I remember rightly, my grandfather was a prolific writer and shorthand. Even wrote Arabic. I don't know – he, yeah, and he was one of those people that like writing.	
	JUDGE AMBLER	
	And so, as you put it, these are – these are rangatira who opposed the railway?	
	WAYNE HERBERT	
	The railways, yeah.	
	JUDGE AMBLER	
	But in particular the alcohol.	
	WAYNE HERBERT	
	Yes.	
	JUDGE AMBLER	
	So do you think they were part of the Temperance Movement that we have heard about in the district?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	WAYNE HERBERT	
	I'm not sure. I can't answer. I've just been told by my late brother Robert Herbert about this and also late Roger, but I thought it was significant to bring this along to establish that Rangatahi's here and Rangatahi are a tribe and Rangatahi are not gonna move. And now – well this is – and our taonga down there Matekore. You know, that's why I thought it was important for us to have these on display, so can understand. But certainly we'll get the original one with the writing on the back to you Sir.	
	JUDGE AMBLER	
	All right. Now my questions about Rangatahi were not to belittle Rangatahi. It was really was just for clarification.	
	WAYNE HERBERT	
	Mmm yeah.	
	JUDGE AMBLER	
	Because Rangatahi have an interesting story in terms of their migration and return, because many of the hapū and iwi who, who went away, didn't actually come back.	
	WAYNE HERBERT	
	Yeah.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	And I just wanted to follow-up on what Dr Harris raised with you. So obviously we got this marae where we are here today at Wharauroa –	
	WAYNE HERBERT	
	Mmm.	
	JUDGE AMBLER	
	– which is a Rangatahi Marae. You – I think you have mentioned Kākāriki is it?	
	WAYNE HERBERT	
	Yes.	
	JUDGE AMBLER	
	And that is – where is that? Is that Marton?	
	WAYNE HERBERT	
	That's, that's in Rangitīkei. That's in the Halcom in the area Kākāriki. And we have got blocks called Te Reoreo down there. We've got interests in blocks there to. Like I mentioned, all those families, we met them at the other marae which is Tokorangi in Halcom.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	All right.	
	WAYNE HERBERT	
1500	So there's those maraes there, and they have got links to us, and couple of the kaumatuas were here earlier this morning.	
	JUDGE AMBLER	
	And that's obviously in another inquiry district that are participating in.	
	WAYNE HERBERT	
	Yes and – yes it is.	
	JUDGE AMBLER	
	And otherwise you have got the association with Ōrāhiri up around Ōtorohanga?	
	WAYNE HERBERT	
	Mmm.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	That is right.	
	WAYNE HERBERT	
	Mmm yes.	
	JUDGE AMBLER	
	And is there a particular marae that Rangatahi associates with up there?	
	WAYNE HERBERT	
	Well Mangatoatoa where my grandfather was born and my mum, Rangatahi. Tūkorehu was born in Mangatoatoa, yeah.	
	JUDGE AMBLER	
	Ka pai. Ngā mihi ki a koe.	
	WAYNE HERBERT	
	Kia ora.	
	JUDGE AMBLER	
	Nothing arising Mr Solomon?	
	MĀUI SOLOMON	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Nothing arising Sir thank you.	
	JUDGE AMBLER	
	If you can follow-up in respect of that photograph, that will be helpful.	
	MĀUI SOLOMON	
	Yes Sir I'll make sure a copy of that photograph is filed and if possible the information on the original.	
	JUDGE AMBLER	
	Ka pai, kia ora.	
	WAYNE HERBERT	
	Kia ora.	
	JUDGE AMBLER	
	I think we might as well anticipate the karanga.	
	MĀUI SOLOMON	
	Āe.	
	KAIKARANGA (KAPU TĪ)	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Haere mai rā te karanga o… haere mai ki runga, auē, nau mai haere mai.	
	JUDGE AMBLER	
	We will resume at 3.20. For the benefit of counsel, I assume that after Mr Jonathan, we have got other claimant witnesses being lined up. Ka pai.	
	HEARING ADJOURNS: 3.02 PM	
1524	**HEARING RESUMES: 3.24 PM**	
	ROBERT JONATHAN	
	Tēnā koutou katoa. Ngā mihi Te Taraipiunara mō tō mahi, mō tō kaha, mō tō manaaki. Ā tēnā koutou katoa.	Thank you to the Waitangi Tribunal for this opportunity.
	READS BRIEF OF EVIDENCE #R005(a) "I'm Robert Te Papī Jonathan, born in Taumarunui in 1961. I grew up in a small community of the Ōngarue Substation, north of Taumarunui in the Whatitokarua Block. I am the current vice-chairman/Trustee of Ngāti Rangatahi Whanaunga Association Incorporated. I was appointed by my uncles on the passing of my father-in-law Robert Waretini Tūkorehu Herbert back in August 2008. I am Co-lead Claimant along with my uncle, Wayne Herbert, who presently works in Sydney Australia and Uncle Chappy (Roger Herbert) who lived in Caloundra Sunshine Coast,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Australia. Unfortunately, Uncle Chappy passed away due to illness in late 2012. Both gave support wherever it was needed, whether technical or historical. A lot of information has been submitted by Ngāti Rangatahi in the three inquiries we have been involved in – Te Rohe Pōtae, the Whanganui and the Port Nicholson Inquiries. Extensive work that captured the journeys of Ngāti Rangatahi that has involved many hapū and claimants throughout all the inquiries. We have been 'adopted' by different Iwi in the past and to be fair Ngāti Rangatahi has created some close relationships, but the story of Ngāti Rangatahi has never changed. Our history will always be the same. It's the future we want changed to fix the 'hara' of the past, but we are who we are and that is Ngāti Rangatahi; we are Maniapoto. I gave evidence to this Tribunal during the Te Ōhākī Tapu hearings week 1 at Tokananui-a-Noho Marae November 2012. My intention then was to reiterate Mātakitaki's stand on the pan tribal pact agreement between the five iwi and the railway and the land, so that the grievances were to be recognised. My father, Bill (Wiri Pouaka Honetana), (who is deceased) and I whakapapa to Ngāti Wairere Waikato, Ngāti Rangatahi, and Ngāti Maniapoto, Tainui Waka. He inspired me to do well, to grow up with my sons as he did with us when we were little. He was a man who gave to others rather than himself and that trait remains with me today. My grandfather passed away in 1944, whom I never	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	met. His name was Pouaka Te Papī Honetana. Unbeknown to me, he worked in the shearing shed behind the house where I grew up at the Foxley Farm Station in the 1920 – 1930's. My father said they couldn't say my grandfather's name and he like so many other Māori of that time ended up with the nickname Bob, a name that's a lot easier to say than his real name."	
	MĀUI SOLOMON	
	If I could just stop you there –	
	ROBERT JONATHAN	
	Ka pai.	
	MĀUI SOLOMON	
	– Robert for a minute. Just for the information of the members of the Tribunal, while Robert is speaking, there are images appearing on the screen indicating the areas that he's referring to in his brief. So just thought I'd mention that. Thanks Robert.	
	ROBERT JONATHAN	
	CONTINUES READING BRIEF OF EVIDENCE #R005(a) "My grandmother's name was Hinenuitepō nee Ngamo a northern Maniapoto Ngāti Rangatahi who also has connections to Ngāti Apakura, Ngāti Matakore and Ngāti	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Punga through her father Te Manganui Ngamo. She was very young when she met my grandfather. In my cousin Bessie Thocalich's claim, she is covering our grandmother's grievances regarding the Rangitoto Block, also the loss of identity also through the loss of land through confiscation. I have supported her in this process to have our grandmother's grievances heard in the Waitangi Tribunal Court sitting. My mother, Pani née Hona, of Te Teko we both whakapapa to an ancient tribe Ngā Maihi of Tūhoe, of Tūteao Marae on her dad's side. Her grandmother, Herawaka, was from Paroa Marae also from Ngāti Porou. On her mum's side my grandmother, Okeroa nee Hahipene, has a strong link to Tōrere of Ngāi Tai that brings me back to the Tainui Waka once again as Torerenuiarua is the daughter of Hoturoa, a direct link to the autonomous tūpuna Torerenuiarua. My whakapapa is attached with my evidence. Tamaaio is a predominant man of Kāwhia who is the great grandson of Whatihua and Ruapūtahanga, who ultimately had a lot of influence in this part of the region as well as his own region in Kāwhia. It is recorded in the Ōtorohanga Minute Book volume 30 page 44, and identified by Te Whiutahi, that Tamaiao and his followers came to this area which we now know as Rangitoto-Tūhua Blocks because he heard that Hanui of Ngāti Hā defeating the Ngāti Hia people and driving them out of their home lands. He wanted to find out if Hanui and his brothers were the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	men everyone said they were. Tamaiao met with Te Hoata at Whiritoa and banded together as Ngāti Hā travelled down from Puketui. After finding out that Tamaiao had arrived with the intention to rid Tamaiao from the area, however, both Tamaiao and Te Hoata were able chase Ngāti Hā to the Pungapunga below Ōrangi Te Ihi at a place called Te Umutoi and then preceded further north towards Maraeroa where eventually Hanui and his followers were found and defeated there. At this point Tamaiao and Te Hoata had succeeded and conquered Hanui who had mana over these lands and as an act of partnership divided the land between them. Te Hoata sealed this union with the marriage of his daughter Hinemata to Tamaiao as a gesture of bravery. From this union they had Rangiānewa. Rangiānewa lands went from Tūhua to Mangakahu, Whatitokarua, Whare-o-te-pari and thence to Taringamotu. This confirmed the boundary of Te Hoata at Puku-o-weka and the Taringamotu River and down to Te Horangapai, to Te Tawa and Te Ngaurupiki (which is in Matiere). Hence after this gift, the land south of Mangakahu belonged to Rangiānewa and to the north, of Tamaiao's land. Te Ihingarangi son of Rereahu and Rangiānewa, through the right of his mother and his grandfather become the rightful owner of both of these lands (also on page 46). Te Ihingarangi had left his lands after disputes with his young half-brother Maniapoto, but according to most of the lands that belong to Rereahu who had mana whenua was	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	passed over to Maniapoto. I have added this section in because I felt it necessary as Tamaiao is my tūpuna through my grandmother Hinenuitepō. I understand now why Tamaiao, why he has – he was in this area. He made me think of the reason and it was obvious, and that is Ngāti Hiaroa needed more protection. Why he didn't come earlier I don't know. But Te Whiutahi has out lined this quite well. According to Whaea Rovina Maniapoto Anderson who gave whakapapa evidence for Ngāti Rangatahi in 2012, in the 18th century the ancestress Rangatahi lived (with her whānau and hapū) at that time, in the vicinity of Rangitoto, Kakepuku and Pirongia Mountains. Later, probably in the time just prior to the birth of Tūtemahurangi, this section of our people moved to the Ōhura – Ōngarue – Taumarunui area and established close ties over this period with Ngāti – with the whānau of Whanganui Iwi. **Whatitokarua** **Paragraph 19 Tūhua School** Tūhua School is on State Highway 43 next to the Otahu Stream that runs into the Ōhura River. And across the Otahu Stream is the Ōkahukura Saddle Road now known as the Otahu road. The School was opened in 1963 to the farming community and it closed 12 years later in 1975. 80% of the kids that went to this school came from the Ōngarue Substation, where there were five families at one time. The query is in regards to the site of the Tūhua School – was the land upon which the school once stood released	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	to the farming community while still in the hands of the Crown? If the block is still in Crown possession will the land ever be handed back to the original owners?"	
	MĀUI SOLOMON	
	Robert, can I just –	
	ROBERT JONATHAN	
	Ka pai.	
	MĀUI SOLOMON	
	– interrupt you there. Could you, using the map, information demonstrate to the Tribunal which block specifically, the Rangitoto-Tūhua Block that you're referring to? Have you got that? Can you bring that information up?	
	ROBERT JONATHAN	
	Yes we can. I think we might have dive straight into that one Grace if you can.	
	MĀUI SOLOMON	
	Or will you be addressing that later?	
	ROBERT JONATHAN	
	Hopefully I would like to address that later if there are any	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	questions?	
	MĀUI SOLOMON	
	Oh well, you deal with it in the order that you want to.	
	ROBERT JONATHAN	
	Okay ka pai.	
	Paragraph 20. **CONTINUES READING BRIEF OF EVIDENCE #R005(a)** **"Ōngarue Substation:** Further north about nearly three and a half kilometres in the Ōngarue Substation – is the Ōngarue Substation. A large majority of the children that went to this school Tūhua School were from this community. The year 1975 saw the closure of the School due to the sudden decrease in numbers regarding the restructure of the New Zealand Electricity Department. This act devastated the community from which the remaining pupils were transferred to Ōngarue Primary School. Construction of the 110kv line from Arapuni Dam to Bunnythorpe, which passes through the Ōngarue Substation. The closure of the school was a huge blow to the district, and as I already mentioned. I believe it was the restructure of my father's job at the substation that caused the closure of the school, as	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	numbers dwindled to an unsustainable level, why the school eventually closed. The New Zealand Electricity Department and the restructure in 1975 was part of an upgrade of our power grid from the 1958-59 rural electrification reticulation. From this point onwards our rural communities had full access to electricity while the NZED maintained the power grid to farm blocks town supply and settlements like Matiere and Ōhura. A 110 kv line runs to the Ōngarue substation – aroha mai – from Arapuni dam to Bunnythorpe of Manawatū through the Public Works Act construction of these pylons – did not have impact on Māori communities then . I don't believe there was a process of consultation to iwi. This 110kv line, cuts through the whole of the Rangitoto-Tūhua Block where many sites of significance old pā sites and walkways have been identified, which would have had a cultural and social impact. Ending in 1958-59, Helen Reilly's book illustrates the completion of the electrification in the rural community. The title of this book is '***Switching on the King Country'*** gives a good deal of detail in regards to the construction of the power grid and its purpose. From the Ōngarue Substation my father and the entire maintenance crew eventually moved to their new location, of Taumarunui, in 1975." Paragraph 26. **Whānau Maria** Also in the Whatitokorua Block.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	"Tio Te Āwhitu 1st was the chief of Ngāti Te Āwhitu born 1814 and died in 1893. He had bloodlines of Te Arawa, Tainui, Aotea, Kurahaupō and Tokomaru. His son Tamakaitoa married Tōia Katarina. Whānau Maria Marae stands on land formerly known as Kāinga Kahukura between the Ōngarue and Ōpōtiki Rivers. These rivers provided both spiritual and physical sustenance. The autonomous Kuia Tōia used the river as a spiritual healing place and was known as a midwife up and down the rivers. Whānau Maria's Taniwha Papakirei still lives in the Ōngarue River by the Ōkahukura School and the Ōkahukura Railway Station. A Niu pole was used by Tio and his son Tamakaitoa – both Tohunga in Karakia. This pole still stands in our urupā Karangaiti today. Before going to war in World War I, a karakia was performed around the niu pole with these soldiers from our hapū, to keep them protected. One person did not believe he was the only person – did not believe he was the only person not to arrive home. 28. Unfortunately for the whānau, council confiscated our land for non-payment of rates. Despite many efforts by whānau to arrange payment of rates in order to save our kāinga lands, we lost our land to – we lost our land to council. The puna on Ōpōtiki Road was taken for non-payment of rates also – losing water supply to the kāinga. This land was quickly sold off. However, some 80 years later the whānau have purchased the land back, thus retaining the land in the family for future generations.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Walking tracks in the Whatitokorua Block So there were many walking tracks that have been identified throughout this inquiry; many of them still exist to this day. The ridges were walked upon for several reasons; during the changing seasons the warmth of the sun was the biggest factor. Through the heat of the day sometimes the shelter of the natural bush was protection from the harsh elements. For security purposes the ridge line had better advantage, sources of food gathering were always plentiful. However timber mills have changed the landscape and depleted food sources. After the native trees were milled, farming industry has changed the waterways exposing the walking tracks. One track in particular was used when Rewi Maniapoto gathered Ngāti Rangatahi to Ngāruawāhia Kāinga at Māpara after the killing of Moffat in the Whanganui River. This Pā site is located south west of Whakatimutimu next to the Troopers road turn off at State Highway 3. Rewi Maniapoto didn't want Ngāti Rangatahi to face the blame for this action which had put the local community here in Taumarunui on high alert. Many were warned of the dangers of crossing the Whanganui River without permission. Moffatt was warned not to cross to the river but through his determination the following events led to his death. This event has been noted in our Oral and Traditional Report. In 1976 while they excavated the new site for the NZED Maintenance Depot, kōiwi were exhumed. Many of our kaumātua of that time believed that the kōiwi were the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	remains of Moffatt. **Te Aupōuri Aurupu Bloc, Rangitoto 55** <u>Railway and the road takings</u> The construction of the main trunk line had a huge effect in the community north of Taumarunui at the old Kāinga Kahukura located on the banks of the Ōngarue River. My father-in-law, Robert Herbert, outlined in his brief in the Whanganui inquiry in 2008 his concerns with regard to the issue of the railway. His great grand Uncle, Tukuteihu, was the old gardener who lived next door to this Marae. He burned himself alive in his whare in protest against the railway going through Taumarunui. In this inquiry the issue is the same. Tukuteihu's older brother –"	
1545	Actually it should be younger brother of Mātakitaki, and their sister Parehuitao were all born here at the old kāinga of Kahukura. The Kāinga name came from Ngarupiki's mother. Her name was Kahukura.	
	Ngarupiki and Ngatuuru, their parents, did as much as they could to protect their family. In these times, as we all know, our country in the 1800s had been - were turbulent and challenging moments, which all led up to the signing of the Treaty in 1840. After the Treaty, retaining sovereignty over our land became even more challenging, and after the land wars of 1860 onwards to the turn of the century the confiscation and sale of land accelerated.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	In the meantime Tukuteihu's sacrifices to our whānau was never done in vain; even if the railway issues were resolved, the history will never change. As I have mentioned earlier on it is what we do in the future that will help heal the grievances of the past but the Crown has to play its part to acknowledge and remedying some of these grievances. Yes Mātakitaki has made it clear that his boundaries were defined in the Court of law. Needless to say his own home lands have been desecrated by railway and by the road takings to make way for the modern age of steam trains and sawmills of the next generation. **Taraunui, Otamati and Pūhanga"** These are all names of Rangitoto Blocks. **CONTINUES READING BRIEF OF EVIDENCE #R005(a)** "Many events occurred in these blocks including walkways that have been identified. Claimant witnesses for Wai 1147 will be giving more specific and detailed accounts of these walkways. **Ōrāhiri / Waikowhitiwhiti** The information I am about to share came from a thesis written by Ann Parsonson of Canterbury University in 1978 which gives a detailed view of Ngāti Rangatahi's movements. In detail, she has given of resource information many people who are historians, kaumātua and whānau, not only identifying Ngāti Rangatahi in this report, rather how Ngāti Rangatahi had ownership of lands in the Ōtorohanga and Ōrāhiri Blocks after battle, and it was through a dispute	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	in their own camp that created a separation within the hapū. In the Rohe Pōtae hearings 1880s, 1890s Ngāti Rangatahi – descendants of Te Wharaunga – their story was told that they had mana whenua to land at Ōtorohanga by whakapapa and by virtue of our occupation. The descendants also told a story of their expulsion of competitors, and gaining control of resources in this district. Takioinoa and Te Wharaunga are two Rangatahi chiefs who disputed the ownership of a kūmara māra kai called Hautetuiri that ran alongside the Waipā River, close to the Court house in Ōtorohanga. Takioinoa and his followers were no better off than Te Wharaunga, and were driven off to Wharetotara, a bush-covered flat near Ōtorohanga. A party of Ngāti Te Kanawa party were never – were a new threat, which they tried to take possession of Te Wharaunga's eel-weir in the Mangapu Stream. They destroyed the eel-weir and one of their leaders, Turingenge, was taken by Te Wharaunga and thrown in the Mangapu; they were warned and to never return again. However Takioinoa still had to be dealt with, refusing to relinquish their claim on the land. He and his people began to clear the bush of Waitōtara [sic] for cultivations.	
1550	Te Wharaunga went to challenge Takioinoa and their rights to the flat as well, which made situations very difficult. They both came to a kawa tree, and kept on with their work. Te Wharaunga chopped at one side, Takioinoa at the other. The tree fell towards Takioinoa and Te Wharaunga, the more skilful worker, pushed his claim forwards onto	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Takioinoa's portion. Takioinoa, admitting defeat, left the clearing in the possession of Te Wharaunga, realising that his people would lose their land and allowed Te Wharaunga to give – to have his way. Takioinoa's sister, Paretuiri, wasn't happy with him. Until one day Paretuiri was cooking kōwhitiwhiti (which is watercress) and, as Takioinoa stretched out his hand to take some, she seized her chance and pushed his hand away. She said 'You are strong enough to come for a feed but you are not strong through – enough to grow food for yourself. Your companion has taken the clearing from you.' Takioinoa's sister, Paretuiri's admission of defeat was so significant for Te Wharaunga and his descendants, it was recorded in the local paper, and Wharetotara was afterwards called Waikowhitiwhiti, for the water in which the vegetable is denied to Takioinoa. However, Takioinoa wasn't quite done for. He did leave Waikowhitiwhiti and went to live at Mangaōrongo, but he was deeply ashamed with his sister's views which caused him to rally a war party up made up of Raukawa, Whanganui and some Ngāti Rangatahi. An approach by Taitoko's grandson of Maniauruahu to offer peace by way of kūmara hoping to avoid conflict was in fact the opposite. Taitoko was slain in an unjust way which caused uproar. Maniapoto formed their own taua led by Te 'Wharaunga, Te Iwi Tuaroa, Rangi Tuatakā Pungawheke and others. At the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	battle of Taraingahaere Takioinoa was killed and his people fled the land travelling down as far as Whanganui, still bearing the name Rangatahi. Confusion surrounded Te Wharaunga and the remaining Ngāti Rangatahi faced with the charge of killing their own between the two contending chiefs. Ngāti Rangatahi found that the allegations were embarrassing and they were careful to stress that it was in fact Taitoko's death that actually started it all off."	
	MĀUI SOLOMON	
	Robert, can I just interrupt you again yeah I'm sorry.	
	ROBERT JONATHAN	
	Ka pai.	
	MĀUI SOLOMON	
	But I really like you to show the Tribunal those pop up boxes with the information relevant to each of the blocks that you've been discussing.	
	ROBERT JONATHAN	
	Okay.	
	MĀUI SOLOMON	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Because I think you've done some valuable research on there that shows those blocks in a map format with the information that you've got on each of those areas. So perhaps this might be a good time before going on to a different subject.	
	ROBERT JONATHAN	
	Okay, go sir if you could go into this area here and just scroll through them. This area here was the area behind the old Courthouse which is I think is down Kakamutu Road in Ōtorohanga. Was once in gardens, growing kūmara. And called Waikowhitiwhiti there – if you can get closer in, you'll see there, three blocks that was identified.	
1555	These three areas which is now in the town of Ōtorohanga. That was identified throughout the thesis. Right, ka pai.	
	JUDGE AMBLER	
	Sorry whose thesis? Who –	
	ROBERT JONATHAN	
	Ann Parsonson's.	
	JUDGE AMBLER	
	I see.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ROBERT JONATHAN	
	Yeah. Okay that just gives a detail of, of Maungārongo Takioinoa who travelled to Maungārongo and he settled there. Ngāti Rangatahi Whanaunga Association Incorporated, it would – in paragraph 51. **CONTINUES READING BRIEF OF EVIDENCE #R005(a)** "I hope that we have covered new ground in this week inquiry. Because of us the journey is not over. It is only a new beginning for Ngāti Rangatahi. The rising generations of our people will be unlike the Ngāti Rangatahi who left the homelands of Ōtorohanga Ōrāhiri many centuries ago. Our job today is to gather our people together and to rebuild and develop into an entity that is sustainable for future generations for our people.	
1557	Ngāti Rangatahi has been around a long time and will be around for a lot longer to come. We look forward to continue to work closely with and support of the people and hapū that we have worked closely with throughout the three claims we have been privileged to be associated with over the past 20 plus years. As we now, enter into our last enquiry of the Manawatū Porirua, we will support and assist whānau in their claims with the knowledge and experience we have gained over the past 25 years of working within the tribunal claim process. **Remedies**	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ngāti Rangatahi seek compensation from the Crown for the losses that they have sustained sufficient to assist rebuilding our tribal capacity and to help future generations of our people to understand and reclaim their culture and identity. We also seek restoration of a land base and will work closely with other hapū of Ngāti Maniapoto in our future negotiations with the Crown as we acknowledge that many of our claims and interests overlap so that it makes good sense for us to be working together. We would like the grievances recognised with an apology and compensation to help develop Ngāti Rangatahi and our Marae. As Ngāti Rangatahi we would want our Marae to develop into entities that can be sustainable, to be self-supporting at the time of need for our whānau. Development for our people is important because education gives our people insight to help our people. Also support for our claimants and our people to help them fulfil their dreams and aspirations. We would also wish to make our Marae fully accessible for whānau who have disabilities either young or old. **Conclusion** I wish to thank the Tribunal for taking the time to hear our kōrero and mamae and look forward to reading the report in the future. I want this to be specific and that is even though I was born in Taumarunui and I was brought up in the blocks I have mentioned the lands are of Ngāti Rangatahi, who	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	were Kaitiaki on these lands. This journey in Te Rohe Pōtae is another journey for Ngāti Rangatahi yet another path is what we follow for our tūpuna as well as for the next generation. I want to thank the Hāpeta whānau and my mother-in-law Elaine for allowing me to speak today. I especially would like to thank my wife and my sons. It seems at times that the work I do for our people seems like there is no end with no rewards and I am open to say it is a lonely trail at times but I have the support and that's my drive. My focus has been my tūpuna, my mokopuna, but I think of all those ones who have gone before me fighting the same fight for our people. I feel and I hope that I have done the same and honoured those old people's vision and kaupapa.	
	Ngā Kaitiaki Raurangatira mā i tukua ō te whenua i a marae, i a marae o tēnā iwi, o tēnā iwi, tātou te pita ora, noho rangimārie. Kia tau te rangimārie." Kia ora.	
	MĀUI SOLOMON	
	Sir, I just have a couple of – with your leave I have a couple of questions of clarification. Kia ora Robert. Just – you have used the acronym RT in your evidence, that's a shortened version of Rangitot-Tūhua, can you confirm that?	
	ROBERT JONATHAN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	That is correct.	
	MĀUI SOLOMON	
	Now I'd asked you earlier about those pop up boxes, and I'd like you to go to paragraph 18, back to paragraph 18, Tūhua School and bring that box up working in collaboration with Grace and explain to the Tribunal the relevance of the information in those pop up boxes relevant to the areas that you have been talking about. Are you able to do that?	
	ROBERT JONATHAN	
	Yes.	
	MĀUI SOLOMON	
	Starting with "Tūhua School" so paragraph 18.	
	ROBERT JONATHAN	
	You would have noticed Sir, that this morning's virtual site visit showed a photo of this particular area from the road. This is a actual block upon which the school once stood and just in a meeting with the Ruapehu District Council last month a question was put to them and asking whatever happened to this block. Apparently they've got to do their own research and we hope to get the answer to that. This school at one time, the highest population of it was 35 children. I mentioned that the kids, most of the kids or 80	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	percent of them came from the substation just down the road and it was because of the closure of, well the – because the New Zealand Electricity Department decided to restructure the maintenance crew were relocated in Taumarunui.	
	MĀUI SOLOMON	
	Could I just, come in here again Robert? It's the actual text box, the pop up box is that you were showing me last night, you and Grace, that's the one. Now can you explain the relevance of those to the Tribunal for those areas?	
	ROBERT JONATHAN	
	As I had mentioned that this block, this school is just inside the top of the Rangitoto-Tūhua 58 Block but all those details further actually gives you the size and the pyramid of the whole complete block. It doesn't tell you when the school was closed or when it opened and when it closed, that information came from the archives.	
	MĀUI SOLOMON	
	Are there any other of the blocks for example, the Ongaruhe Substation and at paragraph 19 in the railway and road takings at paragraph 33, is there any of those text box, is there any information in those that you wish to point out to the Tribunal?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ROBERT JONATHAN	
	Sorry which page? 33?	
	MĀUI SOLOMON	
	We're talking about paragraph 19 of your brief. Do you have a little pop up box for that as well? Is there any information in there that you want to share with the Tribunal?	
	ROBERT JONATHAN	
	No not at this stage. That is all the information I can give you.	
	MĀUI SOLOMON	
	Okay, no thank you Robert. Sir, there's a – at paragraph 37, Robert has referred to the Ōtorohanga minute book 3, 1888, pages 31 to 33, I can make a copy – file a copy of that with the Tribunal.	
	ROBERT JONATHAN	
	Oh yes.	
	MĀUI SOLOMON	
	Thank you Robert. Can you answer any questions of the Crown and the Tribunal?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ROBERT JONATHAN	
	I'll do my best.	
	GEOFFREY MELVIN	
	Tēnā koe Mr Jonathan, thank you very much for the evidence you've given. Just starting with Tūhua School, sorry so I take it from your evidence that you don't know who currently owns that land where the school used to be?	
	ROBERT JONATHAN	
	No that's – as I had mentioned it in that section no one seems to know what happened to that land. As you can tell by that photo it's obviously been looked after quite well. I don't know whether it's been leased to the neighbouring farmer, whether it's still in Crown land, I'm not too sure.	
	GEOFFREY MELVIN	
	So presumably it was at least at one time Crown land under the auspices of the education, Ministry of Education or Education Board.	
	ROBERT JONATHAN	
	It was, Taranaki.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Taranaki Education Board?	
	ROBERT JONATHAN	
	Yep.	
	GEOFFREY MELVIN	
	Now at paragraph 23 you refer to the 110 kilo volt line cutting through the Rangitoto-Tūhua Block?	
	ROBERT JONATHAN	
	That's correct.	
	GEOFFREY MELVIN	
	And are you saying that there were sites of significance that were damaged by that electricity line?	
	ROBERT JONATHAN	
	No I didn't say they were damaged, it's just that these areas of this particular line went through the blocks that were outlined as walkways and various sites of significance. So -	
	GEOFFREY MELVIN	
	So I'm just trying to understand the particular nature of your concern. I'm assuming it's a concern but if you could just	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	clarify that that would be helpful.	
	ROBERT JONATHAN	
	The concern really was the fact that there was no consultation process in regards to this construction which was in the late 1840s, 1850s, 1940s and 1950s.	
	GEOFFREY MELVIN	
	All right. The sites of significance that are in the block, have any steps been taken, do you know, to have them registered through the New Zealand Historic Places Trust?	
	ROBERT JONATHAN	
	I don't believe they were. I don't believe they were. There were a few but not many, as far I am aware.	
	GEOFFREY MELVIN	
	So can you just clarify what you mean by that last sentence?	
	ROBERT JONATHAN	
1610	The fact that a lot of the sites, the walkways that have been identified by our claimants in our cluster it's still new information, it would still be new information for all of those historical trusts. They still need to be outlines and that's a process that's going to be – that's a process that will happen	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	in the near future.	
	GEOFFREY MELVIN	
	Right, so it's something you intend to do –	
	ROBERT JONATHAN	
	Yes.	
	GEOFFREY MELVIN	
	– In the future?	
	ROBERT JONATHAN	
	Yes.	
	GEOFFREY MELVIN	
	Kia ora thank you very much. Thank you Sir.	
	JUDGE AMBLER	
	No other counsel?	
	DR AROHA HARRIS	
	Kia ora Mr Jonathan.	
	ROBERT JONATHAN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Kia ora.	
	DR AROHA HARRIS	
	Can I just take you back to your paragraphs for – about Whānau Maria Marae?	
	ROBERT JONATHAN	
	Yes.	
	DR AROHA HARRIS	
	And the map as well if we could have the map for them. I'm a little bit curious about the naming for the marae. Are you able to add anything to that?	
	ROBERT JONATHAN	
	No I can't give you that information unless I speak to the whānau who are here today.	
	DR AROHA HARRIS	
	And will we – we'll leave that there.	
	ROBERT JONATHAN	
	A shortlist.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	Might we be hearing from some –?	
	ROBERT JONATHAN	
	Yes.	
	GEORGINA CRIBB	
	Kia ora, Georgina Cribb. Sorry I was in admin. What was your question?	
	DR AROHA HARRIS	
	I was just curious about the naming of Whānau Maria Marae.	
	GEORGINA CRIBB	
	Originally was called, "Kainga Kahukura" way back in the tūpuna time. In the 1991, the whānau bought the land back. We have an uncle who was the first Māori Catholic priest, so whānau in latter years were brought up staunch Catholic. So in acknowledge to his mahi and very strong beliefs to Mother Mary, the whānau called the marae, Whānau Maria.	
	DR AROHA HARRIS	
	Sorry you got – so the marae is on the east side of the river	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	is that right?	
	ROBERT JONATHAN	
	It's on the sorta south-west side –	
	DR AROHA HARRIS	
	Oh south-west.	
	ROBERT JONATHAN	
	– of Ōngarue.	
	DR AROHA HARRIS	
	Ōngarue is–	
	GEORGINA CRIBB	
	Of Ōngarue, yes.	
	JUDGE AMBLER	
	You just zoom out a bit?	
	DR AROHA HARRIS	
	Can we just – yeah zoom out again?	
	GEORGINA CRIBB	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Sorry	
	DR AROHA HARRIS	
	So that's –	
	ROBERT JONATHAN	
	Road on the left	
	DR AROHA HARRIS	
	So the main road is on the –	
	ROBERT JONATHAN	
	That road there.	
	GEORGINA CRIBB	
	State Highway 4 –	
	ROBERT JONATHAN	
	State Highway 4.	
	DR AROHA HARRIS	
	– which is north, oh okay. So your map's not lying north, south?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ROBERT JONATHAN	
	That's north and the south, yeah.	
	DR AROHA HARRIS	
	Okay and the river is there as well, I got that right?	
16:13:19	**UNIDENTIFIED FEMALE SPEAKER**	
	Yes.	
	ROBERT JONATHAN	
	Ōngarue.	
	DR AROHA HARRIS	
	Okay and so the marae is on the – my right, on the right? You've got two yellow areas outlined and it's the right-hand area that's the marae. Have I got that right? And is that on Rangitoto-Tūhua 55 Block rather than 58? I have –	
	ROBERT JONATHAN	
	It's on – yeah it's on the 58 Block.	
	DR AROHA HARRIS	
	It's on the – now I know I've demonstrated before in the hearings that I'm not a great map reader, but I'm pretty – on	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the map I'm looking at with Rangitoto-Tūhua Blocks it looks like it's on the – that the Rangitoto-Tūhua 58 goes up to the river and then over the river is 55 or is that – have I once again read the map wrong?	
16:14:15	**UNIDENTIFIED MALE SPEAKER**	
	55.	
	ROBERT JONATHAN	
	Aroha mai, you are right.	
	DR AROHA HARRIS	
	Oh, whew.	
	ROBERT JONATHAN	
	But if you think in those terms this particular area, even though the Whānau Maria is on this – on the side, it actually covered a wider area.	
	DR AROHA HARRIS	
	Well that was my next question.	
	ROBERT JONATHAN	
	Yeah.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	Which is, what's the other yellow area that you've got circled there?	
	ROBERT JONATHAN	
	The other one on this?	
	DR AROHA HARRIS	
	On the, on the left side yeah.	
	ROBERT JONATHAN	
	On the left side. That's where the puna was. It's actually lower down next to the road, the puna.	
	DR AROHA HARRIS	
	Okay.	
	ROBERT JONATHAN	
	So – and which is the area that was taken for non-payment of rates?	
	GEORGINA CRIBB	
1615	We are looking at that area. The total acreage was 377	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	acres and it actually goes up further.	
	DR AROHA HARRIS	
	So it's greater than what –	
	GEORGINA CRIBB	
	Yes –	
	DR AROHA HARRIS	
	– we're looking at.	
	GEORGINA CRIBB	
	– than what we actually seeing for the marae.	
	DR AROHA HARRIS	
	And the whole area was taken for rates?	
	GEORGINA CRIBB	
	Correct. That was their farm. Where you're seeing the marae, is just today, the land that they purchased in 1991.	
	DR AROHA HARRIS	
	And do you know when it was taken?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEORGINA CRIBB	
	Around about the 1930s we're estimating, around there. Two brothers came back from war. They really attempted to pay the rates with council, couldn't come up with the full amount and so council actually just sold. And part of that was taking the puna, which was the water supply.	
	DR AROHA HARRIS	
	Okay and so you've done your own research?	
	GEORGINA CRIBB	
	Yes, have the papers here.	
	DR AROHA HARRIS	
	Okay. And you did your own mapping?	
	ROBERT JONATHAN	
	Yes.	
	DR AROHA HARRIS	
	Ka pai. Thank you.	
	ROBERT JONATHAN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ka pai.	
	JOHN BAIRD	
	Well thank you very much Mr Jonathan and your team. I congratulate you on the clarity of the presentation and the maps. It's straight. Just following on the next paragraph from where my colleague was, paragraph 29, the same paragraph actually. Yes, and so the land went to – with the payment of rates, but you said, "Some 80 years later, the whānau purchased the land back," and when was that, and would you like to tell us a little bit about that?	
	ROBERT JONATHAN	
	The land at the time, whānau owned it, .European farmer owned it, and it was actually, whānau had heard it was up for sale, and decided to get together and buy it back again.	
	JOHN BAIRD	
	Well, congratulations.	
	GEORGINA CRIBB	
	Yes.	
	JOHN BAIRD	
	And when was that?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEORGINA CRIBB	
	That was 1991.	
	JOHN BAIRD	
	Right, so you've had it for 20-odd years.	
	GEORGINA CRIBB	
	Yes.	
	JOHN BAIRD	
	And you're farming it?	
	GEORGINA CRIBB	
	Leasing it.	
	JOHN BAIRD	
	Leasing it.	
	GEORGINA CRIBB	
	Yes.	
	JOHN BAIRD	
	Well that's a, that's a nice story. Well done.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEORGINA CRIBB	
	It is thank you. It was the mamae that we wanted to address. Thank you.	
	JUDGE AMBLER	
	Yes, can I stay with this? How big is the area that you purchased back?	
	GEORGINA CRIBB	
	I think it's about 12 acres.	
	JUDGE AMBLER	
	And that's the area on the right that is circled?	
	GEORGINA CRIBB	
	Yes Whānau Maria.	
	JUDGE AMBLER	
	And just to be clear then, the green line we have there Mr Jonathan –	
	ROBERT JONATHAN	
	Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	– on the left side is Rangitoto-Tūhua 58 Block?	
	ROBERT JONATHAN	
	Yeah.	
	JUDGE AMBLER	
	And what's the block on the right-hand side, do you know?	
	ROBERT JONATHAN	
	55.	
	JUDGE AMBLER	
	That is 55.	
	ROBERT JONATHAN	
	Yeah. I'm gonna have to get Grace to drive it into this area here with this the marae of Whānau Maria. It does show that it's in the 58 Block, yeah, 'cos the other version was the kāinga, where the kāinga of Kahukura used to be. There you go. And the new, new toll that I did mention is based south of the marae.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I see.	
	ROBERT JONATHAN	
	Yeah.	
	JUDGE AMBLER	
	So where Whānau Maria Marae is –	
	ROBERT JONATHAN	
	Yes.	
	JUDGE AMBLER	
	– that has been there in your ownership throughout?	
	ROBERT JONATHAN	
	Yes.	
	JUDGE AMBLER	
	Whereas the papakāinga land that was repurchased, and the papakāinga land comes in fact from the 55 Block?	
	ROBERT JONATHAN	
	Yeah, as – although Whānau Maria is on this side of the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	river –	
	JUDGE AMBLER	
	Yes.	
	ROBERT JONATHAN	
	Yeah, if you go – thank you. Grace has just make clarity that the – Whānau Maria is in fact in the 58, was a Whatitokorua Block and the kāinga as I mentioned earlier on is just sort of north of that but the whole area was under the kāinga. Was classed as a kāinga. But the issue here is Whānau Maria and the rates regarding this area and the hill above, which is Ōpōtiki.	
	JUDGE AMBLER	
	Yes well that is just what I am trying to be clear on.	
	ROBERT JONATHAN	
	Ka pai.	
	JUDGE AMBLER	
	So the land that was taken for rates arrears was part of the Rangitoto-Tūhua 58 Block?	
	ROBERT JONATHAN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	JUDGE AMBLER	
	On this western side of the river?	
	ROBERT JONATHAN	
	Yes.	
	JUDGE AMBLER	
	The area of land that the whānau managed to repurchase, is in fact on the eastern side of the river, is that right?	
	GEORGINA CRIBB	
	Yes.	
	JUDGE AMBLER	
	On the right-hand side of the river?	
	ROBERT JONATHAN	
	The west, which is this area here, yeah.	
	JUDGE AMBLER	
	Well, so what's the bit at the top that's in this yellow circle?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ROBERT JONATHAN	
	That's the Kahukura kāinga, was a Kahukura kāinga.	
	GEORGINA CRIBB	
	Railway settlement.	
	ROBERT JONATHAN	
	Yeah the railway settlement.	
	JUDGE AMBLER	
	That is not the bit that was repurchased?	
	ROBERT JONATHAN	
	No, sorry yeah.	
	JUDGE AMBLER	
	Oh I see, I am – all right. So the land that was repurchased includes the Whānau Maria Marae?	
	ROBERT JONATHAN	
	Yes, we've got a map here that shows in detail that particular area that was repurchased.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	All right. And that was about 12 hectares or acres, hectares?	
	GEORGINA CRIBB	
	Yes.	
	JUDGE AMBLER	
	Hectares?	
	GEORGINA CRIBB	
	Hectares – acres	
	JUDGE AMBLER	
	Acres.	
	ROBERT JONATHAN	
	12 acres.	
	JUDGE AMBLER	
	Of about the 377 that was taken. Now Mr Jonathan –	
	ROBERT JONATHAN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	JUDGE AMBLER	
	– paragraph 18, the Tūhua School. This was also out of the Rangitoto-Tūhua 58 Block from what your mapping tells us. That is right?	
	ROBERT JONATHAN	
	Yes.	
	JUDGE AMBLER	
	But you do not know if the land was taken for education purposes for Māori or Pākehā or whoever?	
	ROBERT JONATHAN	
	That is correct. I don't know to this day.	
	JUDGE AMBLER	
	And was there any particular reason why you thought the council could help you or was it just in the course of an inquiry that you raised the issue? Why did you think they had a role in this?	
	ROBERT JONATHAN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	It was an issue that hasn't been properly established. I do apologise to Māui that I was one of the peoples of the school, and when you mentioned and it was anything else, just remembered, I was a pupil of this school. But it's yeah okay, it sounds personal, but the thing is it was an issue, and we have done a little bit of research to find out what actually happened to this particular area, to no avail, apart from the evidence that's given from the archives. No one seems to know what happened to this school or any other schools, which were in the area as well, what happened to the blocks where these schools once stood. Kia ora.	
	JUDGE AMBLER	
	Is it – but it should not be too hard for your lawyer to just get a title search to see who owns it now and if it was land that has been passed out of Crown ownership, when that happened and the circumstances.	
	ROBERT JONATHAN	
	No you are correct.	
	JUDGE AMBLER	
	I was just confused by the council's role, so –	
	ROBERT JONATHAN	
	Yes I was too.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	All right.	
	ROBERT JONATHAN	
	Mmm.	
	JUDGE AMBLER	
	I was interested in terms of the Ōngarue Substation.	
	ROBERT JONATHAN	
	Mhm.	
	JUDGE AMBLER	
	Your father was an employee there.	
	ROBERT JONATHAN	
	Yes he was.	
	JUDGE AMBLER	
	What was his role there?	
	ROBERT JONATHAN	
	He was a form at the Ōngarue Substation and for the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	maintenance crew. Their job was to just maintain all the, the 110 kv line or whatever that was going through, and it was just – his role was, you know, unbeknown to him or any of the other workers that worked at the time, was just to make sure that the power grid that was set up going towards 1959, was still working right through the 60s and 70s.	
	DR AROHA HARRIS	
	Kia or anō. I just want to clarify something on Whānau Maria Marae again.	
	ROBERT JONATHAN	
	Ka pai.	
	DR AROHA HARRIS	
1625	I just want to confirm that the priest you were talking about was Wiremu Teawhitu?	
	JUDGE AMBLER	
	And just one matter. At paragraph 34, where you were speaking about Tukuteihu's brother, Mātakitaki –	
	ROBERT JONATHAN	
	Mhm.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	– the text says his older brother Mātakitaki. You corrected yourself to say, "Younger brother," –	
	ROBERT JONATHAN	
	It must be just a –	
	JUDGE AMBLER	
	– but when I look at your brief of evidence #H07, which you presented in hearing week 1, you said –	
	ROBERT JONATHAN	
	Oh yes.	
	JUDGE AMBLER	
	– Mātakitaki was the older brother, the tuakana. So which is, which is right.	
	ROBERT JONATHAN	
	No you are right. It is Mātakitaki the older brother.	
	JUDGE AMBLER	
	So the text here is correct.	
	ROBERT JONATHAN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes, yes.	
	JUDGE AMBLER	
	All right.	
	ROBERT JONATHAN	
	It's just the way I read the dialogue, aroha mai.	
	JUDGE AMBLER	
	Yes and Professor Temara asked what year did Tukuteihu die? I think your brief had the report from 1917. That sounds right?	
	ROBERT JONATHAN	
	That sounds right, mmm. He was the youngest.	
	JUDGE AMBLER	
	Ka pai, ngā mihi ki a kōrua, kia koutou. Mr Solomon, anything arising?	
	MĀUI SOLOMON	
	Nothing arising Sir, but just indicate that I will be filing a copy of the presentation accompanying his evidence with the Tribunal and also be taking you up on the suggestions to do a title search of Tūhua School to clarify that's how it was	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	acquired…	
	JUDGE AMBLER	
	Thank you.	
	MĀUI SOLOMON	
	Thank you Sir, thank you Robert.	
	ROBERT JONATHAN	
	Ka pai.	
	MĀUI SOLOMON	
	Sir that concludes the case for Ngāti Rangatahi.	
	JUDGE AMBLER	
	Ka pai. All right Mr Tootill. Mr Tootill there?	
	PETER JOHNSTON	
	Your Honour, Johnston here. Sir, the Wai 1147 and Wai 203 claimants next in line Sir. Sir, just while they're getting ready, the claimants have filed opening submissions. That's document 3.4.65. Sir I wish to speak briefly to those, and then we'll be calling two witnesses. Sir while the witnesses are presenting, there will be images appearing on the screen during those presentations, which we'll make available at the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	conclusion of the hearings.	
	JUDGE AMBLER	
	Just to give you an idea, we will go through to 5.00. I don't really want us to go – push on too much after 5.00. We will commence in the morning at 8.30 as suggested, even though we are a bit ahead of time, I want us to keep at a good pace.	
	PETER JOHNSTON	
	As Your Honour pleases. Your Honour, members of the Tribunal, I have the pleasure of presenting the joint opening submissions for Wai 1147 and Wai 1203.	
	READS BRIEF OPENING SUBMISSION #3.4.065 "The Wai 1147 and 1203 claims are about disconnection. The disconnection by the Claimants from their precious the Tiriti o Waitangi. The Wai 1147 and Wai 1203 Claims are claims were brought by the descendants of two brothers; Tanoa and Tūtemahurangi. These Claims seek to remedy the disconnection created by the Crown's breaches of Te Tiriti-o-Waitangi. Your Honour, members of the Tribunal, the claimants are grateful for the opportunity to detail to the Tribunal the sad	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	reality of how they have been left landless and disconnected from their whenua in Te Rohe Pōtae. It is their opportunity to show the ongoing impacts of this disconnection, including the socioeconomic consequences, which they have endured and continue to endure up to this very day. The claimants are also grateful for the opportunity to propose remedies which they hope will go some way towards healing the disconnection caused by the Crowns' acts and omissions; looking at the present and beyond to the future." Turning to: **CONTINUES READING OPENING SUBMISSION #3.4.065** "Tūpuna and the Rohe Pōtae Prior to Crown intrusion, the rohe of the Claimants' tūpuna was extensive, with land interests spanning both Inside and outside of Te Rohe Pōtae. Their core interests within Te Rohe Pōtae were situated in the Rangitoto-Tūhua Blocks, and this contained their major food basket." Turning to: **CONTINUES READING OPENING SUBMISSION #3.4.065**	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	“The Evidence Today the Tribunal will hear from Grace Le Gros and Lois Tūtemahurangi. Their evidence will show that while the claimants may no longer have land interests in Te Rohe Pōtae, their links to it persist for themselves, their mokopuna and their future generations.” Turning to the future. **CONTINUES READING OPENING SUBMISSION #3.4.065** **“Reconnection and Hopes for the Future** Where in the past the Crown has used whanaungatanga to divide, the claimants now seek to use whanaungatanga to unite, to reconnect. For the claimants, the Crown's breaches resulted in the loss of virtually everything the Crown agreed to actively protect. The claimants have lost all of their tūpuna whenua in Te Rohe Pōtae and the links that do remain, serve as painful reminders of what was once theirs. The claimants seek remedies that will remove the disconnection which impacted so profoundly on their tūpuna, themselves and their mokopuna – remedies to enable them to reconnect, to enable them to provide for their mokopuna and their future generations.”	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	What they seek is an opportunity to do this. Your Honour, members of the Tribunal, unless there are any questions, those are my joint opening submissions.	
	JUDGE AMBLER	
	No, thank you Mr Johnston.	
	PETER JOHNSTON	
	As Your Honour pleases. Sir the first witness we'll be calling is Grace Le Gros and she'll be reading from her summary document #R001(b).	
	GRACE NGAROIMATA LE GROS	
	Tēnā koutou katoa. For the sake of this very tall lectern Your Honour, I'd like to sit.	
	Kia ora whānau, ngā mihi ki a koutou katoa. Ngā mihi nui, ngā maunga, ngā awa, me ngā wāhi tapu o tēnei rohe. Ā tēnā koutou.	Greetings to you all. Observations to the physical sites of this district.
	READS BRIEF OF EVIDENCE #R001(b) "My name is Grace Ngaroimata Le Gros. I am of Ngāti Tūwharetoa, Whanganui, Ngāti Whātua, Ngāti Koata, Ngāti Kahu to the north and Ngāti Maniapoto descent. I stand before the Waitangi Tribunal today as a named claimant for the Wai 1147.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I stand before you with a heavy heart. It is heavy because notwithstanding our tupunas' best efforts to protect our whenua and way of life, we the descendants are now virtually landless and have to a large extent been marginalized. I believe that the Crown is responsible for the situation we find ourselves in today. Today I wish to share with the Tribunal our story. I stand before you on behalf of myself, my husband, Michael John Le Gros, our Uncle Cedric Pōwhiriwhiri Tanoa, our cousin Tahuri Te Ruruku for themselves and for and on behalf of the 3000 plus descendants that are rested, to the Tanoa and the Te Whiutahi whānau. I would not be standing before the Tribunal today without the incredible mahi of those who played a role in this journey. I remember and acknowledge those who are no longer with us, in particular our Uncle Rangi, Irene Harvey, John Wallace and Belinda Shortland from Pīpīwai. Our Uncle Beau Pōkaitara Tanoa, and our sister, Leona Allan (nee Le Gros). **The Wai 1147 Claim: A Journey with a Purpose** The Wai 1147 claim was started by myself, my husband, Uncle Rangi Tanoa and Uncle Cedric as the main claimants. Our claim's journey began at the feet of our tūpuna interests, in the Whanganui Inquiry 903 and travelled upwards to Te Rohe Pōtae Inquiry. Together with my husband Michael, we have done a lot of research for our claims and assisted others with their claims.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	It has taken many years of reading, research, attendances at hui and the gathering of kōrero from whānau and kaumātua. It is through this that we discovered the true extent of our whānau whakapapa and uncovered historical kōrero in relation to our tūpuna interests in Te Rohe Pōtae. It is this information that has empowered me. Our Claim is about the disconnection and isolation caused by the acts and omissions of the Crown. Where the Crown used whakapapa and whanaungatanga to divide, we now want to use these to unite our people; to maintain and to strengthen the links we have. **The Two Brothers and their Whanaunga** Tanoa I, the tohunga, and Tūtemahurangi I, the warrior, stood by – stood side by side – (sorry excuse me, aroha mai) – stood beside each other as brothers – where one was, the other was too. It is because of this relationship that the Wai 1147 claimants and the Wai 1203 claimants have a consolidated Statement of Claim. It is also the reason we stand together proudly before the Tribunal today: where Crown acts and omissions seek to divide and rule, we stand today united to present our claim. I would also like to acknowledge some of the hapū names which have been lost within the Rangitoto-Tūhua District – to acknowledge that they were here. These hapū included the ancient tribe of Ngāti Hotu, Ngāti Ruakopiri, Ngāti Maringi, Ngāti Waipahekeheke, Ngāti Kaikaramu, Ngāti Paretapoto,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ngāti Kahupatate, Ngāti Tupuriri, Ngāti Huru and many others too numerous to name. Acknowledging these ancient hapū is important to us. One of the focuses of the cluster has always been inclusion – we want to use whakapapa to unite us. The whakapapa of the named claimants from various tūpuna are outlined on page 4 of my brief of evidence. **Tūpuna in the Te Rohe Pōtae** A Journey's Beginning: from the Tainui Waka to Te Rohe Pōtae. Our tūpuna Ue (tuatahi) was descended from the Tainui Waka which arrived at Kāwhia. Ue (tuarua) married Paretuau – Parehuitao and they had Te Puru and others. As time went on, whānau of our tūpuna established themselves throughout areas from Ōtorohanga to Ōhura South residing in numerous places within their backyard into – (sorry) within their backyard in Te Rohe Pōtae and intermarrying into many different hapū." Map 1. **CONTINUES READING BRIEF OF EVIDENCE #R001(b)** "Te Puru married Kimihia and they lived within the interior of the Tūhua Range in the Rangitoto-Tūhua area around the late 1700's. Te Puru and Kimihia had a number of children, including Tūtemahurangi I, our tūpuna Tanoa I and their sister Paretuhaia. I understand that Tanoa I was – and his siblings grew up in the centre of the Tūhua Range which	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	spanned a number of the Rangitoto-Tūhua Blocks (including Taraunui, Whatitokarua and Ngararanui). When Tūtemahurangi I was grown up Te Puru and Kimihia went to Whanganui with their children. There they returned to – then they returned to Pūhanga and lived at Ngā-uru-kehu. In the early 1800's or late 1700's hapū started interacting more with each other. They were – there were were inter-hapū influence that caused some rifts. There were a lot of battles fought amongst different hapū to protect their areas of interest. Incidents involve our tūpuna included the battles of Tuateanui and Waitete and the killing of Tetemahurangi – sorry – the killing of Nukuraerae by Tūtemahurangi I. I believe that our tūpuna realised that with all the movement in the north and the idea of a King, they needed to become proactive – to become more involved to protect their whenua from the British. There were many movements of our tūpuna after 1840, including in support of activities in Parihaka and Te Rauparaha with Ngāti Rangatahi. Indeed the Tanoa whānau still support hapū of Parihaka today in their plight to achieve justice. **The Burning Fires of our Tūpuna: The Wai 1147 Rohe** Our tūpuna exercised mana whenua, rangatiratanga and kaitiakitanga, as tangata whenua over their ancestral lands. We acknowledge that others also had interests in some of these areas. As tangata whenua, our tūpuna were born into	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the land." Map number 3. **CONTINUES READING BRIEF OF EVIDENCE #R001(b)** "Rangitoto-Tūhua: The Food Basket of our tūpuna The Rangitoto-Tūhua area was the food basket of our tūpuna. The rivers in and around the area included the Pūniu, the Waipā, the Whanganui and the Ōngarue Rivers. Ngā maunga included Kakepuku, Tūhua, Pirongia, Hikurangi and Karioi. These maunga were and continue to be important to us as well as many iwi and hapū within the District to this day. In the Native Land Court hearing for Whatitokarua and Taraunui, Te Whiutahi Wārahi stated that, even after the death of Tūtemahurangi I, all of his descendants worked at the first trees of this land. He stated that he and his whanaunga shot birds, caught tuna and hunted pigs on these lands. They utilised the trees for kai, for forms of transport and for construction of kāinga. Kai, including birds and tuna were collected at places such as Mangamaire, Pukekawa, Taraunui, Te Raupiu, Tapu-i-wahine and Ōpōtiki (near the site of Whānau Maria Marae on the Whatitokarua Block) for many important occasions including the marriage of Tiki-rua of Ngāti Hauā.	
1645	**Rangitoto-Tūhua and the Track of our tūpuna** I understand that in the time of our tūpuna, there was a walking track of at least a couple of hundred kilometres,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	stretching from the Mōkau side of the Tūhua Range to what is now called Benneydale. Whatitokarua, Taraunui and Ngararanui were all located in the Mangamaire Valley where the track was and sat adjacent to the Taraunui Valley. Our tūpuna and his siblings were kaitiaki of this track as their father Te Puru was before them. Tanoa I and Tūtemahurangi I patrolled the track and owned many pā along it. There were often skirmishes along the track and many key ancestors were killed here by Tūtemahurangi. The key hapū of the area (including the track and the valley) were Ngāti Rangatahi and Ngāti Wera. Often those holding the mana whenua of the land in this area were women, including for example Hinemata the wife of Te Hoata II. Paretuhaia and her husband lived at the Mōkau end of the track. Tanoa I and Tūtemahurangi I were in the middle and their cousin Te Uhi was at the northern Benneydale end. A few generations later, we know that our tūpuna Te Whiutahi Wārahi was at the Mōkau end of the track, near Matiere." And I'll just note, Matiere is across the road from the inquiry line. **CONTINUES READING BRIEF OF EVIDENCE #R001(b)** "In his kōrero (on map 5), in his kōrero at the Native Land Court, Te Whiutahi Wārahi detailed how, after Tūtemahurangi married Waikura, Te Puru and Te Āwhitu laid down the boundaries of the land at Whatitokarua and Taraunui for Tūtemahurangi I, commencing at a place called	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Puanoa. Te Whiutahi Wārahi said that after this, Te Puru, Pareteho and her descendants lived permanently on the lands but it was Tūtemahurangi I who had the mana tangata. Te Whiutahi Wārahi then set out sites of significance which were occupied by our tūpuna Tanoa I and his whānau before the death of Nukuraerae (within the Whatitokarua and Taraunui)." Map number 6. **CONTINUES READING BRIEF OF EVIDENCE #R001(b)** "The kāinga and Pā occupied by Te Puru and his descendants, included Pūhanga, Kōrekoreko, Te Karu-o-Ue, Waione, Te Takanga, Koromiko and Te Whakapatiki. Our tūpuna, who were descended from Ngāti Rangatahi, were cultivators. There were many mahinga kai throughout our rohe. There were wai – they were Waimānu, Orurae, Korokī, Te Waihinau, Kōrekoreko and Raiohoturoa. The Rākau-a-here were Te Ngarupiki, Patupatu-rangi, Te Ara-mahue, Te Wharara, Otaiko, Tai-o-whitiwhiti, Te Patatē and Tawherepu." And I just want to note that those are all rākau within the area that held significance to the tūpuna. **CONTINUES READING BRIEF OF EVIDENCE #R001(b)** "Other sites were Rauiri – Te Rautawhiri, a pā tuna of Tūtemahurangi I on land at Rangikohua and Tahuapaka, which I understand was a raupō bush by a pā tuna.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Mōkau and Ōtewā **Mōkau** Paretuhaia's husband, the older sister of Tūtemahurangi and Tanoa, was Wharo Kaitangata of Ngāti Te Paemate and Ngāti Hia or Hiaroa. The food called, "Ngā Manukaheke," was collected on blocks including on Taraunui the Whatitokarua. Many hapū assisted: Ngāti Rangatahi, and Ngāti Pare-tehe, Ngāti Hauā and others in collecting those food. I understand that Wharo and Wahanui Huatare, one of the leaders of Ngāti Maniapoto, were cousins and leading figures in the Taurangi Blocks. A copy of a photograph of Wharo Kaitangata tuatahi and his wife, taken on the steps of Wahanui's whare, Alexandra, is showing now or maybe later. **Ōtewā** A number of tūpuna came from Kāwhia over to this area. The extensive nature of the interests of our tūpuna were exemplified by the hīkoi our grand aunt, Nanny Rīngi who was also a Adams, who married a Adams, who was Tiwha's and Kopere Tonga Tanoa III's sister, also known as Rīngi Tariti Tanoa and Wairingihia Tanoa Kōti. Nanny Rīngi lived with an Adams from Ōtewā and following her passing there, a big hīkoi occurred. Due to the status of her father Tanoa Kopere Tonga Te Uhi and in recognition of her own mana her body was taken to various significant marae including Ōtewā. Te Hape Marae, Te Kotahitanga	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	and to wāhi tapu along the way until they reached Piriaka. **Keeping the Fires Burning: Maintaining Ahi Kā in Te Rohe Pōtae** Although we no longer have lands in Kāwhia and Rangitoto-Tūhua, we are insistent that our links in Te Rohe Pōtae continue for our mokopuna. For instance, at Kāwhia it is the waka, our relationship to Kinohaku, to Ngāti Koata and our shared interest in the poupou (wall carvings) at Maketū Marae where our tupunas' names remain. At Te Kotahitanga Marae on the strongholds of Tawhio, the Te Kūiti Pā, it is our tūpuna Ue (tuatahi) featured on the monuments and pou. According to Mataroa Frew, Tanoa II is buried at Ōtorohanga. My Uncle Cedric says that this seals our whakapapa with Maniapoto and the Kingtitanga. Our links also survive in the individual interests of our late Nanny Rīngi. It is not to say that we claim a right to land in all of these areas in a Pākehā sense, but it is our strong links in Te Rohe Pōtae that demonstrate the interconnectiveness [sic] of the descendants of Tanoa within this district. These are the links we have left, because through Crown acts and omissions, virtually everything else has vanished.	
	Despite*this, the ahi kā of our tūpuna has been maintained. Our tūpuna and their descendants always went back to Te Rohe Pōtae and whanaunga remain there today.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Whānau have always returned to tangi and other events such as wānanga and activities in relation to the Kingtitanga. My Uncle Cedric and his father used to return to the Tūhua Ranges and stay there for days at a time." And that was at Te Koura Marae. **CONTINUES READING BRIEF OF EVIDENCE #R001(b)** "The Tanoa whānau were full supporters of the Kingtitanga – this kept their links with Maniapoto, so it did not matter where they went in Te Ao Māori.	
1655	Tō this day we are still asserting our claim to our lands and links within Te Rohe Pōtae – our whānau's involvement in these hearings is just another way of keeping the fires burning. **Claims against the Crown in Te Rohe Pōtae** It is with frustration and heavy hearts that we say to the Tribunal that we no longer hold any whenua in accordance with tikanga and know little of what happened to it. I believe that the Crown's acts and omissions affected our tūpuna most deeply – reducing their interests to such an extent that there was insufficient land on which to support their whānau, forcing the dispersal of our tūpuna from their homelands in Te Rohe Pōtae. **Rangitoto-Tūhua & the Native Land Court** I believe that the Native Land Court system was a major cause of land loss, resulting in the disconnection and loss of control of our tūpuna and their descendants over their	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	whenua and resources. The Native Land Court failed to take into account our tikanga and the links and interests of our people within Te Rohe Pōtae. **Land Loss Begins: the Whanganui context** I understand that the interests of our tūpuna in the Whanganui area are outside this Inquiry. However, what they do provide is vital context for why retaining our tūpuna whenua in Te Rohe Pōtae was so important. Our tūpuna tried unsuccessfully to have their lands in the Whanganui area excluded from the Native Land Court – to keep the head and the feet of our tūpuna whenua together. In 1887 Tūao, Taitua and Tanoa II made it clear to the Crown that they thought their lands at Waimarino were safe because they were covered by Te Rohe Pōtae. However instead, a large portion of our interests were included in the Native Land Court hearings to the south in Waimarino. The introduction of the Native Land Court and imposition of boundaries, which cut our land interests in half, was the start of the demise of our tribal estate. This continued when the Ōhura South Block went through the Native Land Court. The impact of the introduction of the Native Land Court resulted in the loss of substantial lands in the Whanganui area, to the extent that 300 of our people were excluded	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	from their whenua.”	
	PETER JOHNSTON	
	Excuse me, excuse Grace. Your Honour, I am just conscious of the time. It may be an appropriate time to stop for the day – in your hands?	
	JUDGE AMBLER	
	All right. So this is paragraph 55 no?	
	GRACE LE GROS	
	Yes.	
	JUDGE AMBLER	
	Ka pai, yes we will let you finish in the morning Grace.	
	GRACE LE GROS	
	Ka pai, yep.	
	JUDGE AMBLER	
	Kia ora.	
	PETER JOHNSTON	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	As Your Honour pleases.	
	JUDGE AMBLER	
	Ngā mihi. So as I indicated 8:30 in the morning we will recommence.	
	Nō reira tātou mā ō te whare, tēnei o koutou o te Marae nei ka whakahokia te rākau ki a koe e te papa hei whakakapi i tō tātou hui mō tēnei rā.	Now hand back to you Daniel and people of the home to close our hui in the regular fashion.
	WAIATA	
	Whakaaria mai; Tōu rīpeka ki au; Tiaho mai; Ra roto i te pō; Hei kōnā au; titiro atu ai; Ora, mate; Hei au koe noho ai; Āmine.	
	KARAKIA	
	HEARING ADJOURNS: 5:02 PM	

BEFORE THE WAITANGI TRIBUNAL

WAI-898

IN THE TE ROHE PŌTAE DISTRICT INQUIRY (WAI 898)

HEARING WEEK 11

WHARAUROA MARAE, TAUMARUNUI

Hui Commenced: Monday 31 March 2014 to Friday 4 April 2014

Tribunal:	Judge D J Ambler Professor Pou Temara	Dr Aroha Harris John Baird
Crown Counsel:	Geoffrey Melvin Amy Williams	

Lead Counsel:	Bernadette Arapere Ihipera Peters Jason Pou Jerome Burgess Mark McGhie Peter Johnston Professor Richard Boast Tavake Afeaki
Witnesses:	Geraldine Taurerewa Grace Le Gros Lois Jean Tutemahurangi Monica Matamua Paora Haitana Robert Wayne Cribb Thomas (Tame) Leslie Te Nuinga Tūwhāngai Wayne Houpapa

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	HEARING RESUMES ON TUESDAY 1 APRIL 2014 AT 8.26 AMt	
	MIHI (DANIEL ORMSBY)	
0826	…Ngāti Maru, Ngāti Komu, Ngāti Tekaora, Ngāti Rautahi, te ihi, te wehi te mana a Ngāti Maniapoto. Nō reira whakatau mai. Ko ngā whakapainga mai ināianei e ngā kaumātua.	
	KAUMĀTUA	
	Kāti rā tēnā rā tātou. I te ata nei ka mihi atu te whakamoemiti, kia tū atu mātou mō tētahi meneti mō ō rātou.	Greetings everyone. After the prayer we would like to have a one minute commemoration.
	KARAKIA	
	Tēnei rā e te Māngai ngā anahera pono me ngā tokotoru tapu, tēnei rā whakahoki atu tēnei rā whakamoemiti, whakakororia ki mua i tā koutou aroaro mō ō manaakitanga i whiwhi nei mātou mai ngā rā ki muri tae noa mai ki tēnei hāora. Nā reira kei te inoi atu kia tōngia mai tō ringa ki runga i a mātou katoa kia paihere e mātou i roto i te rangimārie mō ngā wā katoa. Nō reira te Māngai hei tautoko mai aia nei ake nei āe.	Oh we offer up these prayers oh to the Holy Trinity for the blessings we have received from the commencement of our hui unto this time and may You clothe us in Thy love and peace, glory to the Māngai to support now and forever āe.

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
08:27:00	Tō mātou waiata Tama Ngākau.	Tama Ngākau Mārie is our waiata.
	HĪMENE	
	Tama ngākau mārie, Tama a te Atua , Tēnei tonu mātou, Arohaina mai. Murua rā ngā hara, Wetekino mai, Ēnei herekino, Whakararu nei. Tama ngākau mārie, Tama a te Atua,. Tēnei tonu mātou, Arohaina mai. Āmine.	
08:28:53	**KAUMĀTUA**	
	At this stage if you can remain up standing for one minute for Ōrākau.	
	E te Māngai ngā anahera pono e ngā Tokotoru Tapu whakauhia mai tō koutou aroha ki runga ki a mātou katoa.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Kia pai haere tō mātou i roto i te rangimārie mō ngā wā katoa. Heoi anō ki te māngai hei tautoko mai aia nei ake nei āe.	
	PROFESSOR POU TEMARA	
	Hei te rangatira tēnei te mihi ake nei ki tō tātou karakia ki tō tātou whakarite i tēnei ata. I te ata e whakamaumaharatia ai a Ōrākau me te rau takitahi o ngā iwi e taki haere ki Ōrākau. Katahina rātou ka pakanga ki te mana o te Karauna i tērā wā. E tū ana ki te mihi ki ngā whakaaro. E tū ana hoki ki te mihi ki te rā whakamaumaharatanga ki Ōrākau.	Sir, thank you for our prayer offered this morning. This morning we commemorate the battle of Ōrākau and the gathering of tribes that went to Ōrākau and fought against the forces of the Crown. I stand to thank you for your sentiments and stand here to honour Ōrākau.
	Me he au e kōrero ana mōku tonu i waenganui i te rima tekau mā rua ki te ono tekau te rau takitahi a Tūhoe i haere mai ki Ōrākau ki te pakanga. E rima tekau mā rua ngā toa neke atu i te tekau ngā wāhine i taki haere mai me te whakapai he tamariki ētahi i whai mai i ō rātou taha. Nā ko te rau takitahi nei neke atu i te rua tekau rātou i mate mate ki Ōrākau nā koira te wāhi ki a mātou kia Ngāi Tūhoe.	I speak of myself personally, between 52 and 60 of the Tūhoe tribe fought at Ōrākau. There were 52 warriors and more than 10 women and some children attended. And this force over 20 perished at Ōrākau. That was the role that Ngāi Tūhoe.
	Kua tekau mā rua tau ahau e rangahau ana i ngā kōrero o te haere mai o Ngāi Tūhoe ki Ōrākau a koinei ngā whakakitenga o ngā rangahau ki ahau ki te kairangahau. Nō reira tēnei te mihi ake nei ki a tātou, e noho nei tātou i tēnei rā	I have researched for over 20 years the involvement of Tūhoe at the battle of Ōrākau and these are my findings. So I would like to acknowledge all of us gathered here.
	Tōna tikanga ko te hiahia o tēnei rōpū whakamana i Te Tiriti o Waitangi kia tae rātou ki te rā whakamaumaharatanga ki Ōrākau engari nā te mea kāore e taea te neke o ngā rā o	It was the wish of the Waitangi Tribunal, this Waitangi Tribunal, to attend the commemorations at Ōrākau but because of the logistics of changing this week it was too

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	tēnei nōhanga o te rōpū whakamana i Te Tiriti ki Wharauroa nei, koia te kaupapa i kore ai mātou te haere.	difficult and that is the reason we did not attend.
	Tuarua, me whakaaro a te rōpū whakamana i te Tiriti kia haere mātou i te Rātapu i te rā o pōhiri ki tēnei marae, kia peke atu mātou ki reira a kātahi mātou ka hara mai ai. I whakaae ngā kaiwhakahaere i te rā o Orākau, engari ka taka te wā ka kite rātou kua kore a rātou pūtea, kāre e taea e ā rātou pūtea te tō i ngā rā whakamaumaharatanga kia neke atu i te kotahi rau. Heoi anō ka waiho atu e mātou a mātou mihi me ā mātou kōrero, whakaapaaha ki a rātou me te kī atu kua kore mātou e tae atu, engari kei reira o mātou whakaaro. Nō reira tēnei te mihi ake nei ki te rā o Orākau.	Second, the Waitangi Tribunal considered that we would attend on Sunday. That we would call at Ōrākau before coming here. The organisers of the commemoration agreed to that but as time approached funding could not be set aside to make that happen and so difficulties prevented us from attending but we left our words of support and our apology for not attending but our thoughts were with them. So I would like to thank you all for the commemorations.
	Te hunga i mate mate atu ai ki reira, ka noho tonu a Ōrākau ki roto i ngā whakaaro mō te iwi i pakanga ai ki Ōrākau. Nō reira koinei ngā mihi ake ki a tātou ki tō tātou whakarite, ki tō tātou karakia i tēnei rā. Huri noa tō tātou whare tēnā tātou katoa.	Those who fought, those who fell at the battle of Ōrākau and their memories fresh in the minds of the tribes.
	JUDGE AMBLER	
	Āe, tēnā koe e te pāpā e Pou, tātou mā. Ahakoa kei reira te nuinga kei Ōrākau kei konei tātou e whāia nei ngā kaupapa kei mua i a tātou i tēnei wiki. Nō reira ka hoki anō ki tā tātou kaikōrero a Grace Le Gros mana e whakaoti i tana nei kōrero.	Thank you Pou, ladies and gentlemen. Although the merriots are at Ōrākau we are here pursuing the matters before us. So we turn to the evidence of Grace Le Gros to complete her brief.
	So we will continue today recognising the significance of the commemorations today but we must press on with the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	considerable amount of evidence we want to hear from parties this week. So Mr Johnston we resume with Mrs Le Gros.	
	PETER JOHNSTON	
	Yes that –	
	JUDGE AMBLER	
	Paragraph 55 wasn't it?	
	PETER JOHNSTON	
	Yes. Yes, Your Honour. When you're ready Mrs Le Gros.	
	GRACE LE GROS	
	Mōrena. Ngā mihi nui ki a koutou katoa. At number 55, Your Honour.	
	READS BRIEF OF EVIDENCE #R001(b) "The loss of our lands in the Whanganui area meant that our lands in Te Rohe Pōtae were even more important for our survival; there was an even greater obligation on the Crown to protect our tūpuna interests in Te Rohe Pōtae. Notwithstanding their importance, blocks in Te Rohe Pōtae which our tūpuna had interests were put through the Native Land Court, including Otuaoroa, Te Tiroa, Pūhanga, Puketutu and Tangitū.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Despite Te Whiutahi Wārahi's appearance at the Native Land Court hearing to claim what was rightfully Te Puru's (Taraunui and Whatitokarua), it is with heavy hearts that we say that we know very little of what happened to the interests of our tūpuna in their lands, or any of the other blocks our tūpuna had interests in. What we do know is that those interests have been lost. I think that it is, as my husband Michael said in the Whanganui Inquiry: to stand up in a public forum like these Native Land Court hearings, to describe the boundaries of their land in Te Rohe Pōtae and then to receive little or nothing would have been humiliating for our tūpuna. **The costs of attending Native Land Court hearings: further land loss** The heavy costs of attending the Native Land Court hearings added a further burden to a people who had already lost and were continuing to lose much of what was theirs in the Whanganui area. For example, our whanaunga Hākiaha Tāwhiao and Kahukarewao Tōpine were forced to cut land from the Taraunui Block subdivision to pay survey costs. This was Rangitoto-Tūhua 4. On this block, Hākiaha Tāwhiao, the brother of Te Whiutahi Wārahi and an individual called Kahukarewao Tōpine were forced to cut off from the Taraunui Block subdivision to pay survey costs and other expenses of putting blocks through the Native Land Court. These blocks included Rangitoto-Tūhua number 3, 4 and 5. In a letter to the Native Minister they noted that "the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	amount charged thereon is very heavy and it should be sold to the Government, if it should be sold the Government it would not be sufficient to pay off the Government survey charges and our debts and the balance would seriously affect our remaining lands and us and our children." They noted that the land was very good quality, better than that of all their other lands and appealed to the Minister to allow the land to be open for sale or that the Government give them ten shillings per acre for it – to show some regard for them in the matter "seeing that this is very rich land."	
0840	I say to the Crown today, how can our tūpuna have been forced to cut up their precious whenua and sell some of the most valuable parts of their whenua even though they were opposed of putting their lands through the Native Land Court system? To our tūpuna it would have felt like selling their whakapapa. Were their concerns about the value of the land or the sufficiency of the land remaining for themselves and their children listened to? I don't know believe they were. **Our Continued Claims in Te Rohe Pōtae** "Our tūpuna and their whanaunga never ceased claiming rights to their whenua or protesting against the injustice of the Native Land Court. I have been told that a couple of generations later the grandson of Paretuhaia and her husband, Whāro Kaitangata II, objected to the Native Land Court in 1903, sorry, 1904. In the same way we will continue to seek justice for the loss of the whenua today."	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PETER JOHNSON	
	Kia ora, Mrs Le Gros. Could I please ask you to go to paragraph 70.	
	GRACE LE GROS	
	CONTINUES READING BRIEF OF EVIDENCE #R001(b) **"Te Kūiti and Opportunities for Land Development** Even where the Crown provided land for our tūpuna to develop, the quality of the land and a lack of access to capital meant that development was impossible. Following his return from the Second World War as part of the 28th Māori Battalion, the Crown granted a lease to one of our tūpuna, Takirau Tanoa, for the purpose of farming. Not many Māori received land but Takirau was given a block of land at the back of Te Kūiti in Whānoa. However, although Takirau did receive land, it was unsuited to farming because it was covered in rocks. Unsurprisingly, the land was unproductive. Meanwhile, productive land was given to Pākehā returned servicemen, including Takirau's Pākehā neighbours who had been given a prime location and were successful in their farming. When I asked Takirau's son, Takirau Tanoa (tuarua) that's	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	meant to be, about it, he told me that the land had not been productive for the whānau, who had eight children. Farming the land was to hard financially and Takirau lacked the necessary capital. Eventually it was so unviable the family were forced to leave the land – the whānau were unable to make a living on the land. **Tūpuna Awa and Crown Degradation of the Environment** Map Number 8. Water was the essence of our tūpuna. Significant awa included the Pūniu River, Waipā River, Ongaruhe River, Ōhura River and others. Wherever there was a water source there was a papakāinga, a pā site, or people living beside those sources. Rivers were the heart of the people. But our awa are not the same as they used to be. We have noticed that over time many of these awa have become polluted and in some cases the awa or their tributaries have disappeared completely including in the Waimiha area. Pollution has been an issue particularly in the Ongaruhe River which is significant to a number of hapū of Maniapoto, including Ngāti Rangatahi. The impact of rubbish from the Ruapehu District Council's Taumarunui Transfer Station floating in the Ongaruhe River	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	within Te Rohe Pōtae has been severe. I have seen it. It is particularly bad with old cars over the banks and the rust is now seeping out to the whenua and into the river. I believe that it is the leaching of these kinds of poisons and contaminants from the transfer station that have caused the depletion of food sources in the awa. Meanwhile, there are also many streams flowing in and out of the Ongaruhe River. The Uepango Stream flows into the Ongaruhe River. I understand that at the junction of Uepango and the Ongaruhe River, pink and white eels exist, which are regarded as kaitiaki for the people. These guardians live alongside the food sources of Te Koura Putaroa which were long fin tuna, barking eels, fresh water mussels, and fresh water koura. All the species listed have decreased in numbers. I do not know what has caused this decrease, but I think it is highly likely that the health of the Ongaruhe River has played a part. **Local Government Rating** I understand that Ruapehu District Council under their current rating policy are effectively forcing multi-owned land into one person ownership in order to retrieve unpaid rates. The council do this by only corresponding with one owner, occupier or a person who has paid the rates previously. This is happening throughout the Ruapehu District Council boundaries, including at Taringamotu and to my whanaunga	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	up in Waimiha. It is just another process of disconnecting our people from the land. **Māna Wahine** In traditional Māori culture, women are aligned with the land. As the world was born from Papatūānuku, so mankind is born from women. I believe that it is from Papatūānuku that the Crown has taken the sustenance from our people. I believe that the taking of land from our tūpuna is like violating Papatūānuku. In times before the intervention of the Crown and the signing of Te Tiriti o Waitangi, Māori women had access to and exercised influential roles. They had authority over land, they pressed their men to act, to fight to secure land, to follow a particular kaupapa and they also often carried out these acts in their own accord. They were strong. Women pacified the people and held the mana after the men had left – their role was to support their men in relation to tikanga. Today, the strength is still there, but the Crown has not protected all the aspects of mana wahine that they should have: mana wahine suffered. The influential role of Māori women was inconsistent with British attitudes to women at the time of colonisation. As	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	time went on, the Crown has failed to protect the roles of women. I believe that most of the whenua was held by the women, especially with intermarriages occurring over time. It is in spite of the Crown's failure to protect mana wahine that I wish to focus on three wahine who embody the qualities of mana wahine; our tupuna Rangatahi, our Nannie Rīngi, and Mataroa Frew."	
	PETER JOHNSON	
	Kia ora, Mrs Le Gros. Just in the interests of time, could I ask you to go to paragraph 90, please?	
	GRACE LE GROS	
	CONTINUES READING BRIEF OF EVIDENCE #R001(b) **"Looking at the Present and Beyond to the Future** It has been a long journey to reach this point. I know that our people have put their heart and soul into the claim over the years. A lot of kōrero has been shared and I want to acknowledge this. What I have presented today is just a part – we would never cover all of our grievances against the Crown that have affected our tūpuna. There is just too much.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Moving forward, we see Te Tiriti o Waitangi as a living document: to protect a partnership and to foster good faith. I have a vision to rebuild tūpuna whare both inside and outside Te Rohe Pōtae, such as Te Koura, Matua Kore and Petania Marae. I have a vision for the young people to learn about themselves through wānanga, utilising the natural resources around them and kaumātua participation. Having lost virtually all our lands inside and outside Te Rohe Pōtae, we have fought to create a better future for the descendants of Tanoa through the Tanoa Māori Incorporation. This provides a vision – to rebuild the capacity of our whānau heading into the future. We have proven that we are able to be kaitiaki over our whenua. We are in a position to take control of our own destinies. We want the Waitangi Tribunal to recommend: For the Crown to admit that they have done wrong; For the Crown to put right the injustices suffered by our tūpuna and their descendants;	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	A full investigation of how our interests in Te Rohe Pōtae, including in Whatitokarua, Taraunui and Ngararanui, have vanished; If any of our tūpuna whenua is still in Crown ownership, we want it returned. If the Crown has sold any of our tūpuna whenua in Te Rohe Pōtae, we want compensation; Full opportunity and resourcing for tangata whenua to exercise our tino rangatiratanga over our own resources, example: whenua, rivers, maunga, ngahere and wāhi tapu, in accordance with our tikanga; To know why the local Government under their rating policy are effectively forcing multiple-owned land into one person ownership to retrieve unpaid rates and to stop local Government from taking shortcuts in their own processes and; For the Crown to increase their support of the revitalisation of our reo; supporting at the grass roots level the capacity to build whare wānanga for our whānau, for our mokopuna. We want to help our whānau in reclaiming our whenua, our rangatiratanga, our kaitiakitanga and our reo through this process. Please give us that opportunity." Kia ora koutou.	
	PETER JOHNNSON	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
0852	Thank you, Mrs Le Gros. If you could please remain for questioning.	
	AMY WILLIAMS	
	Tēnā koe, Mrs Le Gros.	
	GRACE LE GROS	
	Kia ora.	
	AMY WILLIAMS	
	Thank you for that. We just had a couple of questions for you today just about the section of your evidence, in your main brief, it's page 21, around paragraphs 113 through to 120, and you also spoke about it in your summary that you presented today and yesterday. You spoke about the pollution and the Ōngarue River which you have attributed to the, the dump?	
	GRACE LE GROS	
	Yes.	
	AMY WILLIAMS	
	That's administered by the Ruapehu District Council?	
	GRACE LE GROS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	AMY WILLIAMS	
	Can you just explain to us whether you've taken any steps to notify the council and whether there's been any kind of outcome as a result of that?	
	GRACE LE GROS	
	Some whānau that live up there, I am aware that the council have knowledge of the condition of the transfer dump. So if the council has knowledge of the transfer dump, they should have a responsibility to do something about it.	
	AMY WILLIAMS	
	So when you say they've got knowledge of the transfer dump.	
	GRACE LE GROS	
	Yes.	
	AMY WILLIAMS	
	They've got knowledge of the, the pollution leaching into the river itself or just that –	
	GRACE LE GROS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Well I, and this is my own opinion so excuse me, I'm a very strong opinionated person. If the Ruapehu Council contracts a contractor, to go and do work under their, under the council, would it not be an assumption that the contractor reports to the council on anything different about the transfer dump or anything about the river?	
	AMY WILLIAMS	
	So the transfer station, is that operated by a contractor to the council or –	
	GRACE LE GROS	
	That's just my assumption.	
	AMY WILLIAMS	
	Yes.	
	GRACE LE GROS	
	I assume that it is because they, the council are the people that contract to remove any rubbish within the district. Someone else might want to comment but, my point is, is that the local Government, like the council, has a responsibility to know what is happening within their district and if they don't know things start to deteriorate if they're not noted and their not fixed up, hence pollution in the river at Ongaruhe, hence rubbish on the sides of the road around	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	transfer stations, hence old cars seeping rust into the whenua and into the river. Is that okay?	
	AMY WILLIAMS	
	That's fine, thank you very much for that. We don't have any other questions for you today. Thank you.	
0855-05	**GRACE LE GROS**	
	You can if you want to.	
	JUDGE AMBLER	
	No other counsel?	
	PROFESSOR POU TEMARA	
	Tēnā koe.	
	GRACE LE GROS	
	Kia ora, Pou, matua.	
	PROFESSOR POU TEMARA	
	I only have a couple of questions for you and they're mainly to do with clarification. Where are we? This is to do with paragraph 27 and you say towards the end of that paragraph that often those holding the mana whenua of the land in this area were women, and you do talk about that	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	later on, but are you able to expand on that? Why was that so and what is the kōrero of Hinemata and Te Hoata and just, just a little bit of kōrero about that.	
	GRACE LE GROS	
	Kia ora, matua. In reading some of the Māori Land Court minutes where a tupuna, Te Whiutahi Wārahi spoke. He spoke about the tribe of Ngāti Hia(roa), or Ngāti Hia and asking around different ones. Ngāti Hia was an ancestress of the Te Arawa waka and she settled into and inter-married to those of Ngāti Maniapoto. There are a lot of ancestress that married into this area and one of the key ones was Ngāti Hia who actually had the mana or who were actually owners, original owners of blocks.	
	PROFESSOR POU TEMARA	
	They married into the district?	
	GRACE LE GROS	
	No, no. They were – they came into the district and they held land and then they were inter-married into.	
	PROFESSOR POU TEMARA	
	All right, thank you. Now, paragraph 33. One of the, I think you're talking about here the cultivations, the mahinga kai throughout the rohe.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GRACE LE GROS	
	Yes.	
	PROFESSOR POU TEMARA	
	I'm just interested in the, the last name you have there. What we have in front of us is Te Raiohoturoa.	
	GRACE LE GROS	
	Yes.	
	PROFESSOR POU TEMARA	
	Is that meant to be Te Raiohuturoa or Te Rahiohoturoa?	
	GRACE LE GROS	
	Those, that name has come out of the minutes of, the Ōtorohanga Minute Book, Number 30, and I've only recorded that, it - how it was in the minute book.	
	PROFESSOR POU TEMARA	
	Thank you. It might be another...	
	GRACE LE GROS	
	So it could be corrected.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PROFESSOR POU TEMARA	
	All right. Now I think it's paragraph 77, you were talking about the pollution of the awa and specifically referring to Ōngarue, and you talked about old cars, rusting cars, pushed over the bank?	
	GRACE LE GROS	
	Yes.	
	PROFESSOR POU TEMARA	
	Were you saying that the council had deliberately pushed these cars over the bank or they haven't done anything about it?	
	GRACE LE GROS	
	They haven't done anything about it?	
	PROFESSOR POU TEMARA	
	All right.	
	GRACE LE GROS	
	I didn't say that the council had pushed the cars over the bank. But I'm saying that the council if they see these things happening, doesn't matter where it is or what kinda article it is, they have a responsibility to help the communities to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	clean it up.	
	PROFESSOR POU TEMARA	
0900	Indeed. Thank you very much.	
	GRACE LE GROS	
	You're welcome.	
	PROFESSOR POU TEMARA	
	Kia ora. Can I just – one last one? Towards the end there I think we're talking about your wish list and in 96.g you're talking about a whare wānanga. Are you talking about whare wānanga of the type that was similar to Miringa Te Kakara?	
	GRACE LE GROS	
	Um yeah, what I'm talking about there, matua and we've heard it in Anthony Pātete's report, this area is very inter-tribal. A lot of the tribes have married into one another and there are a lot of tamariki mokopuna that have come from those intermarriages. What I would like to see, so it's not a wish list, what I would like to see is the tribal whare wānanga. A whare wānanga for Maniapoto, for Whanganui, for Tūwharetoa. Because over this journey of the Whanganui Northern Cluster ki Te Rohe Pōtae, we have come together as a cluster and we've learnt stories about each other either down the awa or in Maniapoto itself. And	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	unfortunately, even some of our pakeke and kaumātua have no knowledge of different iwi tikanga, where they come from, whakapapa that they link into and I'll just give you can example. I went to Māniaroa and I found Paretuhaea descendants from Mōkau and we have evidence that Paretuhaea was the older sister of Tanoa and Tutemahurangi and we've only just met them through this process.	
	PROFESSOR POU TEMARA	
	So you are going to be growing tohunga?	
	GRACE LE GROS	
	Which is a specialised, yeah, yeah.	
	PROFESSOR POU TEMARA	
	You're going to be growing them because –	
	GRACE LE GROS	
	We want to grow knowledge.	
	PROFESSOR POU TEMARA	
	Yes. You are telling me that, yes, many of your people have died out with the knowledge so you need these whare wānanga –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GRACE LE GROS	
	Yes.	
	PROFESSOR POU TEMARA	
	– so that you can research.	
	GRACE LE GROS	
	Carry on.	
	PROFESSOR POU TEMARA	
	All right. Thank you very much.	
	GRACE LE GROS	
	Thank you.	
	DR AROHA HARRIS	
	Kia ora.	
	GRACE LE GROS	
	Kia ora.	
	DR AROHA HARRIS	
	I have just got a question about one of the things you have	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	asked the Tribunal to recommend and that is the full investigation of the alienation of interests in those three blocks that you name.	
	GRACE LE GROS	
	Yes.	
	DR AROHA HARRIS	
	So my question is, does that mean you feel that the research to date is insufficient?	
	GRACE LE GROS	
	Yes I do.	
	DR AROHA HARRIS	
	So are there some particular gaps that you want to bring to our attention?	
	GRACE LE GROS	
	Yes I do. Well the gaps, Lois Tutemahurangi who is sitting here beside me, the brother of Tanoa, we have got nothing left in those. We don't know where the interests went in those three blocks. We have no knowledge of hapū kaitiaki or who is looking after those blocks. And so a full investigation on our part will probably release some of that hara that we have, especially on those blocks. We believe	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	that our tūpuna were born into the land there so, you know, it's part of our tūrangawaewae. So we need to know where it is, who is looking after it, and we also want to know what our part is? You know, how can we help and how can we support?	
	DR AROHA HARRIS	
	So some of the blocks are still in Māori title?	
	GRACE LE GROS	
	I'm not sure. I understand that a lot of the blocks are in, excuse the word, Pākehā ownership so there's trusts. There are some Māori trusts but as I know, they only hold a small majority of shares and shares are totally different to ownership. Totally different in my eyes. You have a share that's 0.1. something, something, something, but it's your tūrangawaewae. So I'm saying that we should have a full investigation of how those blocks were taken and where they are sitting today.	
	DR AROHA HARRIS	
	So do you know that they are not included already in existing research for this Inquiry?	
	GRACE LE GROS	
	Well I've been involved in some of the research stuff and I have seen the Whatitokarua come in but I have never seen,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	which was a confiscated block, of Ngararanui. I've never seen anything and that's Rangitoto-Tūhua No 5, and it took us a long time to find the original because – the original naming of the block, because there was very little information about it.	
	DR AROHA HARRIS	
	Okay. Thank you.	
	GRACE LE GROS	
	Kia ora.	
	JOHN BAIRD	
	Well thank you very much for your very wide ranging brief. Just referring to paragraph 79 of your summary you've talked about local Government and rating leading to one person ownership. Can you just explain how this works and do you have any examples?	
	GRACE LE GROS	
	Have you got two days?	
	JOHN BAIRD	
	Well I asked – one –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GRACE LE GROS	
	No, sorry, sorry. I can give you an example, yes, and it's a land block in Piriaka that was owned by our Nanny Rīngi. Nanny Rīngi died without a Will. She passed away without a Will. She had no children but she whāngai'd quite a few. Her little block there was a consequence of selling some land on a farm block. So she went into the township of Piriaka to build her a home. Over time people have lived there, rates got behind and Tanoa came in and picked up those rates and we have been paying the rates for a number of years now. Unfortunately, the rates got behind. The council wrote us a letter indicating that they want a one owner that they can correspond to. Now on that land we consider that there are many owners not one owner and they have forced people to say you only need one owner or if their unpaid rates aren't paid they will put it up as abandoned land and eventually sell it. I understand there is a whānau up in Waimiha who are the same predicament. Now to do that is taking away the right of those other whānau to be part of that land. To force it into one ownership instead of may be a whānau trust. We have a whānau trust. That whānau trust now administrates that land but not as one owner, as a kaitiaki for that section for the future generations.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JOHN BAIRD	
	So would the solution be to get the council to address the rates to the trust?	
	GRACE LE GROS	
	I tried that. They want an owner where they can correspond to. It became a too hard thing for the – I think, so they put it in their little pile of too hard basket and then when the rates got really, really bad, that's when they contacted us. And yeah, we've had some legal advice that is looking after that, in particular that property. And I don't know how many whānau around the Ruapehu District Council that's happening to, but I know it's happened to us and it's happening to a whānau in Waimiha.	
	JOHN BAIRD	
	All right. Thank you. And just, I guess, are your links to Maniapoto through any one particular hapū?	
	GRACE LE GROS	
	Ngāti Rangatahi.	
	JOHN BAIRD	
	Right, thank you.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GRACE LE GROS	
	Kia ora.	
	JUDGE AMBLER	
	Tēnā koe Mrs Le Gros.	
	GRACE LE GROS	
	Kia ora Judge.	
	JUDGE AMBLER	
	Just to carry on with the example of Nanny Rīngi's block. Where did you say it was, what township?	
0910	It's in the – it was – it's only about five km's down the road.	
	JUDGE AMBLER	
	This is in the Whanganui Inquiry?	
	GRACE LE GROS	
	Yes. Yes.	
	JUDGE AMBLER	
	All right.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GRACE LE GROS	
	But still under the Ruapehu District Council.	
	JUDGE AMBLER	
	Yes. But just to really understand what is happening there, the council cannot force you into one ownership. Are they wanting to have one contact person?	
	GRACE LE GROS	
	Yes.	
	JUDGE AMBLER	
	But there is already –	
	GRACE LE GROS	
	And that contact person is responsible for the rates. They are saying that they want one owner.	
	JUDGE AMBLER	
	Yes. Well – and that is – it is Māori land?	
	GRACE LE GROS	
	As I know it's General land at the moment.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Yes. Well this was the issue discussed at the last hearing week or a similar issue where there is the ability to go to the Māori Land Court to get the status changed back to Māori land –	
	GRACE LE GROS	
	Yes.	
	JUDGE AMBLER	
	– and that offers some protection. All right, well I will leave that issue there.	
	GRACE LE GROS	
	I'm working on that Judge but that sitting will be heard in Whāngārei.	
	JUDGE AMBLER	
	All right. Now, in terms of – well let me put it this way. I have come to know you over quite a few years because you have been involved in the judicial conference and Ngā Kōrero Tuku Iho and so forth so we are used to seeing you. You have given us a short introduction of who you are but I was not quite clear on whether, are you a descendant of Tanoa or is that your husband?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GRACE LE GROS	
	My husband.	
	JUDGE AMBLER	
	Kia ora and this is him here?	
	GRACE LE GROS	
	Yes.	
	JUDGE AMBLER	
	Very nice.	
	GRACE LE GROS	
	But I am also a descendant of Maniapoto –	
	JUDGE AMBLER	
	Okay.	
	GRACE LE GROS	
	– on my grandfather's side.	
	JUDGE AMBLER	
	But in the context of this claim you are here supporting your	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	husband's whānau's claim.	
	GRACE LE GROS	
	Yes.	
	JUDGE AMBLER	
	That is good. Because the next question I have is, I see that you are presenting Wai 1147 at Whirinaki next week in the Hokianga –	
	GRACE LE GROS	
	Yes. Yes.	
	JUDGE AMBLER	
	– and I am confused. So is there a connection with Tanoa to the north?	
	GRACE LE GROS	
	Yes it is. My Aunty Liata, because we had missed the August timeline to register claims with the Tribunal, Aunty Liata is a descendant from the Hokianga and so we were able to put her grievance under the Wai number and it might be a good idea to ask the lawyer about that process. But it's for our Hokianga Tanoa connection in that Inquiry.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I see, all right.	
	GRACE LE GROS	
	So hopefully you're not confused more.	
	JUDGE AMBLER	
	No, no, all right. We have had a little bit of people claiming different connections to the north but this is a bit different.	
	GRACE LE GROS	
	Yes.	
	JUDGE AMBLER	
	This is a separate claim.	
	GRACE LE GROS	
	Yes.	
	JUDGE AMBLER	
	Okay. Now, just to be clear, you had a discussion concerning Whatitokarua, now which of the Rangitoto-Tūhua Blocks is that, is that number 5?	
	GRACE LE GROS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	That's number 3.	
	JUDGE AMBLER	
	All right.	
	GRACE LE GROS	
	58, sorry. Can you bring that up please Robert?	
	JUDGE AMBLER	
	It is number 58?	
	GRACE LE GROS	
	Yes. Yeah, that one there. And you will see Ngararanui –	
	JUDGE AMBLER	
	Yes.	
	GRACE LE GROS	
	– that's the little block that, as I see it, it was confiscated and/or was alienated and we know little about what happened to that block.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And Taraunui, what number is that?	
	GRACE LE GROS	
	Number 3.	
	JUDGE AMBLER	
	I see. So this is very helpful to have the traditional names of the blocks.	
	GRACE LE GROS	
	Yes.	
	JUDGE AMBLER	
	I am not sure if I have seen it done throughout the district or not so my question is, do you know if in the research that has been done whether this has been done for all of the Rangitoto-Tūhua Blocks?	
	GRACE LE GROS	
	Are you referring to the maps or are you referring to – what are you referring to?	
	JUDGE AMBLER	
	Well yes by way of mapping or by way of a list of the Rangitoto-Tūhua Blocks and what their traditional names	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	were.	
	GRACE LE GROS	
	We have a database. The Whanganui Northern Cluster have been really proactive. So we wanted to know when you stand up and instead of calling it number 1, 2, 3, 4, we wanted to revive the ingoa of these whenua. So we have a database and that is held by myself and Robert Jonathan and we have also been doing a training on Google Earth how to go in. If you want to bring up all the land blocks within Te Rohe Pōtae, Robert? Down the bottom I think, right down. Te Rohe Pōtae, yeah. So gradually we have gone through and mapped all the blocks with the help of Mokaha Āpiti –	
	JUDGE AMBLER	
	Yes.	
	GRACE LE GROS	
	– and we managed to get some funding from CFRT to help us do this. I haven't really seen it in any other Inquiry and I have been to all of them, except in Kāwhia when we were at Waipapa and Mōkau ran a certain mapping project to this. So if we click on one of the blocks other than ours, it will bring up, as you see there, how many acres were lost of the acres that were there. And it brings up the name of the block, the original name of the block. Can you see?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Yes.	
	GRACE LE GROS	
	Yeah. And so we've gone through and done all the blocks within Te Rohe Pōtae.	
	JUDGE AMBLER	
	All right.	
	GRACE LE GROS	
	JUDGE AMBLER	
	All right. So.	
	GRACE LE GROS	
	For the cluster, there's a lot of the cluster, because they're at a Whanganui Inquiry, Tūwharetoa and the central, and they weren't quite sure where their tūpuna – they got the kōrero but they weren't sure where the block was. So, we did this as a little bit of a, an executive project.	
	JUDGE AMBLER	
	Okay. So in terms of the Rangitoto-Tūhua Block, you have	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	done every one of those?	
	GRACE LE GROS	
	Yes.	
	JUDGE AMBLER	
	And in terms of your sources of traditional names, how did you go about that?	
	GRACE LE GROS	
	Down at the Māori Land Courts, oh, sorry. Out of the...	
	JUDGE AMBLER	
	Just, yes.	
	GRACE LE GROS	
	The sources have come out of the Māori Land Court and also some of the old maps that where in the CFRT mapping index. So just going on the maps we found rivers, if you want to bring out the rivers in the PowerPoint, Robert. If you go down to the last two of the – yep. So, if you go, go to the first one, these are the waterways. So basically the rivers that bind us in our whakapapa and our whanaungatanga right over to Lake Taupō.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Is this what Ms Arapere has filed on the record?	
	GRACE LE GROS	
	Yes.	
	JUDGE AMBLER	
	Right.	
	GRACE LE GROS	
	Yeah, well we, we did those maps.	
	JUDGE AMBLER	
	Yes.	
	GRACE LE GROS	
	And so the next one, Robert. These are the streams that flow from those rivers, the tributaries, and that there if you can see is what the other, the tributaries and the rivers in Te Rohe Pōtae. So I'd like that –	
	JUDGE AMBLER	
	So –	
	GRACE LE GROS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	– that because it looks like a beat, beating heart. So –	
	JUDGE AMBLER	
	If you zoom in does it bring up the names or not?	
	GRACE LE GROS	
	No. We haven't overlaid that yet, but we will be.	
	JUDGE AMBLER	
	So just coming back to the names, for example, for the Rangitoto-Tūhua Blocks, when you go to the original Native Land Court hearings, they have the traditional names of the block?	
	GRACE LE GROS	
	Yes.	
	JUDGE AMBLER	
	There?	
	GRACE LE GROS	
	Yes.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And that -	
	GRACE LE GROS	
	And we've tried to marry them up –	
	JUDGE AMBLER	
	And that is consistent with the traditional knowledge that is held?	
	GRACE LE GROS	
	Yes, yes.	
	JUDGE AMBLER	
	Well it would be very helpful, I think, for that to be placed on the record somehow. I do not know if it is to be placed on the record as an IT tool or whether physical maps, but I would certainly like to be able to have physical maps which identify the traditional block names.	
	GRACE LE GROS	
	Okay. That's okay. We'll – I don't know whether there's a patent or a copyright on it but we'll certainly give it to you. Okay, no that's fine. We can –	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Well if CRFTs paid for it, let's hope that they are willing to see it placed on the records.	
	GRACE LE GROS	
	I'll give you some words of Prince Tūī Teka, "They pay weekly, very weakly."	
	JUDGE AMBLER	
	So just while we are on the maps, Dr Harris has a question.	
	DR AROHA HARRIS	
	I just want to clarify, Taraunui.	
	GRACE LE GROS	
	Yes.	
	DR AROHA HARRIS	
	Because yesterday I wrote it down – I wrote down Tauranui.	
	GRACE LE GROS	
	Taraunui.	
	DR AROHA HARRIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	But is, well the question is, do you people have different understandings of the names? I don't, because I think I got it from someone else's evidence you see when I wrote it down yesterday. I wrote it down earlier in the day and I wrote Tauranui.	
	GRACE LE GROS	
	Okay. We've found the name of that block as Taraunui.	
	DR AROHA HARRIS	
	Okay. Taraunui.	
	GRACE LE GROS	
	Yes.	
	DR AROHA HARRIS	
	Taraunui. It's –	
	GRACE LE GROS	
	And that's consistent in the Native Land Court minutes too.	
	DR AROHA HARRIS	
	Do any of the blocks have the same name, like –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GRACE LE GROS	
	Not that we've come across. There are some blocks that have similar names, like Ngaraupiki and Narupiki) but totally different meanings and I put that down to the inter-tribal dialect coming in and you know how some tribes interpretate [***sic***] kupu hou as this and some interpretate it as that, and we tend to sway towards the Maniapoto mita, the reo.	
	DR AROHA HARRIS	
	Okay. So you don't think it might be human error, given it's someone taking minute?	
	GRACE LE GROS	
	Yeah, well that's, that could be it too, yes. Yeah.	
	DR AROHA HARRIS	
	Okay, thank you.	
	JUDGE AMBLER	
	So can I be rude and just ask what is your background because you seem to have a very good handle on all of this?	
	GRACE LE GROS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Probably a know all.	
	JUDGE AMBLER	
	Well, there is a few – we are surrounded by them, but then again –	
	GRACE LE GROS	
	Well my background is in Ngāti Whātua. I was a manager for Te Rūnanga o Ngāti Whātua, and then after that I, I got out of the rūnanga scene because, yeah, different things in terms of funding and, and I didn't want to be mixed up with that kind of stuff. We took on the claim and it's always been about mokopuna. It's always been about mokopuna and so my grandfather, his name was Wakatere Tōtara Tiritimana. When we were growing up, he always said to us as his mokopuna, your mana – your word is – your mana is only as big as your word. So, if you're gonna say something, you commit to it. If you're gonna do something, you walk the talk. When I put my hand up to the, the administrator for the Whanganui cluster and I said, "Yes," that was my commitment. Got involved with the hearing organising committee and by default became the chairperson and just kept going on by that. But, in saying that, Judge, my, my thanks, my everything, my pūtea, goes back to the hard work that my whānau do, especially my husband who allows me to do these things.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Kia ora. Thank you for that.	
	GRACE LE GROS	
	Yeah.	
	JUDGE AMBLER	
	And can I just say, it is very nice for you to have brought Mataroa Frew before us again because -	
	GRACE LE GROS	
	Yes.	
	JUDGE AMBLER	
	Because we did have a very clear recollection of her involvement in the Ngā Kōrero Tuku Iho.	
	GRACE LE GROS	
	Yes.	
	JUDGE AMBLER	
0925	Now just in terms of the land development block that Pakirau Tanoa –	
	GRACE LE GROS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	JUDGE AMBLER	
	– received. So he was a 28th Battalion Veteran?	
	GRACE LE GROS	
	Yes.	
	JUDGE AMBLER	
	Can you just expand a little more on what is known about how it is that he got the block?	
	GRACE LE GROS	
	No I can't actually, yeah.	
	JUDGE AMBLER	
	Okay.	
	GRACE LE GROS	
	I've left that – I didn't – it was quite a deep issue for this whānau and he had many children so I didn't – all I did was ask about him returning from the 28th Māori Battalion and where they went. They did go to Te Kūiti. They did get a block, it was unviable for them due to financial. I'm not quite	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	sure. And then they left –	
	JUDGE AMBLER	
	Do you know how long he was able to be on the land?	
	GRACE LE GROS	
	No. No.	
	JUDGE AMBLER	
	And where is Whānoa? What side of Te Kūiti?	
	GRACE LE GROS	
	As I understand it, it's north east – sorry, north west.	
	JUDGE AMBLER	
	North west?	
	GRACE LE GROS	
	Yeah.	
	JUDGE AMBLER	
	And when you discuss the Ōngarue River you have got a spelling I have not seen before, Ongaruhe. So is that a deliberate spelling? Is that a view of some that there is this	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	alternative spelling?	
	GRACE LE GROS	
	That was a view of tamaiti whāngai actually, yes, with the 'H'.	
	JUDGE AMBLER	
	All right. And finally, at paragraph 94 you discussed the Tanoa Māori Incorporation.	
	GRACE LE GROS	
	Yes.	
	JUDGE AMBLER	
	So what is that?	
	GRACE LE GROS	
	That's been in existence now for probably about 10 or 12 years, might be a little bit longer and it was established to; one, to bring the whānau together because they're well spread – Moe do you want to talk on that – and it was to help – we knew that we had different shares, individual shares and it was about bringing those individual shares back to one whole again. And so people within the Tanoa whānau have put their shares in the corporation to bring them back. The shares were very, very minimal but it's	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	helping us to develop whenua database.	
	JUDGE AMBLER	
	Yes but you refer to it as an incorporation. Is it an incorporated society or what is it as a legal entity?	
	GRACE LE GROS	
	No we are about to turn it into a legal entity.	
	JUDGE AMBLER	
	So you are looking at a whānau trust?	
	GRACE LE GROS	
	Yes. Yes.	
	JUDGE AMBLER	
	All right. So at the moment it is not legally formed –	
	GRACE LE GROS	
	Yes.	
	JUDGE AMBLER	
	– it is just an informal arrangement within the whānau?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GRACE LE GROS	
	Yes. Yes.	
	JUDGE AMBLER	
	So how many individuals are likely to be contributing their shares to bring them under Tanoa?	
	GRACE LE GROS	
	Well there's all the brothers and sisters of Tonga Tanoa, that's eight of them and their descendants plus we have other whānau outside of the Tanoa whānau that want to join. So it's about bringing them back and holding those shares forever and a day where no other trust or organisation can assume right or ownership to them.	
	JUDGE AMBLER	
	Yes well it is a very good tool the whānau trust.	
	GRACE LE GROS	
	Thank you.	
	JUDGE AMBLER	
	Nō reira ngā mihi ki a koe ki a koutou. Mr Johnston anything arising?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PETER JOHNSTON	
	No nothing arising Sir.	
	JUDGE AMBLER	
	Ka pai.	
	PETER JOHNSTON	
	Thank you Mrs Le Gros.	
09:29:10	**WAIATA TAUTOKO**	
	(Mic switched off)	
	JUDGE AMBLER	
	Ka pai ngā mihi.	
	Nō reira me hikitia te hui mō tētahi wā poto. We will just have a two minute comfort stop and then we will resume.	
	HEARING ADJOURNS: 9.30 AM	
	HEARING RESUMES: 9.36 AM	
	JUDGE AMBLER	
	Kia ora anō tātou mā. Ka tīmata anō tātou. Mr Johnston.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PETER JOHNSTON	
	Thank you, Your Honour. If I could call my next witness which is Lois Tutemahurangi. She will be reading from her summary this morning Sir, #R003(b). When you are ready Mrs Tutemahurangi.	
	LOIS JEAN TUTEMAHURANGI	
	READS BRIEF OF EVIDENCE #R003(b) "Ngā mihi kia koutou katoa. I will start at paragraph 3, if I may. It is whakapapa that binds us together as people and, also to the whenua.	
	'He wahine, he whenua, i ngā ai te tangata.' Without women and land, humanity is lost.	Women and land are the causes of mans demise.
	I have chosen to give some of our whakapapa in the appendices to my kōrero today, so as to give an understanding to you the Tribunal and to the other claimant groups and to the people present today at Wharauroa Marae of how our tūpuna all whakapapa to each other at the time of Te Rohe Pōtae. We are all interconnected. The selection of whakapapa links provided in the appendices to my brief of evidence #R3 illustrates this interconnection. Whakapapa links are the reason behind the presentation of the Wai 1203 alongside that of Wai 1147. We wish to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	tautoko our whānau of the Wai 1147 claim today and all other claimants within Te Rohe Pōtae Inquiry. We are here today to direct our grievances towards the Crown, to support our whanaunga and to focus on the Crown's acts and omissions. I wish to talk today about the tūpuna from two different sides of my whānau: Tutemahurangi of Ngāti Rangatahi / Ngāti Hāuaroa and Te Tarapounamu of Ngāti Manunui. In his time Tutemahurangi was a key leader of Ngāti Rangatahi and a significant figure in conflicts in the latter half of the 18th Century. He was a rangatira according to the lineages of both Whanganui and Ngāti Maniapoto. He was a fierce warrior whose mana enabled him to call men to war." I'll got to paragraph 13. **CONTINUES READING BRIEF OF EVIDENCE #R003(b)** "Te Tarapounamu I was the son of Manunui a Rua Kapanga from whom Ngāti Mananui take their hapū name. Te Tarapounamu I resided in a number of areas, including Pōkurukuru also known as Te Umutoi or Rangitoto-Tūhua 1 within Te Rohe Pōtae. Ngāti Hinemihi and Ngāti Manunui objected strenuously when their cultivations and kāinga on Pōkurukuru were included within the original Te Rohe Pōtae boundary. Te Tarapounamu was on the list for Te Rohe Pōtae handed in by Taonui along with other tūpuna of ours. The primary rohe of our tūpuna within Te Rohe Pōtae	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	District was in the Rangitoto-Tūhua and Ōhura areas." I'll go to paragraph 18. **CONTINUES READING BRIEF OF EVIDENCE ##R003(b)** "Today I wish to focus in particular on: Pōkurukuru, Otamakahi, Pukuweka, Te Wairere Pā and Taraunui and Whatitokarua: a. Pōkurukuru. This was a shared kāinga of Ngāti Tūwharetoa, Ngāti Hāuaroa and Ngāti Rangatahi. It had kāinga and cultivations and was used as a cleaning place by Tūtetawhā I and his son Manunui I and Te Tarapounamu and other descendants of Manunui who lived there. At the time Native Land Court hearing for Pukuweka our tūpuna Hira Te Ākau said that Pōkurukuru was the name of the kāinga at Pungapunga on the Te Umutoi Block. Ngātai put three posts in as boundary markers during the Land Court Hearings. To my knowledge one was placed at Te Umutoi. I note that Ngātai is also said to have taken part in the killing of Moffat for entering the aukati in the area. b. Otamakahi (Rangitoto-Tūhua 73). There was a kāinga here. It was a wāhanga mahi kai Waikura had rights to through her tūpuna Tamakaitoa I. This was where Tutemahurangi was killed after he had gone there to defend his wife's interests from Ngāti Maru. As it was his wife's area, it was in Tutemahurangi's interests to protect the shared wāhanga mahi kai. c. Pukuweka (Rangitoto-Tūhua 2). Ngāti Manunui people	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	lived there. Te Wakaiti I and Hore Manunui were both chiefs there. Mangatī, a feast was held on the block when Tutemahurangi took Waikura as a wife. This was after the heke of Ngāti Rangatahi from Taraingahere. At the Native Land Court hearings for Pukuweka, Hākiaha Tāwhiao, the brother of Te Whiutahi Wārahi, of the same hapū as our tūpuna, said that the block was called Pukuweka because the entrails of a weka were used as bait. He acknowledged that Ngarupiki said that the block was called Kōhangaweka. He later stated that there was a stone in the river, the Taringamotu River, called Pukuweka – a boundary mark between Whanganui and Ngāti Maniapoto. d. Te Wairere Pā. This pā sat on the banks of the Mōkau River on Te Karu o te Whenua near Piopio. I understand that it belonged to Wharo, the husband of Tutemahurangi's sister, Paretuhaia. There were many close links to Ngāti Te Paemate and Pareteho here. The pā was used in times of inter-hapū fighting, but also Kimihia and Te Puru would go to visit their daughter. Our tūpuna would go from here to get seafood from Mōkau by the sea. e. Taraunui and Whatitokarua (Rangitoto-Tūhua 3 and 58). As Grace has already discussed, these blocks were very important to both our tūpuna. They resided on this land, it was their food basket and they were kaitiaki of the track on these lands. It is important to keep in mind Tutemahurangi's interests also stretched outside Te Rohe Pōtae. These illustrate the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	interlinked nature of our tūpunas' interests throughout different areas – something not reflected by the boundary lines set down by Courts or surveys. **Claims against the Crown in the Te Rohe Pōtae** I have just taken the Tribunal through our tūpunas' significant interests in Te Rohe Pōtae but the sad reality for us as the descendants living today, that we have no land left in Te Rohe Pōtae and I ask the Tribunal how can this be? It is difficult to give detailed kōrero about the land of our tūpuna in Te Rohe Pōtae and what exactly happened to it. After all that our whānau went through, they did not like to talk about the land they had lost to the Crown or what happened to it. The hurt was too deep. I recall that my father did not like talking about land issues. He would just say that the Pākehā have all our land. This was the same for the rest of my whānau on my father's side, with the exception of my uncle Hihiri who is Piripi Tutemahurangi's father, who taught me something of Tutemahurangi I and his life. It was not until my father passed away that my uncle Hihiri taught us something of our tūpuna, Tutemahurangi I. I remember we were stunned learning about everything. We soaked up the information like sponges. Although we have no land in left, no land in Te Rohe Pōtae, I still carry our tūpuna's name and I am very proud of it. Learning more about our tūpuna and his interests gave me more of a feeling of belonging. I could link to others and to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	lands, knowing where you come from is an important part of yourself. I remember when I worked as a cook for shearing gangs in places such as Ariā and the Rangitoto-Tūhua area, I roamed around these areas exploring each side road knowing that this was where our tūpuna had been. I felt comfortable, like I belonged there. But learning about these things, I also began to understand the hurt that our whānau were so reluctant to talk about. My uncle was a very humble man and I could see how it troubled him that the descendants of our tūpuna, a chief of such importance, were virtually landless and losing the kōrero about what was once theirs. It is a deep hurt now to realise that my tūpuna through the cutting up of the whenua by the Native Land Court that they were marginalised in not only this Rohe Pōtae survey but also the Taupō-nui-a-Tia and Waimarino surveys too. I believe that the Crown failed to protect our tūpuna and their interests. Now, detailed kōrero has become relevant but often the later generations cannot give the kōrero. I believe it is a consequence of the hurt caused to us by the Crown that we have lost so much of the valuable kōrero about our interests. I think it is important to draw this to the Tribunal's attention. It is with this issue in mind that I wish to discuss a number of the mechanisms through which the Crown pushed our tūpuna out of Te Rohe Pōtae."	
0950	Today I want to focus on the Native Land Court, the railways, dispersal from homelands and cultural exclusion. I	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	will then explore some of the impacts that this has had on Te Rohe Pōtae Māori, in particular on social issues. **CONTINUES READING BRIEF OF EVIDENCE #R003(b)** **"Native Land Court** The interests our tūpuna had in the Rangitoto-Tūhua and Ōhura areas are all gone now. I believe that the Native Land Court's role in this was significant, one of the mechanisms for opening Te Rohe Pōtae for the Crown. The original Rohe Pōtae application which was filed, I believe, in 1886 and was heard around the time that Tutemahurangi I's grandchildren were in the area. It was heard very soon after, with the purpose of setting out the boundary of the area. I think it was clear that the Crown was eager to get into Te Rohe Pōtae. I understand there was a very long hearing for this. Those putting their cases in the Court wanted Te Rohe Pōtae hearings put on hold as there were many disputes over the Taupō-nui-a-Tia boundaries. But the Court could not or would not wait. I believe that the Crown through the Native Land Court system focused on pushing as much land through as it could and as fast as it could. They would just keep on pushing despite the objections of our people. Various changes to boundaries both inside and outside Te Rohe Pōtae prejudiced our tūpuna. I understand from the Native Land Court minutes that a number of my whanaunga were involved in setting up boundaries within Te Rohe Pōtae, including Tūao, Ngātai,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Mātakitaki Te Ngarupiki and Tuhaia. I understand that Mātakitaki gave some of the original boundaries at the original Te Rohe Pōtae hearing. Many of our tūpuna and whanaunga were included in the Whanganui list following the original Te Rohe Pōtae hearing. Once the area was defined, individual claims within Te Rohe Pōtae began flowing in, forced by individuals and whānau, some of whom did not necessarily have the authority to put land through the Court. I understand that a number of Tutemahurangi's mokopuna and other whanaunga gave evidence at the hearings. Their kōrero was mostly in relation to the Rangitoto-Tūhua Blocks, claiming through various tūpuna. For example, Hākiaha claimed land in a number of blocks including Pukuweka, Whatitokarua and Taraunui (Rangitoto-Tūhua 2, 58 and 3). Our tūpuna from the other side of our whānau, Te Tarapounamu I was still living at the time of Te Rohe Pōtae Hearings but he was a very old man. Ngāti Hinemihi put in objections to the Native Land Court on lands in the Rohe Pōtae stating they were descendants of Manunui. I am unsure what the outcome of all the hearings were, but an example of what our tūpuna were involved in and the confusion that resulted from Native Land Court hearings can be seen at Pukuweka. At one stage the Pukuweka Block was awarded to Ngāti Maniapoto, the next to Whanganui, then the issue was taken to an Appellate Court, awarded to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the Whanganui people and then sold. The Native Land Court system changed the whole economics of the Māori people everywhere. Lands which had sustained Māori for centuries were no longer available to do so. The way of life of Māori became increasingly unfeasible. I believe the Native Land Court hearings pitted whānau against whānau, cousin against cousin. In order to retain interests, the tangata whenua were forced to fight among themselves to protect their interests. The Native Land Court process ripped whanaungatanga to pieces. It is similar even these days with the Māori Land Court. At the Native Land Court sittings certain tūpuna names were used while the use of other tūpuna names was sacrificed. Whakamā about using names if that tūpuna was beaten in battle and or eaten may have been the reason for this. From what I have researched through minute books, it is obvious that there were those giving evidence who would only whakapapa to one side. Whether this was a deliberate move I cannot say, but it could be attributed to their lack of knowledge on whakapapa, or because the Court only wanted to hear winning stories, the conquests, the victories in battle. When only one tūpuna was used, this often did not reflect the reality of the situation. For example, if that the group was living there on the basis of the mana of another tūpuna or by virtue of various whakapapa links stemming from many different tūpuna. Whatever the situation, I believe that those making	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	judgments in the Native Land Court were not equipped to understand nor did they have regard to the intricacies of whakapapa. I believe that those conducting the cases on behalf of their whānau, hapū and iwi were forced into giving one side of a story to ensure that they received lands, least they be left out, which has been the case in some of the lands. I see the Native Land Court as having started the process of undoing the Māori way of life. Prior to the Native Land Court, if whānau fought amongst themselves it would always be resolved in some way but after its introduction, and I am talking the Native Land Court, there was no way to solve the issues of land. The damage done was irreparable. I don't know what happened to our interests in Te Rohe Pōtae. What I do know, is that as a result of Crown actions we no longer have them. Our interests in Rangitoto-Tūhua have been lost. What we are left with are bits and pieces of individual interests outside Te Rohe Pōtae, bits which are uneconomical aside from showing our links to the whenua. **Railway Line** I see the North Island Main Trunk Railway Line as the Crown's way of cutting into the land, another mechanism for opening up Te Rohe Pōtae to the Crown. I understand that the tuakana of my tūpuna Parehuitao II, Tuku Te Uhu Te Ngarupiki, protested the railway being put through because of the effect that it would have on his	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	lands, in particular his own gardens. He also objected to the encroachment of colonisation. Where a railway went a township would follow. He foresaw that with the introduction of a township, control and authority over their whenua would diminish. Our tūpuna were dispersed from their homelands within Te Rohe Pōtae. This dispersal and loss of lands affects your wairua, in the same way that I am sure it did for our tūpuna. Those who have been forced from their homelands have lost or are rapidly losing touch with their whenua, their whānau, their hapū and their iwi. People need to know their whakapapa. They need to know their links to the land and their wider whānau.	
1000	But every step they are forced to take away from their lands, the more likely that it is that they lose those links. This is true for the descendants of our tūpuna as much as it is for other Māori who once lived in Te Rohe Pōtae." I'll go to paragraph 58. **CONTINUES READING BRIEF OF EVIDENCE #R003(b)** "Social Issues. The cost of disconnection I believe Crown acts and omissions are causing immense problems to this day, including social issues. The social issues caused by the loss of land and effective expulsion of our tūpuna from Te Rohe Pōtae should not be underestimated. I believe that Māori health and wellbeing are very much tied	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	to tribal ownership. Loss of lands has had a huge impact on us. It is not just loss of land, it is a loss of our identity, leading to a loss of traditional practices, degradation of tribal rangatiratanga and a loss of whānau links. All of this contributes towards the decline of our health, prosperity and wellbeing. The way I see it, the Crown's acts and omissions have resulted in an almost complete loss of the Māori way, breaking down the once strong base of whanaungatanga in and around Te Rohe Pōtae – I have observed this. I speak on this issue as someone who works in the mental health industry in Taumarunui. I have previously worked for an organisation in a different capacity, providing support services such as budgeting and advocacy for our people. My experiences are relevant to Te Rohe Pōtae not only because they relate to the situation of those whose tūpuna lost lands in Te Rohe Pōtae, but also because my job, my jobs have brought me into contact with people from both inside and outside Te Rohe Pōtae who come to Taumarunui to seek support. Of the percentage unemployed or accessing assistance, I would estimate that 80% of these are Māori. An illustration of the impact of Crown acts and omissions can be seen through the fact that the biggest employers in the area such as Taumarunui are social services. There is a serious lack of unemployment in the area – if there is a job then 50-60 people are applying for it. This is	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	not helped by the fact that I don't think some of the agencies in the area are doing their job properly. Sometimes their expectations are unrealistic. If there are not any jobs, there are only so many times you can go to the same place in a small town and try and gain employment. At times people are asked to leave the area to gain employment – another avenue of disconnection." And I am talking about WINZ. **CONTINUES READING BRIEF OF EVIDENCE #R003(b)** "A lack of healthcare services and other support services plague the area. I know a lot of people who cannot afford treatment or pay for their medication. Unsurprisingly, mental illness, drug and alcohol abuse and domestic abuse are rife, in part triggered by stresses of poverty and unemployment as well as other intergenerational factors. I see all these things through my job. These problems affect the young people too. The stresses of their whānau and all of the factors I have already mentioned mean that education and health suffers. Families are leaving all the time, forced to leave due to unemployment, thus increasing the distance between themselves and their tūpuna whenua inside and outside Te Rohe Pōtae. It is a real struggle here – a family cannot budget with money it has not got. From what I have seen, I am sure that these issues are not unique to Taumarunui and must plague small towns within	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Te Rohe Pōtae in a similar way, and the situation is worsening. I think it is possible that the worsening situation is part of an inevitable decline – people realising that they cannot maintain the lands remaining that they have inside or outside Te Rohe Pōtae, struggling, and often moving away. I think it would be different if people had their connection to their land – their sense of pride, their sense of belonging somewhere. Jobs could be created and sufficient land would afford people the opportunity to support themselves. But for the most part, people don't have lands left. If they do, they are generally individual shares, unproductive, plagued by other issues or insufficient to support a whānau. Moving Forward I have outlined some of the things I want for our people in my Brief of Evidence (#R003), but in reality, I know that the Crown cannot give me what I want. If one thing can be done, I ask that the Government provides more support for our young people, something that would go some way towards addressing the social issues suffered by Māori both inside and outside Te Rohe Pōtae. This could be in the form of trades scholarships, academic scholarships and other assistance, increasing the prospects of our young people. Not only this, our young people need the opportunity to learn where they are from, who they are. This could be through wānanga to re-establish their connection to their tūpuna and	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	to the whenua. Our young people are the ones who inherit the problems of the past. We need to provide them with a better future."	
	PETER JOHNSON	
	Thank you, Mrs Tutemahurangi. If you could please remain for questioning.	
	AMY WILLIAMS	
	Tēnā koe, Mrs Tutemahurangi.	
	LOIS JEAN TUTEMAHURANGI	
	Kia ora.	
	AMY WILLIAMS	
	I just have a couple of questions really focused on the later part of your brief of evidence. So that's at page 10 of your summary.	
	LOIS TUTEMAHURANGI	
	Yes.	
	AMY WILLIAMS	
	Okay. All right, so at paragraph 63, you talk about the percentage of people who are unemployed or accessing	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	assistance and you estimate that 80% of those people are Māori. Are you saying that 80% of all people who are unemployed or struggling financially are Māori, or just the people who come through the agency that you have been working for?	
	LOIS TUTEMAHURANGI	
	Both.	
	AMY WILLIAMS	
	What's the name of the agency that you were providing budgeting and advice (inaudible 10:09:13).	
	LOIS TUTEMAHURANGI	
	That was my previous employer. That is Taumarunui Community Kōkiri Trust.	
	AMY WILLIAMS	
	And the information that you've provided us today, is that based on data that they've collected or your personal experiences?	
	LOIS TUTEMAHURANGI	
	Personal experience.	
	AMY WILLIAMS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Okay, thank you for that. My next question is really about the, the next paragraph where you say that, "…an illustration of the impact of Crown acts and omissions can be seen through the fact that the biggest employers in the area are social services." I– just wondered if you could just explain what you meant by that? If you could just expand on it a little bit.	
	LOIS TUTEMAHURANGI	
1010	What I am saying is that through the Native Land Court system Māori people lost most of their land. Before the Native Land Court system Māori people had everything; the land belonged to them to their whānau. When you look at it today land in Māori ownership is less than 5% throughout Aotearoa. So what I am saying is that through that system our economic base has been lost. What should have been sustaining us and future generations is no longer there.	
	AMY WILLIAM	
	Okay. Now the next section, it really goes through from really the next paragraph right up until paragraph 70. So you say that at paragraph 70, you acknowledge that the issues that are faced that you discuss aren't unique to Taumarunui and this plagued small towns within the Inquiry District in a similar way. Do you accept that the issues that you talk about are also faced in small rural communities around the country not just within Te Rohe Pōtae?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	LOIS TUTEMAHURANGI	
	Yes I do.	
	AMY WILLIAMS	
	And do you accept that some of those issues are also faced by the general population living in those small rural communities in terms of the employment opportunities and services?	
	LOIS TUTEMAHURANGI	
	Are you talking about people other than Māori? Yes, but we're here today to talk about the Treaty of Waitangi and its effect on Māori people.	
	AMY WILLIAMS	
	Absolutely. Tēnā koe.	
	LOIS TUTEMAHURANGI	
	Okay.	
	AMY WILLIAMS	
	That is all our questions that we have for you today.	
	LOIS TUTEMAHURANGI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Okay.	
	AMY WILLIAMS	
	Thank you very much for that.	
	LOIS TUTEMAHURANGI	
	Thank you.	
	JUDGE AMBLER	
	Kia ora. Other counsel?	
	MARK McGHIE	
	McGhie, Sir, I had a couple of questions.	
	JUDGE AMBLER	
	Yes.	
	MARK McGHIE	
	Morning Ms Mahurangi.	
	LOIS TUTEMAHURANGI	
	Kia ora.	
	MARK McGHIE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Looking at paragraph 51 of your summary, you talk about a protest by Toko Te Uhu Te Ngarupiki about the railway –	
	LOIS TUTEMAHURANGI	
	Yes.	
	MARK McGHIE	
	– going through his gardens. Whereabouts were his gardens, do you know?	
	LOIS TUTEMAHURANGI	
	At the back on this marae.	
	MARK McGHIE	
	At the back of this marae?	
	LOIS TUTEMAHURANGI	
	He had a very extensive garden. I believe some of pear trees are up the front on the Taupō road. But his gardens were very extensive. I believe from what I have been told all this area.	
	MARK McGHIE	
	And what form did his protest take? Do you know?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	LOIS TUTEMAHURANGI	
	Yes I do know, it was talked about yesterday with our cousins. He burnt himself in protest to the railway line.	
	MARK McGHIE	
	And that was when they were building the railway line here adjacent to the marae?	
	LOIS TUTEMAHURANGI	
	Yes.	
	MARK McGHIE	
	Do you know if the line went over any other occupied land?	
	LOIS TUTEMAHURANGI	
	It was all occupied from Mātāpuna, the bridge at Mātāpuna where Moffat was killed there was a kāinga there and the new road bridge that was put in, in the 1960s and the main highway are on top of an urupā.	
	MARK McGHIE	
	So did part of the railway line go over the urupā too?	
	LOIS TUTEMAHURANGI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I would say so, yes. The main road used to be – traffic had to travel over the railway line and the main road was down here, Taupō Road and then they constructed in the 1960s the Mātāpuna Bridge and the main road which also cut through and ran alongside the main trunk line.	
	MARK McGHIE	
	And it was the new road that mostly went over the urupā?	
	LOIS TUTEMAHURANGI	
	Yes.	
	MARK McGHIE	
	All right, thank you for that. Those are my questions Sir.	
	JUDGE AMBLER	
	Tēnā koe.	
	LOIS TUTEMAHURANGI	
	Tēnā koe.	
	JUDGE AMBLER	
	Thank you for your evidence. I am just interested in what you say in terms of the descendants of Tutemahurangi having no land left in the Rohe Pōtae and you reiterate that	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	in saying, “What we are left with a bits and pieces of individual interests outside Te Rohe Pōtae, bits which are uneconomical aside from showing our links to the whenua.” That is paragraph 49. So I just want to be quite clear, so within the whole of the Rohe Pōtae Inquiry District none of your whānau own any shares in any blocks?	
	LOIS TUTEMAHURANGI	
	Not in Te Rohe Pōtae and I'm talking mainly about my grandmother’s – my great grandmother Parehuitao Te Ngarupiki –	
	JUDGE AMBLER	
	Yes.	
	LOIS TUTEMAHURANGI	
	– and that is my father and his sister and brothers. Our whānau have no lands in Te Rohe Pōtae and I am not sure why. I don’t know why.	
	JUDGE AMBLER	
	And yet Parehuitao was Tuku Te Ehu’s sister?	
	LOIS TUTEMAHURANGI	
	Sister.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	And he was a very prominent man. I think Robert Jonathan in hearing week 2 produced the newspaper report of his death. We know about his death through the fire. Do you know if there were earlier protests? I am just trying to fit it timing wise because that seemed to place his death in 1917 and I would have thought the railway works would have been completed by then.	
	LOIS TUTEMAHURANGI	
	Would have – yes.	
	JUDGE AMBLER	
	So do we know anything about what he was doing by way of protest at that the time the railway works were being done, were being undertaken? Does the whānau have kōrero about that?	
	LOIS TUTEMAHURANGI	
	Not our whānau. I'm not sure if Wayne, who spoke yesterday, I'm not sure if he has any more.	
	JUDGE AMBLER	
	All right. Ka pai. Ngā mihi ki a koe. Anything arising?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PETER JOHNSTON	
	Nothing arising Your Honour.	
	JUDGE AMBLER	
	Kia ora.	
10:19:01	**MŌTEATEA**	
	Ka eke ki Wairaka Ka tahuri whakamuri Kāti ko te aroha te tiapu i Kakepuku Kia rere a Arorangi te tihi kī Pirongia Kei raro koe e Toko Taku hoa tungane Naku anō koe i huri ake ki muri Mōkai Te Ngākau. Te whakatau iho Kia poruatia e awhia a Kiri ana Kotahi koā koe e mihia iho ai Ko taku tau whanaunga No toa i te tonga. Nō Mania i te uru	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
1020	Ka peka ka ua Ka pea tāua I ngakaunui a te mutunga ngā mahi koe Katia ka hoki ki taku whenua tupu Ki te wai Horopupu i reira mai nei I Hawaiiki rā anō e ngā Toroirangi E ōna tuāhine te hoatu te pūpū E hura i Tongariro Ka mahara taku tihi Ngā Rangi mai anō nāna i mārena To Pihana te wahine a Uapaekau Tāe noa ana ki te muri e. Kōkiri.	
	JUDGE AMBLER	
	Kia ora.	
	PETER JOHNSTON	
	Thank you Your Honour that concludes the presentation for Wai 1147 and 1203.	
	JUDGE AMBLER	
	Kia ora. Thank you Mr Johnston.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Now, who is counsel for Mrs Monica Matamua?	
	JASON POU	
	Yes Sir.	
	JUDGE AMBLER	
	Mr Pou.	
	JASON POU	
	As she makes her way up Sir, I do have a short opening. It's got the document number 3.4.70, essentially the opening Sir, just contextualised the claims. It shows that Ms Matamua has been in four inquiries, this is the fourth one. Her rohe spans all those inquiries and she has had to come in basically talk for her interests here. Just to be clear Sir, those land interests that she has span up into the feet of Tūhua. So there are land interests in this region but one of the main reasons that she is here is the political support that her tūpuna Te Pikikōtuku gave to Maniapoto and also the efforts of Takarei, that when he represented interests of Maniapoto. So I set that out. At paragraph 3, they hinge on the struggles that they have faced in their efforts to assert their identity, to maintain their existence and ensure their ongoing association with their places of importance. They are closely related to the relationships of key rangatira.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	These relationships, the ones that were formed by Te Pikikōtuku ended wars and I think sometimes there is a lot of focus that is put on the wars but those tātau pounamu that were formed by people like Te Pikikōtuku that Ms Matamua will talk about ended wars and have seen the people of Ngāti Hinewai and Ngāti Hotu be staunch supporters of Maniapoto ever since. And also she talks about the fact that Ngāti Hotu are an ancient people. They pre-exist time. They were here before Toi and they are still here. Notwithstanding, the efforts of others to absorb them or integrate them in different ways. So in these respect these claims are an ongoing effort to resist the soul destroying impacts of the legal and political systems that exist now which seek to redefine tribal landscapes in a way that allows for smaller groups like Ngāti Hotu and Ngāti Hinewai to be separated out to the extent that they can be reintegrated back into larger groups of convenience within contemporary methodology. Also, that they just fall through the gaps and that is exactly what happens to this group and it is probably a criticism of the way that the Tribunal draws boundaries as well. They end up being a buffer people. They fall through the gaps or they are claimed by other people to be hapū of everybody else. The outcome is effectively the same. It is effective extinguishment of their identity and their ability to stand on their own mana. At paragraph 8, Sir, I set out some of the war and resistance. This has been talked about in other inquiries so we have not gone over that again for this one and she talks	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	about Te Kooti, the relationships and those sorts of things. That is just there for context so that the Tribunal can have an understanding of what is being faced. And from paragraph 10 down, that just essentially says that the land tenure systems, the Native Land Court and even the settlement policy that exists today forces Ngāti Hotu, Ngāti Hinewai to become part of something, part of somebody else or be left out and its fate perpetuating itself. The evidence, there is only one brief of evidence to be given Sir. I filed it late so I do not know what the document number is for that one. That is a brief of evidence by Ms Matamua.	
10:26:14	**UNIDENTIFIED FEMALE SPEAKER**	
	JASON POU	
	What was that sorry?	
	UNIDENTIFIED FEMALE SPEAKER:	
	#R026.	
	JASON POU	
	And also Sir in terms of the material that is already on this District Inquiry, I set that out at paragraph 17. The document number is there, you see applications for urgency that have been placed on this record. This shows the fights that Ngāti Hotu and Ngāti Hinewai have gone through to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	maintain their identity in the settlements. Coming down all the way down to F, those are the supporting documents that she provided when she stood in the Kōrero Tuku Iho. What I have not put in there Sir and from memory it is from page 111 of the transcript of the Kōrero Tuku Iho that took place in Ngāpūwaiwaha. There is some evidence that was given by Tūrama Hawira that –	
	JUDGE AMBLER	
	What is name again sorry?	
	JASON POU	
	Tūrama Hawira. He gave quite detailed evidence on the identity of Ngāti Hotu and because that is there Ms Matamua does not have to re-traverse it Sir. I go to paragraph 19 the concluding comments. This brief statement gives but a small glimpse into the plight of Ngāti Hotu and Ngāti Hinewai. The last time Ms Matamua stood before the Tribunal here at Wharauroa in 2008, she hoped that the Tribunal's deliberation would bring an end to the legal extinction of Ngāti Hotu and the suppression of Ngāti Hinewai. As her evidence reveals, it is not all doom and gloom. They are gaining a presence. They have achieved a recognition. The request now is to ensure that that presence is maintained. That the assistance that has been provided by the Tribunal, the visibility does not wane as the memory of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	these proceedings fade. They are not absorbed. They have not been erased. They live on in their own right and that is exactly what they come here before the Tribunal to assert. And, this is something that they want to be maintained and I think one of the issues that does come up and you will hear from Ms Matamua is the issue of the Māori Council that existed to inform the District Council about Māori issues. It seems that is an appropriate topic that is being discussed today and perhaps those issues might be put to Ms Matamua so her perspectives can be given. Unless you have any questions Sir, those are the opening submissions and I will leave the floor to Ms Matamua. Would you like to stand or sit?	
	MONICA MATAMUA	
	I would rather stand.	
	JASON POU	
	Okay.	
	JUDGE AMBLER	
	Ka pai. Thank you.	
	MONICA MATAMUA	
	Tēnā koutou te Karauna, tēnā koutou te Taraipiunara, tēnā	Greetings to the Crown, the Waitangi Tribunal, legal counsel

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	koutou ngā rōia, tēnā koutou te whānau katoa. All right.	and to all the whānau present.
	JASON POU	
	You can start reading your brief.	
	MONICA MATAMUA	
	Okay. **READS BRIEF OF EVIDENCE #R026** "My name is Monica Matamua. I am of Ngāti Hotu and of Ngāti Hinewai. I descend from Mihiterina, the daughter of Te Pikikōtuku and Te Rangikowaea. **Interests of Ngāti Hinewai and Ngāti Hotu"** Oh, do – I got to start again? Keep going? All right, thank you Judge."	
1030	**CONTINUES READING BRIEF OF EVIDENCE #R026** "The history of Ngāti Hotu and Ngāti Hinewai is intertwined. We are sometimes called Ngāti Hotu Hinewai. While it is true that we are closely related, I think it is important to recognize the unique identities of both. Ngāti Hotu are an ancient people. We have been here since the origin of time, prior to the arrival of Toi. We were the forest people, the tūrehu. We might have been oppressed	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	following the migrations from Hawaiki, however, our existence is continued and marked within the links that we have to many iwi. The two come together after two Hinewai sisters arrive in this country aboard Te Paepae-ki-Rarotonga and marry into the descendants of the Hotu people at Whakatane. Since this time, our Hinewai links take us into the Whanganui, Tūwharetoa, Te Arawa, and north into Maniapoto. Because of these many links, we are sometimes called a buffer people. Our historic territories were originally in the Bay of Plenty and covered much of the central north island as well as the Taupō District and over towards Hawkes Bay. We reached out from the summit of Ruapehu, down the Manganui-a-te-Ao River to its meeting with the Whanganui bank up to Manunui and then to the junction of the Whakapapa River back to meet the summit of Ruapehu. Following the wars, conflict and allegiances that have been made, our focus remains centred in at the junction of the Whanganui and Whakapapa Rivers at Taurewa. We are not so far along the Whanganui River that we lose our links with Tūwharetoa. Not so far upriver that we lose our ability to associate closely with the Whanganui people, and close enough to the Tūhua region to be able to maintain our links with the Maniapoto people.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	We do not and denied and – we do not and cannot deny our links with these particular iwi, however, we are more than just a buffer people. We exist in our own right, not just to bridge the gaps between others. It is on this basis that we have existed, and continue to exist in this region. **Participation within Other Inquiries"**	
	JASON POU	
	Mrs Mātāmua.	
	MONICA MATAMUA	
	Yes.	
	JASON POU	
	I'm over here.	
	MONICA MATAMUA	
	Oh.	
	JASON POU	
	It's me, Jason. Over here. That – you've set out there your partici – over here.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	MONICA MATAMUA	
	Yes.	
	JASON POU	
	That paragraph sets out the matters that you've traversed in the other inquiries. If we could go onto the next page to, from paragraph 4, so that we can focus on the issues that this Tribunal.	
	MONICA MATAMUA	
	Paragraph 4. **CONTINUES READING BRIEF OF EVIDENCE #R026** "Recognition out of Participation One of the main reasons for our participation in many inquiries has been to gain a presence in the area for our people. In this regard, I do feel that our participation in these other inquiries has been successful. We have come through generations of being told that we were genocided [sic], bred out of existence, or absorbed. As a result, other groups and local authorities refused to recognize us. As we have told our histories and challenged those who have tried to keep us extinct, we have gradually gained some recognition in the region. An example of this is that my son sits on the Māori Council	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	for Ngāti Hotu and Ngāti Hinewai. The Māori Council is a kind of standing committee that provides advice to the Ruapehu District Council on Māori issues. While we are yet to see any major benefits from the establishment of the committee, which I will talk about later in this evidence, I am not completely unhappy with some of the progress that has been made. With the recognition we have achieved, however, have come the many settlement groups. They want us to be part of them so that they can claim our lands and taonga. The very people who claimed to have wiped us from the face of the earth now come saying that we are one of their hapū so that their claims can be extended. They treat us nicely to the first part, then if we miss a meeting they forget us in the minutes. Then once they think they have captured our claims we become irrelevant and we are told that our claims will be settled for us. This is what happens time and time again. To me this isn't whanaungatanga, it's just plain greed and because of this we continue to stand outside of the settlement groups that are sprouting up around us and claiming our lands. We just have not been able to find much comfort in any of them. My biggest fear is that if we join one of the super groups, all the work that we have put into the establishing our presence will be lost. Interests within Te Rohe Pōtae District"	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	It is difficult to say which blocks we, excuse me – which blocks we are in, if this then cuts us out of others. When I look at what people like Takarei were doing, he was saying that wherever there was, wherever Hinewai was so was the rest of Maniapoto. Our lands were for all of us. Not just for a group or individuals that could sell them. I will talk about ideas rather than blocks, like Maraeroa and Rangitoto-Tūhua. **CONTINUES READING BRIEF OF EVIDENCE #R026** "In my heart, I feel an affinity with all of those who carry the Hinewai name. In this regard. I feel a connection all the way into the northern tribes where hapū of Ngā Puhi and Te Rarawa bear the name of Ngāti Hinewai. Similarly for the tūrehu of Ngāti Hotu. When I hear stories that span the country that talk about the fairer folk or the patupaiarehe, in my heart we are all one people, we are connected. I don't say these things to claim their land or their taonga, however, we feel the hurt when they suffer, and we feel their frustrations when we see them in struggle. When you descend from someone like Te Pikikōtuku, it becomes really hard to say you are from just one place. He was a rangatira, like many of the time who really got around and our DNA can be found in many places. The late Harry Kereopa was one of us and is an indication of our interests that reach up into the southern portions of the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Rangitoto-Tūhua region. Our interests there are small, however, these connections are very important to us. This was when we were driven to when we were defeated by Tūwharetoa. The area became a place of sanctuary for us. It was here that we again were forced to seek refuge when Government forces took over our marae at Takapuna, Kākahi in the 1870s to prevent Te Kooti and his forces escaping Te Rena." One of Te Kooti's wives was the daughter of Te Pikikōtuku. No bounty put onto Te Kooti's head would ever have been enough to make him give him up." **CONTINUES READING BRIEF OF EVIDENCE #R026** "I do not intend repeat the evidence that was provided at Waimiha. That was an amazing hearing and there isn't much I could say to add to the kōrero about the land losses that occurred through the region to make way for national progress." And if it weren't for the people of Tūhua, we would have been wiped out. We need to acknowledge this. They looked after us and ensured our survival. **CONTINUES READING BRIEF OF EVIDENCE #R026** "Support for Te Rohe Pōtae Leadership Our people have been strong supporters of resistance movements, such as the Kīngitanga, the Ringatū Church, Te Kere Ngātaierua, Rātana and Pai Mārire. As I have mentioned, Te Pikikōtuku was one of our greatest leaders. It was he who was a peacemaker that helped to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	end the fighting between Maniapoto and Ngāti Hauā after the massacre of Ngāti Hotu at Cherry Grove in Taumarunui."	
1040	There were 600 Ngāti Hotu lives lost there. Since this time we have fought alongside and defended Maniapoto. This was a promise of Te Pikikōtuku, one we have never broken. We discussed his histories – I am just sort of filing in bits and pieces that I missed out, kei te pai?	
	JASON POU	
	I will file an amended brief with the interpellations later Sir.	
	MONICA MATAMUA	
	CONTINUES READING BRIEF OF EVIDENCE #R026 "We discussed his histories in the Whanganui District Inquiry. Importantly, for the purposes of this Inquiry, it is important to mention a that he was intimately involved in Te Ōhākī Tapu, and a signatory to the 1883 petition. Ngāti Hinewai also fought at Mātakitaki, our chief Takarei spoke of this and the Huahua that Te Wherowhero provided in gratitude. Timitepo Hohepa gave evidence about Te Pikikōtuku and his son, Himiona – actually Himiona was the mokopuna of Te Pikikōtuku who fought at Ōrākau. I have attached Mr Hohepa's evidence to mine and marked it with the letter "A" so that the information can inform this Tribunal of the stance	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	that our people took. It is because of this support that I think it is important for us to stand here in support of Maniapoto and their claims. If my tūpuna would lay down their lives to defend the boundaries that they helped to establish, then standing here is the least I can do. **The Māori Council** As I have mentioned above, we are gradually gaining more recognition by local authorities, which I think is a result of our participation in the Waitangi Tribunal. Before talking about the Council, however, I just want to give a bit of a mihi aroha to Hikaia Amohia and Archie Taiaroa. We have come a long way since Hikaia Amohia stood in the 60s at a council meeting to oppose the Tongariro Power Development Scheme. The mayor of the time who was chairing the meeting told Hikaia to shut up and sit down as he had no interests in the rivers that needed to be considered. Of course the result now, they are polluted and there is dam-all river left. Those were hard times. Then Archie Taiaroa was pushed by the people to run for the District Council and succeeded. Unfortunately, he was the only Māori and he would just get voted down. I can't imagine what this would have done to his spirit but he just kept it, kept at it for us. He carried all of our hopes, but in the meetings it would just be him there by himself.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	He was a dignified man that achieved a lot for us in his lifetime. He gave his life to us, for us, and we didn't really know how much he did for us until he was gone. Since then everything just seems to have hung in place. It seems like a lot of his initiatives have died with him. I know that when he stood in front of the Tribunal, he stood for Ngāti Hauā but for what he did in this region, he did for all of us making sure we all had a say and that none of us were forgotten. I miss him. We all do.	
1044	Since then we have all put our support into getting another of us on to the Ruapehu District Council, Peter Pēhi. He stood alongside our Uenuku people in the Whanganui Inquiry. He is full of passion and dedicated to our people, and I hope that he will be our next Mayor. Hopefully, Peter won't be there by himself and we can support him perhaps a bit more that we did for Archie. To this end, as I have mentioned, my son sits on the Māori Council of the Ruapehu District Council." He never resigned. But Peter, I went and got Peter to stand in his place because Aaron had other things to do. He is an innovative person. **CONTINUES READING BRIEF OF EVIDENCE #R026** "It was established about three years ago to take responsibility and inform the council on every day runnings, issues that impact on Māori in the region. We had hoped	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	that it would help Māori for development purposes." I have here today, the very mayor that set that up, Sue Morris. So she is here and if there's anything you'd like to ask her about it, because she's still among the Māori people. She is still there helping us. She hasn't – even so, she resigned as the mayor, she's still our mayor. **CONTINUES READING BRIEF OF EVIDENCE #R026** "When it started we were full of hope, however, nothing seems to have come out of it and the meetings seem to have stopped." Something, but I do have here a person that can support me on this is, that's Tame Tūwhāngai. **CONTINUES READING BRIEF OF EVIDENCE #R026** "One of the significant issues raised was about the fencing of the rivers. Because they aren't fenced off, the stock go straight in and at times we see dead cows, sheep and even goats floating down the river. We wanted the fencing to be initiated along with the planting program of natives along the riverbanks. We were told that hundred thousand would be provided for this. Unfortunately, nothing has been started. We think this initiative is an important one. All our rivers are connected. Some people down the river take their drinking water from it. We should be doing everything that we can to make sure the water is clean and I don't think we are doing enough.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I think this is an initiative that needs to be followed up on and given teeth. I don't know what happened to the hundred thousand that was proposed, but maybe the commitment needs to be rekindled. It's not just this initiative though. It's the whole idea of the Māori Council. Perhaps we need something with a bit more teeth. Something more than a Māori Council. Something that just can't just be put aside and forgotten when people get busy or move onto other things." Or whom the mayor is, I think. We need Sue back. **CONTINUES READING BRIEF OF EVIDENCE #R026** "We need something to ensure that Peter finds more support than we were able to give to Archie and I'm not sure that an unfounded standing committee can achieve this. So while I might be happy with the recognition that Ngāti Hotu and Ngāti Hinewai are beginning to achieve, we need to see some results and outcomes. We need to know that initiatives will stand the test of time. We need to know that the visions of our leaders will not die with them, that they will become the reality for our future generations. For us to have certainty, I believe the Crown need to provide the local authority with some direction. I don't know if the answer lies in creating dedicated Māori seats or if it lies in a statutory board that the council has to listen to. What I do know is that we need a little bit more	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	than what currently exists. We owe it to those like Hikaia and Archie who stood up against the system to try and make things better for us. In this respect, while I have hopes for the future, it is my view that the system restricts our ability to exercise authority rather than providing us with opportunities to exercise tino rangatiratanga. We would like findings and recommendations from this Tribunal that would ensure that the current system of local Government is changed to ensure that the Māori voice of our area is can be heard and respected. **Concluding Comments** It is with some pride and some sadness that I bring my efforts before the Tribunal to an end. It has been a long journey for me and I have lost many along the way. In particular, my husband, Iki Whenua, my staunch supporter through all this.	
1050	He shared my dreams and worked tirelessly to help me achieve them. We have come far but I think we still have far to go. Our dream of living and thriving on our whenua at Te Rena is a matter for the Whanganui Tribunal to consider. Our dream of having a Māori mayor, that's something for us and Peter Pēhi to work on. I do worry that when I die my efforts will be lost but my son	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Arin, I know this is a burden for my son, but my son Arin is a fighter. He is strong and I am extremely proud of his efforts on our trusts and in the council to try and help our local Māori community. My journey for Ngāti Hotu and Ngāti Hinewai over the past decades has really been about our ability to assert our identity standing on our own mana and I believe that we are on the way because of the recognition we are beginning to achieve. This is a fight that I don't want my kids or mokos to have to fight from the start again and I do worry that the gains that we have made for Ngāti Hotu and Ngāti Hinewai will be eroded when the Tribunal goes away, we all worry about that, and others try to ignore us again or absorb us into something else. I want to be clear that our desire to stand apart is not an effort to degrade others, however, we don't deserve to be degraded so that we can be made to fit into what the Crown wants to settle with. We would like findings and recommendations from this Tribunal that recognise the efforts that Ngāti Hinewai and Ngāti Hotu have made to come before it standing on our own mana. Yes, our history says that we are a part of all of the larger tribes around us, however, to make us to pick a side for the purposes of settlement degrades us and causes conflict. When you force us under one tribe you tell us that we have	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	to disconnect from the others. How can we do that? We won't do that. We are still here and we aren't going away. Tēnā koutou katoa.	
	JASON POU	
	Kia ora Ms Matamua. Now when I arrived here today you presented me with three magazines.	
	MONICA MATAMUA	
	Yes.	
	JASON POU	
	Could you just – and I understand that you have given those magazines to the Tribunal as well.	
	MONICA MATAMUA	
	Yes.	
	JASON POU	
	Could you just give a brief explanation of what is in those magazines and I will file the reports at a later time.	
	MONICA MATAMUA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Well at the request of my mokopuna over there, Pou Temara, I didn't let him down and nor did the local magazine. They were delivered to me late last night. I think it was about nine o'clock. Two people came down from Auckland with it and with the shortage of time they only had – and my DNA came through the end of – I only picked it up at the end of January so there wasn't much time for them to get that magazine together, between then and now. But, however, they managed to. They brought me down 20 copies which I have given out around and about. There is still a few in my bag. But these two people here were responsible for my DNA and he's here so if you've got any tricky questions we'll hand it onto him. But that magazine it was – they got onto my history when I gave my kōrero in the Whanganui Inquiry with Judge Wainwright and it was put on the Internet which went all over the world and they happened to be looking on the Internet and come across my history and they contacted me and from there it has led to all that. It has been a three year mahi for the local magazine.	
	JASON POU	
	Kia ora Ms Matamua. While the Tribunal might be digesting those articles could you help my friend from the Crown with any questions that he might have and any questions from the lawyers behind me, what they might have. Ka pai?	
	MONICA MATAMUA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Kei te pai. I only gave the Crown I think one or two – oh they got the money to print 'em.	
	JASON POU	
	I did want to ask if the woman on the front of this one was from Ngāti Hinepotu?	
	MONICA MATAMUA	
	Oh definitely.	
	AMY WILLIAMS	
	Tēnā koe Ms Matamua. I just had a couple of questions just to clarify a couple points that you have raised in your evidence. When you talk about the Māori Council that is a part of the Ruapehu District Council, that is separate to the District Māori Council structures and the New Zealand Māori structures?	
	MONICA MATAMUA	
	No it is separate.	
	AMY WILLIAMS	
	Yes. So it is not part of those processes at all, it is a	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	separate body?	
	MONICA MATAMUA	
	Well I think the – oh it is because I've got so much – the mayor that set all this up she is sitting over there and she'll have a correct answer for you.	
	JASON POU	
	Just to clarify, are you talking about the New Zealand Māori Council?	
	AMY WILLIAMS	
	Yes. Yes, the New Zealand Māori Council, it is not part of that, under the –	
	JASON POU	
	And I think that is the answer she gave.	
	MONICA MATAMUA	
	No it isn't.	
	AMY WILLIAMS	
	That is all right. And, I just wanted to check, the funding for the $100,000 for fencing, the waterways, was that something that was arranged through the Ruapehu District	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Council or was that through another –	
	MONICA MATAMUA	
	No I don't think it was.	
	AMY WILLIAMS	
	Do you know who the body that was responsible for that funding was?	
	MONICA MATAMUA	
	Oh I think it – aye?	
	AMY WILLIAMS	
	Regional Council?	
	MONICA MATAMUA	
	Oh it was the Regional Council.	
	AMY WILLIAMS	
	Okay.	
	MONICA MATAMUA	
	Oh sorry, there's so many councils.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	AMY WILLIAMS	
	And that came out of the Māori Council relationship with Ruapehu District Council?	
	MONICA MATAMUA	
	Yes it has.	
	AMY WILLIAMS	
	Okay.	
	MONICA MATAMUA	
	Oh it should have.	
	AMY WILLIAMS	
	All right. Well that was all we had for you question wise today.	
	MONICA MATAMUA	
	Thank you.	
	AMY WILLIAMS	
	Thank you very much for that.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Can I just ask, is that the Horizons Regional Council?	
	MONICA MATAMUA	
	Yes. Yes Sir.	
	JUDGE AMBLER	
	No other counsel?	
	DR AROHA HARRIS	
	Kia ora. I have just got one question. One of the things you asked of the Tribunal is to make findings and recommendations to ensure the current system of local Government is changed to ensure that the Māori voice of that area is heard and respected. What would you want that local Government change to?	
	MONICA MATAMUA	
	Well I would like to see an independent Māori body as part of the council. Similar to what they have set up in Auckland, yes. Is that too much for you?	
	DR AROHA HARRIS	
	No, not at all. Is it too much for you? I am not going to say	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	anything else about that, the Statutory Board. Thank you.	
	JOHN BAIRD	
	Thank you very much for your brief. I found it very interesting. Can you tell us exactly where Te Rena is?	
	MONICA MATAMUA	
	Te Rena? Well –	
	JOHN BAIRD	
	Or roughly.	
	MONICA MATAMUA	
	Do you know where Kākahi is? Oh you know where Ōwhango is?	
	JOHN BAIRD	
	I do. So it's in the –	
	MONICA MATAMUA	
	Oh about 10 ks away from here.	
	JOHN BAIRD	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	On the –	
	MONICA MATAMUA	
	As the crow flies that is.	
	JOHN BAIRD	
	On the river?	
	MONICA MATAMUA	
	Yes it's right on –	
	JOHN BAIRD	
	National Park?	
	MONICA MATAMUA	
	Yeah National Park. But it sits between the Whanganui River and the Whakapapa. It's where they join, yeah.	
	JOHN BAIRD	
	Right, okay. Thank you. And you also mentioned a marae Takapuna, is that there as well?	
	MONICA MATAMUA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	That's in Kākahi, that's 10 ks from here.	
	JOHN BAIRD	
	Right.	
1100	**MONICA MATAMUA**	
	But most of that land was brought back by my father and mother back in the 1930s. It was the Ngāti Hotu papakāinga.	
	JOHN BAIRD	
	Right.	
	MONICA MATAMUA	
	We had to buy it back. It was taken in the first place. Yeah.	
	JOHN BAIRD	
	Thank you very much.	
	PROFESSOR POU TEMARA	
	Āe, tēnā koe.	
	MONICA MATAMUA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Tēnā koe.	
	PROFESSOR POU TEMARA	
	Tēnā koe, Monica. First of all, thank you very much for these magazines that you brought to us. I needed to have them in front of me so that, yesterday, so that I, I'd forgotten the magazines that you were a part of. I've read them before and I just wanted them in front of me so that I knew what was, what I was talking about when I was interviewing Mr Pātete. You were quoting from Mr Pātete's brief of evidence about Te Kooti's wife?	
	MONICA MATAMUA	
	Yes.	
	PROFESSOR POU TEMARA	
	Yes, yes. You know her name?	
	MONICA MATAMUA	
	No, I – I don't know the name of that one.	
	PROFESSOR POU TEMARA	
	All right, all right.	
	MONICA MATAMUA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Oh, 'cos he had –	
	PROFESSOR POU TEMARA	
	Yes, yes.	
	MONICA MATAMUA	
	Well, you know –	
	PROFESSOR POU TEMARA	
	All right.	
	MONICA MATAMUA	
	Don't forget, our koro had married nine times and was –	
	PROFESSOR POU TEMARA	
	Yes, yes. He was a prolific -	
	MONICA MATAMUA	
	I really don't –	
	PROFESSOR POU TEMARA	
	A, a person who was –	
	MONICA MATAMUA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I know where I come from.	
	PROFESSOR POU TEMARA	
	Yes.	
	MONICA MATAMUA	
	I know my mummy.	
	PROFESSOR POU TEMARA	
	Okay, okay. I just thought that I'd mention to you that Himiona who fought at Ōrākau had three children. One of them was Makurata. She was 16, I think, or very young when she hooked up with Te Kooti and became one of his wives.	
	MONICA MATAMUA	
	Oh, okay.	
	PROFESSOR POU TEMARA	
	But later sent her back to Ruatāhuna and she married Paitini, who had my grandmother, who had my mother, who had me.	
	MONICA MATAMUA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ka pai.	
	PROFESSOR POU TEMARA	
	Yes, yes.	
	MONICA MATAMUA	
	Tino pai.	
	PROFESSOR POU TEMARA	
	I just wanted to tell you that, kia ora. Now, I may have to recuse myself from this evidence.	
	MONICA MATAMUA	
	Well I think it's good we all know our mummy's.	
	JASON POU	
	I'll get a brief from Professor Temara later.	
	JUDGE AMBLER	
	Ka pai. I will ask my questions now. Hopefully they will be short. Can you just explain who is sitting here with you?	
	MONICA MATAMUA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Sitting here with me, that's my eldest daughter, Odette and Janet is number six, my other daughter, and that's Odette's husband.	
	JUDGE AMBLER	
	Yes.	
	MONICA MATAMUA	
	Jamie Elston, he's the warden here, and he's from Ngāti Roa, Ngāti Roroa from Waipouri. Yes, and then this is my son, Aaron. My niece –	
	JUDGE AMBLER	
	All right. He is the one on the council?	
	MONICA MATAMUA	
	Yes, he's the one that's, yeah.	
	JUDGE AMBLER	
	On the Māori Council?	
	MONICA MATAMUA	
	Yeah, he's the innovative worker, that one.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	All right.	
	MONICA MATAMUA	
	Yeah. And this is my niece, Denise Tutumahurangi.	
	JUDGE AMBLER	
	Kia ora. Ka pai.	
	MONICA MATAMUA	
	Yes, and of course, Sue Morris, and I have sitting by Sue, that lady has written a song, a lament from Ngāti Hotu which she will sing at the end of my presentation, and the guy with the pāhau, he works for the Geographic Society. He's the scientist and the person who came here and did my DNA. So you have, you have someone to answer all the questions you want to ask.	
	JUDGE AMBLER	
	All right.	
	MONICA MATAMUA	
	But they're sitting right there.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Ka pai.	
	MONICA MATAMUA	
	Ka pai.	
	JUDGE AMBLER	
	Now, from what –	
	MONICA MATAMUA	
	Sorry, Judge.	
	JUDGE AMBLER	
	Yes.	
	MONICA MATAMUA	
	And over there is my, one of my grandson's. He's a film maker in his own right and he does Māori documentaries, Māori history. So what I got him to film this day, because a lot of the people that were here yesterday wanted to hear me talk and they had to go to the Ōrākau celebrations. So he's gonna send them some CDs to make sure they don't miss anything.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Ka pai.	
	MONICA MATAMUA	
	Thank you.	
	JUDGE AMBLER	
	Now, from yesterday's evidence it was explained that Ngāti Hinewai are one of the hapū of this marae.	
	MONICA MATAMUA	
	Yes. That's correct.	
	JUDGE AMBLER	
	So as far as Ngāti Hotu is concerned, where is Ngāti Hotus marae?	
	MONICA MATAMUA	
	I've got – that was Whakahau really. Ngāti Hotu had several marae.	
	JUDGE AMBLER	
	But today?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	MONICA MATAMUA	
	But today, there is nothing.	
	JUDGE AMBLER	
	There is nothing.	
	MONICA MATAMUA	
	And nor does Hinewai. The last marae was burnt down in 1967 at Te Rena.	
	JUDGE AMBLER	
	And where was that? At Te Rena?	
	MONICA MATAMUA	
	That was at Te Rena and Te Rena is the northern end of the Taurewa Block from the mountain. Yeah.	
	JUDGE AMBLER	
	So, you have expressed some concerns about what you referred to as “super groups.”	
	MONICA MATAMUA	
	Oh, yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	An interesting phrase. But if we look back historically in terms of Ngāti Hotu, did Ngāti Hotu at some point in the 19th century align with Ngāti Maniapoto, Ngāti Tūwharetoa, Whanganui or where did the hapū sit?	
	MONICA MATAMUA	
	They aligned with the iwi of Whanganui, yeah. That's the Uenuku people. Uenuku, Tamakana and Tamahaki.	
	JUDGE AMBLER	
	Ka pai. Kua mārama. Ngā mihi ki a koe. Anything arising?	
	JASON POU	
	No issues arising, Sir.	
	JUDGE AMBLER	
	Kei a koutou te waiata nē?	
	MONICA MATAMUA	
	Oh, te waiata. Now, I'll let her tell her, it's Paula. Her name is Paula, but I'd like her to give a bit of talk on herself and what she does and why she's written this song. She has got some CDs to give out. Not too many though. Oh, Judge I do have some photos, I was quickly going to obtain. I have	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	here, I think Pikikōtuku 'cos it's up here – you haven't got this photo here, which you've already got, but I have here his grand-daughter, great grand-daughter. She was a daughter of Mihi Te Rena, that's my grandmother.	
	JASON POU	
	Can you just speak to the microphone please?	
	MONICA MATAMUA	
	Okay. The photo Jason has got is of my grandparents, Te Araroa Karauti, and my grandmother Te Otimihi Te Rena. She was a daughter of Mihi Te Rena, the daughter of Te Kooti. I mean of Te Pikikōtuku. Yes. And those are my parents, my mother, the great, great granddaughter of Te Pikikōtuku and my father was of Ngāti Awa, from Whakatāne. He was a Waretini and they were of Ngāti Hotu, too. They were a blue-eyed family. And my little grandson. I've just had him, he's just been diagnosed, he's four years old with autism and he's been chosen for the DNA research that's been put forward by the Government. They have given so much money to see why so much of our Māori kids have coming, are coming down with autism, because it's not a genetic thing. So far, it's not a genetic thing but it's – can be destructive to our Māori people and that's my grandson, great grandson Kauri. Yeah, and he lives with me. Okay, it's all yours Paula.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PAULA FEATHER	
	I sing this for the Ngāti Hotu people. I wrote it because (inaudible 11:08:45) the origins of the people of New Zealand, and it means much to me to be able sing this for Ngāti Hotu today and Monica. It's called, "The Lost Ones to be refound."	
	WAIATA	
	It all seems so very happy. It all seems so unreal. And if I ask myself questions. Our fairy like people you describe as living. In this world a long, long time ago. Here in Aotearoa.	
	Tūrehu atu koe anahe. Waiariki, Waiariki mai i te Ngāti Awa. Pāriha tukutuku karatahi koutou and more. Oh here in Aotearoa. Oh here in Aotearoa. People who laughed, fairy people who cried. Forest people who climbed if they chop us. People who had to hide but they were maimed	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And they died and their bodies hid in the sand. In this world a long, long time ago Here in Aotearoa. Tūrehu atu koe anahe. Oh Waiariki, Waiariki mai i te Ngāti Awa. Pāriha tukutuku karatahi koutou and more. Oh here in Aotearoa. Oh here in Aotearoa. We're searching for, for the long, long stories. We're searching for meaning so we can carry on. Remember the magic of those who walked before us. We celebrate their existence and cherish their highs. In this world a long, long time ago here in Aotearoa. Tūrehu atu koe anahe. Oh Waiariki, Waiariki mai i te Ngāti Awa. Pāriha tukutuku karatahi koutou and more. Oh here in Aotearoa. Oh here in Aotearoa.	
	PAULA FEATHER	
	For the lost ones.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Kia ora. Kia ora. Just before we finish, can I have your kaiwaiata's name?	
	MONICA MATAMUA	
	My Wai number?	
	JUDGE AMBLER	
	No the name of your singer?	
	MONICA MATAMUA	
	Oh she can tell you herself.	
	PAULA FEATHER	
	I'm Paula Feather from Auckland.	
	JUDGE AMBLER	
	Kia ora. Ka pai. We will take our break and ka hoki mai a te haurua i te tekau mā tahi, 11.30 am.	
	HEARING ADJOURNS: 11.14 am	
	HEARING RESUMES: 11.38 AM	
	KAUMĀTUA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Nā reira e te Taraipiunara, e tū atu tēnei kia whakaatu ake ai ngā taonga i mua i a koutou nā reira kei te mihi ake rā.	
	Uea, ko te pou roa, ko te pou roto, ko te pou whakauruhanga atu ki te tonga he mau uirau te mana te karakokiri ki te mate. E hoki ki kō. Kimihia, kimihia, whano whano haere mai te toki. Haumie hui e tiaki e. Nā kua oti.	
	PROFESSOR RICHARD BOAST	
	Sir, there are written submissions that have been filed to open the case for Tamahaki and there is an accompanying map to my submissions which is simply the Whanganui Inquiry District map which I thought might be helpful, that if we could look at that as well as the Rohe Pōtae maps. It is somewhat to my mortification Sir that it is until preparing the opening submissions for this claim I did not quite fully grasp the origins and significance of the Ōhura South Block and it is that point that I would like to just address briefly before we get into the evidence.	
	PROFESSOR RICHARD BOAST	
1141	The Ōhura South Block which in the map is the most northern most block within the Whanganui Inquiry District is actually a part of the 1886 Rohe Pōtae Block. And so the Rohe Pōtae Block southern boundary is also the southern boundary of the Ōhura South Block. There is, in fact, no	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ōhura North Block. It is called Ōhura South because it was part of the Rohe Pōtae Block that was south of Ōhura, hence the name. I will come back to what this seems to suggest in a moment, but I should move on to just introduce the evidence for today. There will be three witnesses for Tamahaki. Mr Boy Cribb will be focussing on land blocks and boundaries and much of that material can be taken as read. Geraldine Taurerewa will be speaking particularly about the Tatū Coal Mine and the effects of its closure in 1971. Sir, we filed rather a lot of documentation at the last minute as it only came into the claimant's hands at the last minute relating to that mine. We are not entirely sure of the significance of all the documents. We have done our best to cross reference it to the brief of evidence as best we can, but there may be more matters of significance that are buried in that material which we have not yet had an opportunity to draw out, and it would certainly be unfair to have expected the Crown to have had a chance to consider that primary documentation which is mainly Mines Department files.	
	JUDGE AMBLER	
	So this is evidence attached to whose briefs?	
	PROFESSOR RICHARD BOAST	
	To the brief of Mrs Taurerewa and it is really Mines	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Department file. The documentation was originally located by Mr Pātete but the documents we have attached are not in Mr Pātete's own document bank. So they are supplementary to that and they relate specifically to the mine, to its positioning and to its closure.	
	JUDGE AMBLER	
	Yes you missed the discussion with Mr Pātete yesterday –	
	PROFESSOR RICHARD BOAST	
	Yes Sir, I did.	
	JUDGE AMBLER	
	– but he was passing the parcel back to your witness –	
	PROFESSOR RICHARD BOAST	
	Right.	
	JUDGE AMBLER	
	– as to demonstrating what parts of the Tatū Mine are actually within this Inquiry District.	
	PROFESSOR RICHARD BOAST	
	Yes, we hope to address that.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	So just in case you are not aware of that.	
	PROFESSOR RICHARD BOAST	
	Yes, we will address it.	
	JUDGE AMBLER	
	Yes.	
	PROFESSOR RICHARD BOAST	
	Now, back to the blocks. Perhaps if I just skip over to heading two on the opening submissions but with the writer here that fixing of the boundaries in the southern part of the Rohe Pōtae Block and how the various partitions emerged from that is a very murky story indeed. It is very complicated and it has not really been fully revealed by the existing corpus of evidence. There is a lot more that needs to be found out about it and the extent of that only became apparent as we were putting this case together. If we can begin with the obvious point as at paragraph 21, to beyond any doubt that Whanganui quote, unquote were one of the five tribes and participated in all of the negotiations that this Tribunal has heard about already. Thus it follows that any breaches of the Treaty that have occurred relating to the negotiations Ōhākī Tapu et cetera, are Treaty breaches with respect to Whanganui a swell. But the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	question is, what is meant by Whanganui in this particular context? Skipping over a bit. Let me think. We know about the 1886 case and what occurred with respect to that, but I would submit also that in order to really understand what the Native Land Court did with that huge investigation in 1886 is to look closely at the lists of names that were fixed for that block. This was done after the main investigation and in 1887, this is paragraph 25 of the submissions, the Court minutes record inter alia a allocation of the main Rohe Pōtae Block to Whanganui and their hapūs, that is the language that is used in the Court minutes, and 222 names are recorded under that heading. Now, we have transcribed all of that list of names and that is attached as appendix 1 of Mr Cribb's Statement of Evidence. Mr Cribb and Mrs Taurerewa independently reviewed this list and found that a substantial number of the names there are Tamahaki people in the sense that the names are familiar ones, connected families who regard themselves as Tamahaki today and include their own families. How that list, Sir, of 221 or 222 names is anything but clear. Why those names in particular we do not know, there is no real evidence about it. So, subheading three Rohe Pōtae Boundary and other Whanganui Blocks. Just going to paragraph 3.4. Our reconstruction of what happened.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	So it seems to be something like this. In 1886 the principle Rohe Pōtae Block was investigated at Ōtorohanga. We know all about that, 1.6 million acres. Whanganui were part of the claimant group. Claimants were successful. The 1886 case did not itself, however, this is paragraph 3.6, define what areas and blocks within the Rohe Pōtae Block should be allocated to Whanganui, that was done later. 3.7, first of the two steps was the identification of the list of names which I have already referred and in subsequent volumes of the minute books there are the names of all of those who were put in the Rohe Pōtae Block, about 4000 odd including the 221, 222 Whanganui names that I have referred to and saw written out in the minute books page after page but not much information at all about how these lists were arrived at. The next step was the allocation of the boundaries between the five tribes within the 1886 block and that happened in 1888 and the Court went about carving up the Rohe Pōtae Block amongst Ngāti Rangatahi, Whanganui, Maniapoto, Hikairo, Raukawa. It must have took the Court a lot of time and trouble. Paragraph 3.9. A rangatira, we have heard about this from evidence being given this morning, named Mātakitaki handed in a document purporting to show the boundary between Maniapoto and Whanganui into Court on 4 April 1888 and we have reproduced an appendix 2 to Mr Cribb's Statement of Evidence exactly what was said in	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the Native Land Court on that occasion. So a boundary was handed in and that boundary in turn became the boundaries of the Ōhura South Block. At the end of 1888, a large number of subdivisions of the Rohe Pōtae Block were defined in the boundaries written down in the Court minutes, Ōtorohanga, Orahere, all those blocks we have heard about and South Ōhura which was regarded by the Native Land Court as simply as a subdivision of the Rohe Pōtae Block. In 1892, the Ōhura South, part of the Rohe Pōtae Block, was investigated by the Native Land Court as a partition of the Rohe Pōtae, and this can all be seen in the maps in the Rohe Pōtae Inquiry District which we are all familiar. I refer to plate 8 in particular.	
1150	Now as to that boundary handed in by MātakitakI though, it is not at all clear that the boundary given then and used to define the boundary of the Ōhura South Block actually was a correct boundary and it seems to have underestimated the area belonging to Whanganui to a significant extent. It is known that on 21st of June 1888, the Whanganui chiefs, Ngātai and Ihimaera Tūao asked the Native Land Court to refer the boundary back to the Whanganui people, but the Native Land Court wouldn't allow that and the correctness of this boundary came up repeatedly in other Rohe Pōtae cases after 1888. Ōhura South as, as I've said, investigated later in 1892, and there was a large case about that. The judgment, interestingly in that case, was given entirely in Māori by Judge Gudgeon, but there is a translation of the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	judgment which was done by Piripi Walker and we've attached that to Mr Cribb's brief of evidence as well, and the original is in the report that Oliver and Shoebridge did on Ōhura South for the Whanganui Inquiry. Now, in that judgment, Judge Gudgeon had quite a lot to say about this 1888 boundary and he thought it was wrong. He said there was no real evidence that, this is the Judge, no real evidence that the real people of Whanganui were present at the hearing, that is when that boundary was fixed in 1888. He said, "It is true that Mātakitaki was here, but he had, it appears, that he caused great harm to them, Whanganui as he did earlier, in naming the lands by iwi boundaries. Indeed one should look again at this irregular evidence which cannot be believed." And, the Court allocated Ōhura South, principally to Whanganui. Now the idea it seems to have been that Ōhura South would be the part of the Rohe Pōtae Block where all the Whanganui interests were to be concentrated but it didn't turn out that way, because there are numerous other blocks in the Rohe Pōtae Inquiry District, which indeed the Court in subsequent partitions did indeed allocate to Whanganui groups and some of these are, Waiaraia, Taurangi, Umukaimata, Taorua, Pukuweka, which we've heard about, that's Rangitoto-Tūhua Number 2, and others, and I go through some of those other blocks here. The Waiaraia Block which is quite important for the Tatū Mine seems to have a particularly murky history and I think Mr Pātete just says it was a remnant that seems to be right as far as we can tell. Now there doesn't appear to have been any proper investigation of the title to Waiaraia and it was handed over, ended up in the hands of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	seven individuals and was very promptly sold to, guess who? The Crown and then shortly after that prospecting for coal mining, it seems to have occurred. An accident? Well we think not. And, there were numerous other cases that criticise in the Native Land Court the effect of that 1888 boundary. We also heard this morning about the Pukuweka Block, and the appeal in respect to that, that it was largely allocated to, to Maniapoto but on appeal. I think it was Judge Mair reversed that in the Native Appellate Court and allocated Pukuweka or Rangitoto-Tūhua Number 2, to Whanganui and when he did do he had quite a lot of critical comments about that 1888 boundary as well. So, we have a very complex situation and we're not sure yet what the implications of all this might be, but the net effect, paragraph 7.1, we have this strange situation where the main section of the Rohe Pōtae Block allocated to Whanganui, isn't actually in the Rohe Pōtae Inquiry District for a start. It's in, in Whanganui, but the problem is, Your Honour, that the Whanganui Inquiry in which I participated as counsel, didn't really concern itself particularly with the sacred Compact, the negotiations between the Rohe Pōtae and the chiefs, the surveys and all that, that material and yet that's the essential background to how Ōhura South came to be. Then, there's another problem which is, what do we mean by the Rohe Pōtae anyway? Because, that isn't necessarily, well indeed, would submit, is not the same thing as the Rohe Pōtae Block. That was investigated in 1886. It came a lot further south. It certainly took in Ōhura South but also slices of what later became Waimarino, perhaps Maraekōwhai, Taumatamahoe as well, depending on how	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	you want to define the southern boundary of the Rohe Pōtae, meaning the area under the mana of the king. In my submission, it's difficult to see, this is paragraph 7.4, how the Tribunal can possibly review the effects of Crown policies relating to the Rohe Pōtae Block insofar as these impacted on Whanganui without fully discussing Ōhura South, even though it's not in the inquiry district, and I don't know quite, how we get around that problem. Maybe there needs to be some sort of demarcation between he Whanganui and Rohe Pōtae Inquiries when it comes to Ōhura South. So, my submission is the Tribunal in this instance, shouldn't be too disturbed about inquiry district boundaries, otherwise it becomes very difficult to have a coherent discussion of the Whanganui interests in the Rohe Pōtae Block. And, the final point that needs to be made is, at the end of my submissions is, we mustn't forget that while all these complications are going on, the Crown is relentlessly purchasing interests in all of these blocks as well. For example, the Waimarino Block was partitioned between the Crown and non-sellers portions in 1887 and most of that very large block was allocated to the Crown including the whole of the, the western side of Mount Ruapehu included in that. So, we're not, we're still not exactly sure how the process of title investigation boundary adjustment, Crown purchasing all fits together and what the effect of the connections were on groups such as Tamahaki. It seems to safe – safe to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	say, Sir, that there must have been interconnections and that the punitive effects must have been considerable. Present, we seek only to lay a foundation and to convey the complexities of Whanganui's position within the Rohe Pōtae Block and it may be a bit lame to say this, but what all this means in terms of Crown Treaty breaches can only be developed at closings. So, that's where we sit, Sir.	
	JUDGE AMBLER	
	Well you raise this complexity rather late in the day.	
	PROFESSOR RICHARD BOAST	
	Yes. We only found out about it late in the day, Sir. Yes.	
	JUDGE AMBLER	
	Yes. But we have known right from 2006, since the first judicial conference is that Ōhura South had already been grabbed by the Whanganui Inquiry. I'm not quite sure why that was but we did have a discussion way back then as to how to deal with the matter, and in terms of the wider Rohe Pōtae, Rohe Pōtae tūturu for want of a better phrase, we all know that that extends into Taupō-nui-a-Tia, Waimarino and others. So, the approach of this inquiry thus far has been to consider those, to allow those with interests in those wider blocks to address the political Compact or however we all want to describe their original, or the initial discussions in the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	mid 1880s, but when it comes to actual consideration of interests in blocks, we're dictated to by the district inquiry boundary. Now, I understand the point you raise about Ōhura South to some degree. It is the only one of the Rohe Pōtae Blocks that is left out.	
	PROFESSOR RICHARD BOAST	
	Mmm.	
	JUDGE AMBLER	
1200-05	And I get a sense of the complexity that you are suggesting exists.	
	But I just want to, before we hear the evidence, just to understand what is the actual difficulty in terms of hearing the evidence because in terms of the wider issues of the Rohe Pōtae and the Court's determinations in relation to the Rohe Pōtae Block as a whole? We can hear evidence and submissions on that. As far as the boundary that you speak of, well that is a boundary that obviously affects our Inquiry District so we can hear evidence on that. As to the question of where Whanganui were meant to be, whether it was in Ōhura South or further north? Well, that can all be covered I would have thought in evidence. But the picture I get is that there was this 1888 boundary which was perhaps adhered to initially, but then as the rest	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	of the blocks north of Ōhura South were investigated different Whanganui interests were awarded interests, is that right?	
	PROFESSOR RICHARD BOAST	
	That is exactly right. It appears to be that Ōhura South was thought initially to be the Whanganui part of Rohe Pōtae but then as further partitions went on, then a much more complicated structure emerged and the Native Land Court seems to have resiled to some extent form seeing the Ōhura South Block as the Whanganui part because Whanganui interests were allocated a number of other blocks –	
	JUDGE AMBLER	
	Yes.	
	PROFESSOR RICHARD BOAST	
	– that are in the Inquiry District. That is the position Sir.	
	JUDGE AMBLER	
	But I do not sense a difficulty in you and the evidence being able to tell this story of the purpose of Ōhura South.	
	PROFESSOR RICHARD BOAST	
	Okay.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	– it is just that we cannot really look into what happens afterwards –	
	PROFESSOR RICHARD BOAST	
	Yes.	
	JUDGE AMBLER	
	– in terms of Ōhura South.	
	PROFESSOR RICHARD BOAST	
	Yes.	
	JUDGE AMBLER	
	Who Ōhura South is actually allocated to? What happens to the land? What are the particular issues? Those are all Whanganui Inquiry take, I would have thought.	
	PROFESSOR RICHARD BOAST	
	Yes. Yes. Well it seems perhaps there isn't too much of a difficulty. It is just that Ōhura South is in this unique position of actually being a part of the Rohe Pōtae 1886 Block which Taupō-nui-a-Tia and others, although like part of the Rohe Pōtae perhaps in this broad cultural sense weren't.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Yes.	
	PROFESSOR RICHARD BOAST	
	And it is perhaps more a matter of, as Your Honour has pointed out, what findings the Tribunal can make, but if we keep the narrative to what is going on around 1886, 1890 or so, then that doesn't seem to be problematic, I guess.	
	JUDGE AMBLER	
	Yes, all right. Now I have to resist the temptation when you are in front of a mic not to just ask you a whole lot of questions and turn you into a witness. But – and I –	
	PROFESSOR RICHARD BOAST	
	I have been in that position before.	
	JUDGE AMBLER	
	Yes, well perhaps in a less considered way. I stumbled onto this question of who Whanganui is yesterday and raised it with Mr Pātete. So is that something that you are, in this context in 1883 when people identify Whanganui in the partition, who is that? So are any of your witnesses going to be able to address that?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PROFESSOR RICHARD BOAST	
	Yes, we can talk about that or at least we will attempt to talk about it.	
	JUDGE AMBLER	
	All right.	
	PROFESSOR RICHARD BOAST	
	It is not the easiest question.	
	JUDGE AMBLER	
	No. Thank you. All right, over to you.	
	ROBERT WAYNE CRIBB	
12:04:00	E ngā reo, e ngā mana tēnā koutou. Tēnā mai koutou katoa. Kei ngā mate uaua e moe, e moe, moe mai rā.	
	Te kaupapa e tū ake nei, te whānau, hapū, te iwi, maranga mai.	
	Rau rangatira mā tēnā koutou, tēnā mai tātou katoa.	
	Te hau kāinga maha o Ngāti Rangatahi tēnā koutou a tēnā koutou, tēnā koutou.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Tēnā koe Judge Ambler, dignitaries and associates of the Tribunal, lawyer mā and associates of the Crown a tēnā koutou, tēnā tātou.	
	First and foremost, Judge, I would just like to acknowledge my whanaunga from Maniapoto, Tūwharetoa, Raukawa, Hikairo. I do not come to takahi.	
	There is a whakataukī, once again I will acknowledge our one learned friend of ours and family, Tūrama Hawira, "Tū koura e puta roa." That is the koura that walked through the Whanganui River and is under the mantle of Tūhua and support times and were needed, and when not needed it goes back to its den down the Mangonui-o-Tara. "Ngā tūpuna e kawe ngā ngaru, ngā rehu a kāinga e koro maranga mai."	
12:06:35	**MŌTEATEA**	
	E te iwi maranga mai, Kia kite ai koutou, Ko taku kirikau, e tū i te anga nei, E ope nui, e waho nei ia a koutou mā, He kai nā te aroha, Ka momo pū te mana ko au. Kei rawa aituā te raru o te iwi.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Te kāinga o te awhi ko te tangata. Ko wai hei tohu? Ko wai au e uru roa? Kei hea atu koutou ki te iwi kua whetūrangitia? Kei uwhi mai waka mōri, I te marae tae o Ōhura, I te whare te Pohore, Ko te kuia nei Te Auka. E whirinaki kau ake ki te pakitara waha nei. Ka tangi ko te mapu hopu, Homai, tau kiri e. E ope nei te manawa, I taku tau ipo nui, I pō taukuru taki atu, Ā moemoeā eee i hī.	
	ROBERT WAYNE CRIBB	
1210	Āe, tēnā koe Judge.	
	READS BRIEF OF EVIDENCE #R018 “My name is Robert Wayne Cribb, but people know me as Boy.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I am the former chairperson of the Tamahaki Incorporated Society and held that position for over 10 years. I am now the current vice chair. I am one of the claimants for Tamahaki and Uenuku Tūwharetoa before the Waitangi Tribunal. I have previously given evidence in the Whanganui and National Park Inquiries and I present this evidence on behalf of myself, Tamahaki and Uenuku Tūwharetoa with respect to our claim in the Rohe Pōtae Inquiry. I was born in Raetihi and was educated in Jerusalem Convent School and Pipiriki Native School, Ōtaki, Tahareti and Raetihi Primary Schools. I left school at the age of 14. My life experiences were in shearing sheep, scrub cutting and fencing. All my life I lived in and around Raetihi. I have been nestled and nurtured by my kuia and koroua, my matua, my tuakana tēina and I continue to seek their guidance and support in my endeavours to seek that which is right pertaining to their dreams and aspirations. This brief of evidence will address the involvement of Tamahaki in the original Rohe Pōtae boundary and the sacred pact, Tamahaki lands, political engagement and the Native Land Court alienations." Excuse me. I regard myself as having knowledge of the traditional history and whakapapa relating to Tamahaki and his descendants.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	CONTINUES READING BRIEF OF EVIDENCE #R018 **"Tamahaki history and lands** Tamahaki was the son of Tamatuna and Tauira. He is the eponymous ancestor of many hapū. He was an important ancestor in lands on the Whanganui River from 1650. His descendants are named in many blocks in the Whanganui area."	
	JUDGE AMBLER	
	Can I just get you to pause Mr Cribb for a moment? And, can I find out from Professor Boast how you are going to lead Mr Cribb through this because I took you to be saying that he was going to provide some sort of summary? I am aware that we have heard from Mr Cribb at I think hearing week 1 in terms of the broader political issues but can you indicate how you intend to deal with this?	
	PROFESSOR RICHARD BOAST	
	Yes. Most of the brief will in fact be taken as read Sir, it was just the introductory section and the conclusions –	
	JUDGE AMBLER	
	All right.	
	PROFESSOR RICHARD BOAST	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	– and a couple of other paragraphs, Sir.	
	JUDGE AMBLER	
	Ka pai.	
	ROBERT CRIBB	
	CONTINUES READING BRIEF OF EVIDENCE #R018 "Twenty six hapū have put their claim under Tamahaki including the Waimarino Block and approximately 40 hapū have whakapapa links to Tamahaki. The customary markers of Tamahaki's rohe are Taunoka south of Pipiriki to Maraekōwhai, to Ruapehu in the North and back to Taunoka. The Wai 555 claim represents those hapū who descend from the tūpuna Tamahaki. Tamahaki was a significant tūpuna with interests on both sides of the Whanganui River. Today his descendant hapū are represented by the Tamahaki Council of Hapū and Tamahaki Inc Society." May it please Judge, I will skip those last three paragraphs and go to section 3. It starts off as: **CONTINUES READING BRIEF OF EVIDENCE #R018** **"Tamahaki, the Waitangi Tribunal, and settlement negotiations** Tamahaki principal area of interest is in the Whanganui Inquiry District. However, Whanganui also have interests in	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the Rohe Pōtae Inquiry as well. "If I enlarge on that, the map under the Kīngitanga which I think it's tape 10 would have had the Kīngitanga boundary going right down. That would include us at that point." The Waitangi Tribunal Rohe Pōtae Inquiry District takes as its southern boundary, although not its northern boundary, the 1886 Rohe Pōtae Block boundary, the block that was investigated by the Native Land Court in Ōtorohanga." If I must say, if you go to page 10 on the mapping before the Rohe Pōtae boundary was formulated, the land had already gone through the Land Court, Murimotu and many blocks down that side and the adjustment of the Rohe Pōtae Block was put forward at that point. **CONTINUES READING BRIEF OF EVIDENCE #R018** "To us, this is just an arbitrary line. To the south of it are a number of blocks of land defined by Native Land Court surveys, also totally arbitrary lines as far as we are concerned: Ōhura South, Whitianga, Taumatamahoe, Waimarino. Then there are other blocks to the north of the line such as Taurangi, Waiaraia, Umukaimata and Pukuweka." That has already been mentioned by one of our family this morning, Grace. **CONTINUES READING BRIEF OF EVIDENCE #R018** "We know it is hard to imagine that all these boundaries are not there, and instead work with our reality that what really counts are our own traditional Māori boundaries such as	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	those referred to by Kapurere Patuwairua and especially the boundary between Whanganui and Maniapoto. This in itself has never been clear-cut either. Upper Whanganui groups have just begun the very early stages of a process of settling our historic grievances with the Crown. How long this process will take we do not know at this stage but a settlement will probably be quite a few years away. We still do not have a report from the Waitangi Tribunal relating to the Whanganui Inquiry. Issues relating to Whanganui and the Rohe Pōtae were not a main focus of that inquiry in any case. To us, as Whanganui people, all the issues relating to the Rohe Pōtae, the sacred pact, the discussions with the Crown and the Rohe Pōtae Block itself are our issues too. We hope that the Crown understands this and that this will be factored into our negotiations with the Government in due course. We would look to this Tribunal address fully the role of Whanganui people in the Rohe Pōtae in its report as this is very important to us."	
	PROFESSOR RICHARD BOAST	
	Mr Cribb, perhaps if I could stop you there and we jump forward a bit to page 8 of the brief of evidence and just if you could read out paragraph 8.7. You see that one? That is the one about the list of owners that you and Geraldine independently checked because I think that might be quite important for some of the points that have been raised by	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the Judge. So paragraph 8.7.	
	ROBERT CRIBB	
	CONTINUES READING BRIEF OF EVIDENCE #R018 "Both Geraldine Taurerewa and I have independently checked this list to see how many of them we recognise as affiliating to Tamahaki. I could recognise 61 names (i.e. of 221) and Geraldine noted 79. Our two lists naturally strongly correlated. However, there were 20 names on my list which were not on Geraldine's. These variations just reflect to our own personal knowledge. This gives a total of 100 names recognised by Geraldine or myself or both, and there 39 names on both of our lists. So a range of 39 names to 100. See appendix 1 for this list. This could be an underestimate. The other names will definitely be those of other groups of the Upper Whanganui. So at least 100 of 221 names of the Whanganui names recorded for the Rohe Pōtae Block are actually Tamahaki or can affiliate to Tamahaki. The exact totals and overlaps do not matter hugely, as many eligible names are missing. We think it can be reliably said, therefore, that there is a significant Tamahaki interest in the Rohe Pōtae Block." Judge Ambler, if I can move over to conclusion. Number 12 **CONTINUES READING BRIEF OF EVIDENCE #R018** **"Conclusion** I understand that the Tribunal wants to get an understanding of what the wish lists of the claimants might be.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	In our case it is very simple. We are looking for a strong recognition from this Tribunal that Whanganui played an important role in the history of the Rohe Pōtae and that we were as much affected by Crown Treaty breaches relating to the sacred pact as other groups.	
1220	We would also hope that the Tribunal can shed some light on the murky history of the southern Rohe Pōtae Blocks in which Whanganui are interested. We would very much value a full discussion of Waiaraia and of how the Crown came to acquire it."	
	PROFESSOR RICHARD BOAST	
	Thank you Mr Cribb. Just remain there for questions, if you would.	
	GEOFFREY MELVIN	
	Tēnā koe Mr Cribb. It's Mr Melvin here for the Crown. Thank you for your brief of evidence. It covers various historical issues. Is the evidence you have set out in your brief of evidence based on your independent research or are you drawing it from the reports of technical witnesses from this and perhaps the Whanganui Inquiry?	
	ROBERT CRIBB	
	I suppose it's drawn on both, independent witnesses and knowledge of history from ancestors handed down.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	And where you have drawn from technical witnesses who have produced evidence for Tribunal enquiries, are you drawing it principally from the Whanganui Inquiry or have you looked at evidence on the Record of Inquiry for this Rohe Pōtae Inquiry?	
	ROBERT CRIBB	
	Example of the Waiaraia case and also the Tatū Mine, there was a lot of independent and also technical briefings from Pātete and co.	
	GEOFFREY MELVIN	
	Have you looked at the evidence of Leanne Boulton which was prepared for this inquiry, her report #A67?	
	ROBERT CRIBB	
	No, not at this stage.	
	GEOFFREY MELVIN	
	She does cover the Waiaraia Block in her report and she explains that it was originally part of the Taorua parent block. She states that the Whanganui leader, Taiaka Te Kaponga Te Pikikōtuku informed the Government in August 1890 that he was willing to sell blocks that had been	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	subdivided from the Taorua Block. Are you aware of her evidence in that regard?	
	ROBERT CRIBB	
	Not at that point, but I am also aware that there was objections going into that Court process with Whanganui in the Waiaraia Block and it was disqualified. I think it was Wharo.	
	GEOFFREY MELVIN	
	Sorry you think it was?	
	ROBERT CRIBB	
	Wharo, W-H-A-R-O.	
	GEOFFREY MELVIN	
	Who objected?	
	ROBERT CRIBB	
	He was the one that was forming the case in the Waiaraia Blocks. And just while I'm at it, it is just interesting that there is a road now called Te Wharo Road without the 'H'.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And then according to Ms Boulton's evidence, a few months after the Native Land Court had subdivided the parent block Taorua it – and Wahanui began negotiations to sell the Waiaraia Block to the Crown.	
1225	And it was believed by officials that this was in fulfilment of the statement that Pikikōtuku had made about being willing to sell blocks to the Crown once the Taorua parent block had been subdivided.	
	ROBERT CRIBB	
	I believe that if we go back to the sacred pact that was broken and it was broken from Horonuku that entered into the Māori Land Court, the whole system started from that collapse that caused the Crown to step in and I think in my evidence of brief, here, there was a bit of mischievous going on. It was 3 million, 160 thousand acres in one year. It's pretty hard to understand as a Māori.	
	GEOFFREY MELVIN	
	Yes, it's just that when one looks at Ms Boulton's evidence, anyway, that it seems to be a picture, well there's no picture of coercion to sell there. It's – it seems to be land owners who were willing to sell to, to the Crown. She gives no evidence of Crown pressure on Wahanui or indeed on any others to sell.	
	ROBERT CRIBB	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I'm just mindful that the Waiaraia ~~Wairoa~~ Block had a lot of coal underneath the land. I'm also interested in coming back to the Crown and having a discussion myself and my thoughts about why Wharo was declined and not too long after that, the Crown took purchase.	
	GEOFFREY MELVIN	
	And when do you say the Crown became aware of commercially viable coal deposits underneath Waiaraia?	
	ROBERT CRIBB	
	Well my limited research would take it back to them putting that land under scenic reserve purposes, and also forestry purposes. That's where I, I draw the line of my limitation because that's what that was brought out. That was at the Crown in 1907, but I know the land was taken before that for those purposes.	
	GEOFFREY MELVIN	
	Just finally, Mr Cribb, you earlier on in your brief of evidence you note that you're in the – you say you're in the very early stages of a process of settling Tamahaki's historic grievances?	
	ROBERT CRIBB	
	Yes, sir. That's under the 90~~8~~3 Inquiry. I think that's all on	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	there.	
	GEOFFREY MELVIN	
	Is -	
	ROBERT CRIBB	
	Sorry.	
	GEOFFREY MELVIN	
	Tamahaki, though, has been, is part of the recently signed or initialled deed of settlement with the Crown?	
	ROBERT CRIBB	
	Yes, we participated in, if you're saying the river claim?	
	GEOFFREY MELVIN	
	Yes.	
	ROBERT CRIBB	
	We engaged in support or that taken place to initially. After that it comes back for reading for three weeks and then for ratification.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	But you are part of that process?	
	ROBERT CRIBB	
	Yes.	
	GEOFFREY MELVIN	
	Kia ora. Ngā mihi, Mr Cribb. Thank you very much.	
	ROBERT CRIBB	
	Tēnā koe.	
	JUDGE AMBLER	
	Any...	
	JASON POU	
	Sir, I have just a few questions for Mr Cribb.	
	ROBERT CRIBB	
	Kia ora.	
	JASON POU	
	I just have a couple of questions and they relate to paragraph 4.4 of your brief of evidence, where you say "Whanganui people especially people of the Upper	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Whanganui were also loyal to the Kīngitanga." Exactly who from Whanganui was loyal to the Kīngitanga?	
	ROBERT CRIBB	
	I would have to say in the 1860s there was the Moutoa Island fight. From that point and round and a up, was classes as us as Kīngitanga, and under that understanding we thought that our land under the Kīngitanga would be safe.	
	JASON POU	
	Mmm.	
	ROBERT CRIBB	
	And the bottom end of that was to the Queen.	
	JASON POU	
	So, that boundary at Rānana that's the Southern Aukati that you're referring to?	
	ROBERT CRIBB	
	Yeah, that'll be correct.	
	JASON POU	
	Now, and I just want to take because the implication that you	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	give is that all of Whanganui people were loyal to the Kīngitanga but you were especially loyal while given the battle of Moutoa.	
	ROBERT CRIBB	
	Mmm.	
	JASON POU	
	It's not really all of Whanganui is it? Did all of Whanganui come in later or?	
	ROBERT CRIBB	
	I believe that while the battle of Moutoa was being fought, a lot of our Wanganui people were sitting watching to see which side of the fence they would fall on. So in one sense I would say in this paragraph, it could not quite be correct, but our boundary would eliminate that a pou was put down Kauorapaoa to denote the sale of a cheaper Wanganui.	
	JASON POU	
	Ka pai. Thank you, Mr Cribb. Those are the questions I have. Yes, Sir.	
	JUDGE AMBLER	
	Thank you. Tēnā koe te rangatira.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ROBERT CRIBB	
	Tēnā koe, Judge.	
	JUDGE AMBLER	
	It might be a very big question but I just – I need to ask it. In terms of the 1883 petition which identifies Whanganui as one of the five iwi, who did that mean? Do you have a view?	
	ROBERT CRIBB	
	I have a view that that what it meant was to come forward under the Kīngitanga so that the land could be held fast and safe and the view would be, I've just got to think about this, Judge, and forgive me if I say it the way I say it, we were classed as Hauhau and we weren't allowed to put take before the Court. That's my view.	
	JUDGE AMBLER	
	But, well can I approach the issue in this way. If we are talking about Whanganui iwi today, what does that mean? Does that mean iwi and hapū who, who border the river?	
	ROBERT CRIBB	
	Yes.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	In a general sense?	
	ROBERT CRIBB	
	Yes, Judge. I, I say it like this. The times have mellowed and the wakapapa knitting and the adjoining back as the un-plaited korowai, to plait back. It needs strong leadership. It needs our people to live to forgive and it means that a tribe becomes whole.	
	JUDGE AMBLER	
	But do you think that the meaning that we give to Whanganui today is the same meaning that was meant in the 1883 petition?	
	ROBERT CRIBB	
	No, Judge.	
	JUDGE AMBLER	
	In what way was it different then?	
	ROBERT CRIBB	
	I have to stipulate that the middle reaches we were called Hauhau and in the Land Courts we weren't allowed to present take. Today and in our friendly natives down the river, if you have a look at Land Court holdings and	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	shareholdings, you will see a very big variation of big shareholders versus small shareholders and nil shareholders. That happened. What I'm saying is that wasn't our doing. The only thing that we can do today is to patch all that and move on.	
	JUDGE AMBLER	
1235	All right. Well, coming back within – well, trying to come back within our Inquiry District. I appreciate the analysis you and Mrs Taurerewa have done in terms of the 221 names. Now, that was looking at the original Whanganui list for the Rohe Pōtae Block, that is right?	
	ROBERT CRIBB	
	Yes.	
	JUDGE AMBLER	
	So you have not done any analysis of the names of Whanganui people who succeeded in gaining interests in other blocks in the Rohe Pōtae subsequently? For example, some of the Rangitoto-Tūhua Blocks?	
	ROBERT CRIBB	
	Yes, Judge Ambler. A good example of a book called 'When the Bells toll' and that's the Bell family, and in that family they also belong a hapū regarding the Whanganui River under Hekeāwai No 2 and there are many families in	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	this room here today that have the same whakapapa. Now those are just some of the things that I walked through and saw so that we can visualise ourselves on who is who. So under Tūhua that would be a good example of that book 'When the Bell's toll' because it all had many other names in there; both sides of the divide.	
	JUDGE AMBLER	
	Thank you. Ngā mihi ki a koe. Professor Boast, anything arising?	
	PROFESSOR RICHARD BOAST	
	One thing arising, with respect to the names. If I could just direct you Mr Cribb to paragraph 8.8 of the brief and you state there, "There are 221 Whanganui names in the Rohe Pōtae Block; there are 472 names in the Taumatamahoe Block; there are 1010 for the Waimarino Block." Can you explain that?	
	ROBERT CRIBB	
	It to me, it just doesn't make sense. To me it's like from January to about March two big blocks went through Court or going through Court, to Court in 1886. If I'm looking at those numbers and I'm looking 500,000 acres of the Waimarino Block is 1010 owners that was on the list and then I look across and I see smaller numbers, I would have to be concerned. Because in the middle reaches there was	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	no television, no phones, no nothing so a lot of our people may have been missed out. But the important thing of that is half of those that came up here they must have been at Court to be in other blocks. There could be no other way.	
	PROFESSOR RICHARD BOAST	
	Nothing further Sir, thank you.	
	JUDGE AMBLER	
	Well I just want to be clear on this because I am must not sure if we are comparing apples with apples here Professor Boast. Mr Cribb, what you seem to be doing is comparing the 221 Whanganui names in the Rohe Pōtae Block with those in Taumatamahoe and Waimarino where there far greater and saying something is amiss up here. But the impression from the evidence that I have read thus far and heard is that the Whanganui interests in the Rohe Pōtae Block are only in this very southern area. Is that fair?	
	ROBERT CRIBB	
	Yes I think that's fair. But –	
	JUDGE AMBLER	
	So, so, I mean, where as the Waimarino and the other blocks I do not know them but there are bigger blocks in this southern area that we are concerned with, so I am just not sure that comparing those numbers really demonstrates any	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	significant problem. Can you help me?	
	ROBERT CRIBB	
	Yes. I think what I'm trying to say is, there are blocks that, once again, I sit beside Grace Le Gros on this, on the blocks that they have – going into the Rohe Pōtae that there had been numerous numbers of Land Court meetings and some of them favoured more to the north than Whanganui itself.	
	JUDGE AMBLER	
	All right. Nothing arising Professor Boast?	
	PROFESSOR RICHARD BOAST	
	No thank you Sir.	
	JUDGE AMBLER	
	Thank you. Kia ora.	
	ROBERT CRIBB	
	Tēnā koe.	
	PROFESSOR RICHARD BOAST	
1240	Geraldine.	
	GERALDINE TE KĀHUI TAUREREWA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	From the start? Kia ora, Your Honour. **READS BRIEF OF EVIDENCE #R024** "My name is Geraldine Te Kāhui Taurerewa. My principal hapū is Ngāti Ruru. My father is Te Whata Taurerewa, otherwise known as Walter Taurerewa, the grandson of Te Whare Ponga who is the eldest son of Taumatamahoe. I am named after my grandmother, Te Kāhui, the daughter of Te Whare Ponga. My mother is Polly Parekitai Te Hore Taurerewa. Her father is Amokawa Te Hore, and his father is Te Hore Nukuraerae. His father is Te Wā Nukuraerae who is the son of Nukuraerae. I am privileged and honoured to have two parents that affiliated to the whenua of Taumatamahoe and its people. Both my parents passed away in 1988. I was born in Raetihi in June 1947, but spent my early years living in Ramanui on my grandfather's farm. This area is very important to me. I have multiple connections to the awa of Whanganui and surrounding lands, as we do not see them as separate. Through my father, my connections are Uenuku Tūwharetoa and through my grandmother my connections are Taumatamahoe and through my mother I have Ngāti Maru connections through my Te Hore Nukuraerae side. My Wai 1594 claim was lodged in 2008 relating specifically to my Te Hore Nukuraerae whakapapa and my connection	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	to Taumatamahoe, Maraekōwhai, Ōhura South and Waiaraia Block and in particularly the Tatū Mine. I currently sit on the following governing board: (a) Ngāporo Waimarino Forest Trust since 2008, (b) Whitianga Ngawhenua o Rāhui Trust as a Trustee, (c) Taurerewa Trust since its establishment in 1981, (d) Pipiriki Incorporation as a Board member, (e) Te Whiringa Moka, and (f) Pākaitore Trust. Through my mahi on these blocks I have gained an extensive knowledge of areas at the southern end of the Inquiry. The evidence will focus on these parts of my claim that falls within the Te Rohe Pōtae Inquiry. This claim is concerned with the Crown's lack of consultation with us historically and today it is about how the Crown failed to protect our rights and interests in part of the Te Rohe Pōtae Inquiry."	
	PROFESSOR RICHARD BOAST	
	Geraldine, could you – would mind just stop there and I wonder if we could run the map sequence back to the first map we saw I think? Just –	
	GERALDINE TAUREREWA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	So whereabouts sorry?	
	PROFESSOR RICHARD BOAST	
	The Tribunal wants to know exactly where the mine is and that is probably a good starting point. If you can go back again, and back.	
	GERALDINE TAUREREWA	
	Yes.	
	PROFESSOR RICHARD BOAST	
	There.	
	GERALDINE TAUREREWA	
	Right. Where the Tatū Mine, it's within the Tamahaki rohe and to the Waiaraia where the block is, now what you're going to see earlier is to where the mines is from above the ground and underneath. **CONTINUES READING BRIEF OF EVIDENCE #R024** "Through my mahi on these Board's I have gained an extensive knowledge of area in the southern end of the Inquiry District." Wait on, I'll go to 2, sorry. **CONTINUES READING BRIEF OF EVIDENCE #R024**	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	"Tatū Coal Mine The Tatū Coal Mine is a significant issue under this claim. The entry to the Tatū mine is only a few hundred metres outside the southern border of the Inquiry. However, the underground workings of the mine extend to the Waiaraia Block in the southern end of the Inquiry District. My evidence will cover: a. The alienation of the Waiaraia Block. b. How Māori and in particular my whanaunga were involved with the Tatū Mine. c. How its closure impacted Māori in the region, notably the village of Puketihi. I believe that as tangata whenua our rights and interests in the Tatū Mine and surrounding areas were not protected by the Crown. In particular, I believe the Crown failed to consider and protect the interests of tangata whenua in relation to the operation and the subsequent closure of the mine. Because of my particular interest I obtained a collection of research material from Anthony Pātete in relation to this are, including in my document bank with certain documents listed that Mr Pātete did not file in his supporting material to this report, Wai 898. **The Waiaraia Block** To understand our concerns about the Tatū Mine, one must consider the background to the alienation of Māori land in the Ōhura South area, in particular the Waiaraia and	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Tauranga Block. As stated in Boy Cribb's evidence in this Inquiry, I believe that the Crown's acquisition in the Waiaraia Block was unfair and illegal. Whanganui hapū and iwi had interests in the Waiaraia Block. As Mr Pātete in ins in the Waiaraia Block because it lay on the Whanganui side and this was our traditional also - tradition also. The Waiaraia Block went through the Native Land Court in October 1890 and the ownership of the 12,360 acre block was granted to seven Māori who apparently had interests in and rights to the block. It was not granted to any Whanganui hapū group or iwi for the benefit of the collective owners. Instead, the Crown vested ownership in seven people so the land could be more easily sold. Wahanui was probably pressured into selling the land block to appease the Crown. The Crown –"	
	PROFESSOR RICHARD BOAST	
	Sorry, Sir, if I could just interrupt. Paragraph 27 where it says, "The Crown vested ownership in –	
	GERALDINE TAUREREWA	
	Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PROFESSOR RICHARD BOAST	
	– seven people," should say, "The Court vested…"	
	GERALDINE TAUREREWA	
1250	**CONTINUES READING BRIEF OF EVIDENCE #R024** "The Crown then purchased the land in 1891 for £1,545. As Mr Pātete report had stated, no money was given for the coal deposit in the land. I believe the Crown acquired the land to acquire the coal resources but pressured Māori to sell the land to obtain the coal resources without providing Māori with any real compensation. I believe the Crown attitude was to trick Māori into selling their land in order to make a profit. A letter to the Department of Mines shows the Crown was probably very cautious about disclosing the potential value of coal under the land. **The background to the Tatū Mine** The Crown did a lot of exploration in the Ōhura area in 1910 and in 1920 for coal mining. I believe that when the Crown first explored the coal in the area they required any potential right of interest in Māori in the coal." What? Yes, wait on boy. Yes. **CONTINUES READING BRIEF OF EVIDENCE #R024** "Mining first started in the Ōhura area in 1927 at the Ōhura-Tangarākau Mine. The Ōhura-Tangarākau Mine contained open-cast and underground mine. My whānau	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	worked in some of those mines before moving on to the Tatū. The Tatū Coal Mine was worked as a state coal mine between 1940 and 1971. Over 1 million tonnes of coal was extracted from the mine over that period. There were 311 hectares of underground workings in total. We believe that some of the land under which the Crown extracted coal was Māori land at the time. In Pātete report it says that there were approximately 137 hectares, out of the 311 hectares in total, of underground workings that extended under Māori owned land at that time, including the Maraekōwhai and Whitianga land block. Although the Maraekōwhai and Whitianga Block were not part of the District Inquiry, they were within the original Te Rohe Pōtae boundaries. We believe the Crown extracted coal underneath the land without consultation or compensation despite Tamahaki's connection to these two blocks. My understanding is that the Crown did not own the coal, it was owned by the Māori owners who held the land under Māori freehold title. The Crown did not have a right to extract privately owned coal without their consent. My Uncle Ringapoto Ringa Taurerewa told me there is a lot of coal underground, 300 to 400 years' worth of coal, which means it would take a long to mine it." My Uncle said that when you go underground it is very big and like, you know, because see in the mappings on there.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	CONTINUES READING BRIEF OF EVIDENCE #R024 "My uncle said that when you go underground it is very big, like little streets underground. When they start drilling, no water was pumped out of the mines and when it closed the area was sealed off. I believe there is still a lot of water in those mines. I believe that when the mine was opened there was no consultation with Māori about how the mine would affect the local environment. There was no discussion with Māori about what would happen to our interests in the area. It seems that the Crown at the time responded to Pākehā interests and concerns about the land connected to the mine, but generally ignored the interests or concerns of Māori. **Employees who worked in the mines** A number of people worked in the mine at different points in time. In 1940 or so, the mine employed about 51 workers. In 1965, about 80 men worked there. Employment slowed leading into the 1970s with only 56 men in the mine. Immediately before it closured in 1971, there were only 30 men employed, of which only two were miners. Many Māori worked in the mines, both in the Tatū Mine and the open cast mine at Tangarākau. My granduncle Jimmy Te Waaka and Uncle Ringa worked in the open cast mine in Tangarākau. When this was shut down, they moved on to the Tatū. The next generation of whanaunga also worked in the mine. My two cousins Bryan and Jo Taurerewa, they were Uncle Ringa's sons, they worked at the mines but not	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	inside, they worked above the mines itself." What I want to tell you Your Honour, there was a little village up there and it was called Puketihi and there were 36 houses that housed all the miners and the family, and plus there was a school and a shop and it's way up on a hill. When the mines closed, all those buildings they were moved to Tūrangi and they went over there where they drilled a hole in there to do the dam. When the dam was finished, when they drilled the hole in to there, then they were sold off to people on the Kahungunu coastal. So that's where the houses went. **CONTINUES READING BRIEF OF EVIDENCE #R024** "I believe that not only my whānau but Māori generally contribute much to their development of the operation of the mines. For my whānau, working was the centre of our lives. Working in the mines became a whānau affair. We built our community around the mines. Most importantly, it was a means of income, therefore our livelihood and wellbeing depended on it. Our community included those whānau who lived in Puketihi. This was a small village built about a mile from the mine site sometime around 1943. It housed a lot of the mining families, although some of the families lived in Ōhura. My Uncle Ringa lived in Puketihi. I remember there was a school and a shop at Puketihi. Johnny Poutū, a family friend, lived there. Even though many of my whānau and other Māori's were employed in the mines, Māori's had no part in ownership of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the management of the mines. Māori only worked as labourers. The only one I know who is still alive that used to work in the mine is Johnny Poutū who lives at Whangamoma now. **Closing of the Tatū Mines** I remember when the mines shut down. For my whānau, it was an emotional time. It happens in a rush. The Crown did not give any reasons for the closure and did not think about the effect it would have on the Māori community as a whole or the mining community generally. At this time the Māori community were very heavily dependent on the mines for work, housing and income and formed a centre of the community. I believe that in closing the mine of the State Coal Mine completely failed to take into account the damage, the impact this would have on our people who had lived there for two generations. I remember there were 36 houses at Puketihi. When the mine was shut down the houses were moved to Tūrangi.	
1300	I know that because those houses were moved to Tongariro Power Project. The complete redundancy of workers lost of housing, lack of alternative source of working meant that most of our people had to leave in search of work. When the mine was closed everyone had to move on to elsewhere, but they knew how much coal there was underground. There is nothing in Puketihi. The Ōhura township is now like a ghost town. If you travel down the forgotten road, you better make sure your car full of gas as there's no other	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	petrol station for miles. The Tatū mine is develop opportunity and we have been denied. We were never allowed the front to develop the coal mines on our land or compensated for the coal that came out of it. We were, therefore, shut of any chance of economical development. Our whānau were not consulted in relation of the closure of the, of the mines and were there were any alternative about the effect it would have on whanaungatanga, our sense of community. We continue to overlook as tangata whenua, I believe my future plan of re-opening the mine should include negotiation with us as tangata whenua. To us, the mine the, surrounding land is a heritage site. It is a part of our local history and very important to local Māori. I want the Crown not to forget the contribution that our Māori whānau made to the development of the mine and its ongoing significance to us. I also know there's a cemetery near the mine, on Te Waro Road. The kōrero of the mine is a taonga. The site is a taonga and it should be protected but if you visit the mine today you would have no idea about the contribution Māori made to the development of the mine and the effect its closure on whānau in the area. Stratford-Ōkahukura Line. In the early 20th century, Prime Minister, Sir Joseph Ward made clear –"	
	JUDGE AMBLER	
	Taihoa. Taihoa e kui.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GERALDINE TAUREREWA	
	Yeah.	
	JUDGE AMBLER	
	I think the whare is going to be calling to us, so you are moving onto a new topic. We will just take the break. All right. Professor Boast.	
	PROFESSOR RICHARD BOAST	
	How much time have we got left?	
	JUDGE AMBLER	
	Yes, well we are behind time. You look at the timetable and work it out.	
	GERALDINE TAUREREWA	
	Yeah.	
	JUDGE AMBLER	
	I am just concerned that we are spending a bit of time on matters that are not in, directly in our inquiry district. The question of Tatū Mine was raised by Crown counsel as to how much of the actual mine is on the Waiaraia Block. I think you need to concentrate on that, but we, in terms of the general issue of Tatū Mine, it is really in the Whanganui	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Inquiry District apart from parts that may be under the Waiaraia Block. So if you can think on that, and if you can discuss amongst counsel how you are going to move things along this afternoon to make up some time. We will resume at 1.30 pm. Kia ora.	
	HEARING ADJOURNS: 1.04 PM	
	HEARING RESUMES: 1.35 PM	
13:35:30	**JUDGE AMBLER**	
	Kia ora tātou. Professor Boast?	
	PROFESSOR RICHARD BOAST	
	Thank you, Sir.	
	JUDGE AMBLER	
	A tātou mā, kia tau te whare.	
	PROFESSOR RICHARD BOAST	
	Sir, I think the rest of this witnesses evidence can be taken as read and in respect to the two points that you mentioned that with regard to the actual position of the mine and the fact that this comes up primarily as an issue in the Whanganui Inquiry, what we will do is try and our level best to find a really full scale detailed and accurate map which plots the mine entrance and the mine working so we can	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	resolve this one way or other. I have been scouring through the material that we have over the lunch break but there does not seem to be a map that is adequately detailed so we will undertake to do that. Sir, I would also say that, however, largely the evidence is a matter more of the social impacts of Crown policies in terms of closing the mine on people's lives and the well being, employment et cetera and as such this, in my submission, is evidence that is relevant to this Inquiry even so.	
	JUDGE AMBLER	
	Yes but the sense I get is that the community that we are hearing about is that Tatū which is in the Whanganui Inquiry District.	
	PROFESSOR RICHARD BOAST	
	That seems to be the entrances and the workings extend under the river and into the Waiaraia Block. However, we will find a plan.	
	GERALDINE TAUREREWA	
	Yes.	
	JUDGE AMBLER	
	All right. Thank you.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PROFESSOR RICHARD BOAST	
	And Mrs Taurerewa, if you just remain there to answer any questions.	
	GERALDINE TAUREREWA	
	Yes.	
	PROFESSOR RICHARD BOAST	
	Thank you.	
	GERALDINE TAUREREWA	
	Yes.	
	JUDGE AMBLER	
	All right. Mr Melvin.	
	GEOFFREY MELVIN	
	Thank you, Sir. Tēnā koe e te whaea.	
	GERALDINE TAUREREWA	
	Tēnā koe.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	It's Mr Melvin here for the Crown. I have some questions for you.	
	GERALDINE TAUREREWA	
	Yes.	
	GEOFFREY MELVIN	
	And I'll start with the Crown's purchase of the Waiaraia Block in the, was it 1890? 1890, I think. Yes, 1891. You were present when I put some questions to Mr Cribb immediately before you?	
	GERALDINE TAUREREWA	
	Yes.	
	GEOFFREY MELVIN	
	And did you follow the questions that I put to him where I cited information from the report of Leanne Boulton?	
	GERALDINE TAUREREWA	
	Yes. Yes.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Her evidence is at odds with your evidence, do you agree with that?	
	GERALDINE TAUREREWA	
	Mr Cribb –	
	PROFESSOR RICHARD BOAST	
	Perhaps if the Crown could identify in which ways in particular be helpful?	
	GEOFFREY MELVIN	
	Well it's your evidence and you say this at paragraph 2.7 of your brief that, "Wahanui was probably pressured into selling the Waiaraia Block to appease the Crown," that is correct?	
	GERALDINE TAUREREWA	
	Yes. Yes.	
	GEOFFREY MELVIN	
	Now the evidence of Ms Boulton which I took Mr Cribb through and I can take you again through it if you want me to, but if you remember it may be I don't need to?	
	GERALDINE TAUREREWA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	No.	
	GEOFFREY MELVIN	
	Would you like me to?	
	GERALDINE TAUREREWA	
	Yes, by all means. Yes.	
	GEOFFREY MELVIN	
	Well I will if it is necessary. So she explains in her report that the Waiaraia Block was originally part of the Tauroa parent block and it was subdivided from that block.	
	GERALDINE TAUREREWA	
	Yes.	
	GEOFFREY MELVIN	
	That is right is it not? And she sets out in her report that the Whanganui leader Paiaka Te Pakonga Te Pikikōtuku informed the Government in August 1890 that he was willing to sell blocks that had been subdivided from the Tauroa Block.	
1340	And Pikikōtuku also wrote to the, to the Under Secretary of the Land Purchase Department, Mr Lewis, to emphasise that the decision to sell was based on consensus by all who	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	had rights to the land, and then in her report she says, a few months after the Native Land Court had subdivided the parent block and determined ownership of each block, each subdivision, Wahanui began negotiations to sell Waiaraia to the Crown, and that officials, anyway, Mr Wilkinson, who was the Native Agent and Land Purchase Officer, he saw that Wahanui's offer as fulfilment of Pikikōtuku's offer in August 1890 to sell the land in Taurua. So, that's at odds, isn't it, with your claim that Wahanui was pressured by the Crown to sell the Waiaraia Block. Do you agree with me?	
	GERALDINE TAUREREWA	
	Well in my mind and what went on in regarding to the land and Waiaraia Block, it's almost like the maunga. One part of Ruapehu, the maunga, and to the people that have connection to the maunga saying, "Oh, did Te Heuheu sell it, or did he gift it?", and it's comparing the two to the maunga and to the land, the whenua. So, you know, they got these – this chief but who is speaking on quite a number of people in the Tūwharetoa area and it's virtually on the Waiaraia Block in Taumatamahoe, and Whitianga, and Maraekōwhai. Now, for me and through the, the Whanganui Hearing when they were selling of two properties like Taumatamahoe, and Maraekōwhai, and they did not include Whitianga. So, all of a sudden, you know, the tribal that goes through the area and it's the same sort of thing to do with the coal mine, Waiaraia Block, and I suppose if you look at the list of all the owners right around the whenua how they all connect. We	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	all connect and this is an interest and go back into the Māori records and it's just like on the Whanganui River or Taumatamahoe, comparing to it today, everyone of the tribal they had one shares right through. Now today, if it was incorporated it becomes share value. So how big is –	
	JUDGE AMBLER	
	Mrs Taurerewa –	
	GERALDINE TAUREREWA	
	If the one thing to that –	
	JUDGE AMBLER	
	Can I haul you back in because the question is about Waiaraia.	
	GERALDINE TAUREREWA	
	Well –	
	JUDGE AMBLER	
	And these two rangatira –	
	GERALDINE TAUREREWA	
	Yeah.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Pikikōtuku and Wahanui offering the block for sale, whereas you say you –	
	GERALDINE TAUREREWA	
	Well –	
	JUDGE AMBLER	
	You think Wahanui was under pressure.	
	GERALDINE TAUREREWA	
	Under pressure, those seven chiefs. They were, to me, they were chiefs but what about the impact of the people behind those chief. The tribal? I mean, they were pressurised. It's almost like Te Heuheu. He was pressurised and to the people of the whenua. How does that fit in how we're treated by Crown?	
	GEOFFREY MELVIN	
	You source your statements in your evidence that Wahanui was probably pressured.	
	GERALDINE TAUREREWA	
	Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	The reference you give to that for that statement is –	
	GERALDINE TAUREREWA	
	Yes.	
	GEOFFREY MELVIN	
	Mr Pātete's report at page 546, but he simply says that, that Wahanui offered to sell the block to the Government. So, it seems to me you're taking it a step further, but it's difficult for me to see the actual evidence you're basing your statement on.	
	GERALDINE TAUREREWA	
	(Inaudible 13:45:31) I mean, Pātete is CFRT researcher and I'm me, and what he does, he does. But, what I do is with my people and they're two different people – they're two different people and I don't really know what he did, but I do know he was the researcher to do Maniapoto –	
	GEOFFREY MELVIN	
	Right.	
	GERALDINE TAUREREWA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	But for me, whatever he was doing, I can't speak for him but I can speak for our people.	
	GEOFFREY MELVIN	
	Kia ora. Now I was going to put some questions to you about the maps that you've produced in your appendix, but on the basis of my friend, Professor Boast's indication that efforts will be made to produce a more definitive map, I'll – I'll leave those questions and –	
	GERALDINE TAUREREWA	
	Mmm.	
	GEOFFREY MELVIN	
	I'll await the production of that map. Now at paragraph 2.8 of your brief of evidence you say that, and again you rely on Mr Pātete's report. You say that his report says, no money was given for the coal deposits in the land when the Crown purchased it. And Mr Pātete's actual words were, "No consideration was given for the likely value of coal deposits in the land." Are you aware that his statement is taken directly from the Wai 1594 Amended Statement of Claim?	
	GERALDINE TAUREREWA	
	In part of my research I did and I gave to Mr Pātete, and this, just that last week, or the week before last, sorry, he	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	returned them to me and considering he had them all these years and, and I thought I'd misplaced them somewhere, but I got them back from him.	
	GEOFFREY MELVIN	
	Right, the point I'm –	
	GERALDINE TAUREREWA	
	And –	
	GEOFFREY MELVIN	
	– trying to make –	
	GERALDINE TAUREREWA	
	Yeah, but he actually made these statements when he returned them.	
	GEOFFREY MELVIN	
	Well the point I'm getting at is that Mr Pātete's evidence is simply the Statement of Claim and nothing more than that. Do you agree with that?	
	GERALDINE TAUREREWA	
	I find it difficult to because, 'cos I've never even spoken with him and to picking this up –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	Right, well I'll move on a little bit. The Tatū Coal Mine. When do you understand mining operations began there?	
	GERALDINE TAUREREWA	
	Well, before I – in the front here as you see what I've placed on the board is my Uncle Ringapoto Taurerewa and I spoke of him, me uncle, and it's only just recently that he died and I was so, possibly about 2010, but I learnt a lot from him and he talked a great lot about it and told me how much coal there was in there, and where the water went.	
	GEOFFREY MELVIN	
1350	Right. Well, in paragraph 2.11 you say the Tatū Coal Mine was worked as a State Coal Mine between 1940 and 1971.	
	GERALDINE TAUREREWA	
	Yes.	
	GEOFFREY MELVIN	
	Was that the – were there coal mine operations before 1940 or was that when the mining started?	
	GERALDINE TAUREREWA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Well for the State Mine it was. Now, when I went to the Whanganui hearing and I took my Uncle there and he was questioned by Judge Wainwright and all the Judges' and they asked him – because I said he was the only witness I had – and they asked him, "Who did you work for and who was the mine under?" And he said, "You people, the State," and that's all he told me.	
	GEOFFREY MELVIN	
	Right. So my questions is whether you know whether there were mining operations in Tatū Mine before the State operations began in 1940?	
	GERALDINE TAUREREWA	
	Well according to him and Koro Jimmy and them, they were at the open cast in the Tangarākau and I just assumed it was Waiaraia open cast and when that shut down, then they went to the Tatū. But I'm not too sure whether it was 1940 or what – I'm just going on what he was saying.	
	GEOFFREY MELVIN	
	Kia ora. Now, at paragraph 2.8 you refer to a letter from the Department of Mines and you say it shows the Crown was probably very cautious about disclosing the potential value of coal under the land. Now, you have that letter in your document bank number 1 at page 2. I don't know if you	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	have your document bank with you, do you?	
	GERALDINE TAUREREWA	
	No. Do we? Yes.	
	GEOFFREY MELVIN	
	I'm sorry Sir, I don't know what the Tribunal's document number. I assume it is #R024?	
	GERALDINE TAUREREWA	
	Yes, thank you.	
	GEOFFREY MELVIN	
	And so this is #A24(a), page 2. And if you could just confirm what block of land the letter is talking about?	
	ROBERT CRIBB	
	Sir, the coal deposits along that river was on the Marakōwhai No 3 Block.	
	GEOFFREY MELVIN	
	So that's the block the letter is addressing isn't it?	
	ROBERT CRIBB	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes, that's the letter at this point.	
	GEOFFREY MELVIN	
	Yes? And that block is outside the Inquiry District isn't it?	
	ROBERT CRIBB	
	Yes it is.	
	GEOFFREY MELVIN	
	Now just finally, I would like to address the Ōkahukura-Stratford branch line which you talk about in your evidence and at paragraph 3.10 you say, "It seems unfair to me that private businesses can make a profit over a rail line that was taken from Māori under the Public Works Act and is now used for private commercial gain."	
	GERALDINE TAUREREWA	
	Yes.	
	GEOFFREY MELVIN	
	However, most of the land required for the railway for that branch line had passed out of Māori ownership when it was taken for the railway had it not?	
	GERALDINE TAUREREWA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	GEOFFREY MELVIN	
	And as far as I can see from the Cleaver and Sarich report about the railway in which you rely – refer to in your evidence, the land that was – the small areas of Māori land that were taken were from the Whatitokarua Block. Do you agree with that?	
	ROBERT CRIBB	
	Yes.	
	GERALDINE TAUREREWA	
	Yes.	
	GEOFFREY MELVIN	
	And just to confirm, that block is within the Inquiry District, is that right?	
	ROBERT CRIBB	
	Yes.	
	GERALDINE TAUREREWA	
	Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	Kia ora. Thank you very much. I have no other questions. Thank you, Sir.	
	JUDGE AMBLER	
	Kia ora. No other counsel?	
	DR AROHA HARRIS	
	Kia ora.	
	GERALDINE TAUREREWA	
	Kia ora.	
	DR AROHA HARRIS	
	I – sorry I have lost my place where I was. Did you say was it Puketihi is the place –	
	GERALDINE TAUREREWA	
	Yes, Puketihi.	
	DR AROHA HARRIS	
	Puketihi, so that is the little village that was built for the people who were working in the Tatū Mine?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GERALDINE TAUREREWA	
	Yes.	
	DR AROHA HARRIS	
	And the people that lived there and worked in the mine, were they all local people?	
	GERALDINE TAUREREWA	
	I don't think so because – well, I have a book there, it's called, '***Blood*** in my Blood – ***Coal's in my Blood'*** and this is – pass that – and it is this and it's called 'Coal in my Blood' and that was taken up at Pūhā, up in the Tatū's. And there is a picture at the back and it looks at what Puketihi looked like and I will say a lot of people in this book lived on that site. And I do believe there is a guy living here in the township by the name of John Cairns and he wrote this story.	
	DR AROHA HARRIS	
	Okay. And it is about the Tatū Mine or –	
	GERALDINE TAUREREWA	
	Yes –	
	DR AROHA HARRIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	– is it about mining –	
	GERALDINE TAUREREWA	
	– and the open scenes all around motu here.	
	DR AROHA HARRIS	
	So you think that there were some Māori that came to work in that mine from other parts of the country?	
	GERALDINE TAUREREWA	
	Yes and my Uncle lived there and his family.	
	DR AROHA HARRIS	
	And so what did people do when the mine closed? Where did they go?	
	GERALDINE TAUREREWA	
	Well, like if you look at this picture and you go up there now there's no houses or anything, it's just open land. But from time to time the young people that were brought up there by their families, they go home and celebrate, you know their time as young rangatahi and young ones that lived there and they've left. But they do live widely and all the coal fields that's further in the Waikato and Benneydale, a lot of them live around there.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	So you think that some of the families went on to other mines?	
	GERALDINE TAUREREWA	
	Yes.	
	DR AROHA HARRIS	
	Okay. Ka pai. Thank you.	
	JUDGE AMBLER	
	Tēnā koe. Karekau aku pātai. Ngā mihi.	
	GERALDINE TAUREREWA	
	Kia ora.	
	JUDGE AMBLER	
	Kia ora. Anything arising Professor Boast?	
	PROFESSOR RICHARD BOAST	
	No thank you Sir.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	All right. Well you will follow up on that mapping evidence. Thank you.	
	PROFESSOR RICHARD BOAST	
	Yes Sir. Yes.	
	JUDGE AMBLER	
	Mr Haitana, no? Mr?	
	ROBERT CRIBB	
	Cribb.	
	PROFESSOR RICHARD BOAST	
	You can sit down Geraldine.	
	ROBERT CRIBB	
	Judge, if I may? I have just received this paper and the comment that was brought across for Geraldine about the coal mine. I have just read it and I would just like to say, thank you Judge for this time because this is the essence I suppose of what the coal mine is about and about the whole of her report is this.	
1400	"The Marakōwhai No 3 Block Native, quite close to where their house boat is situated, within a few hundred yards of the same. We have discovered several outcrops of coal.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	This is just the junction of the Ōhura and the Whanganui River on the southern side – on the northern side Government land, no doubt the same scheme exists. I may suggest to send experienced coal miner's to open up the outcrop and report their extents et cetera. I know of several other outcrops but not at present. So credibly as those above referred to the coal, it is I think similar to Mōkau and Taupiri. I had tried it and it burns freely. I think the Government…" Now, this is the most important. "I think the Government should investigate quietly so as not to give the native people any exaggerated idea or value." I would say that again. "I think the Government should not investigate quietly so as not to give the native people any exaggeration, idea or value. The natives living on the spot have given me permission to open up their outcrops. This work, however, will be I think much better in the hands of the Government. I will send common people if and when." Thank you Judge.	
	GERALDINE TAUREREWA	
	Thank you.	
	JUDGE AMBLER	
	Thank you.	
14:01:37	**WAIATA**	
	Ko Hue te marae a Tamahoki.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Tēnei rā e taku (Māori inaudible 14:01:59) nei Te whare iti I noho o Whati o runga me raro nei E ngangara e whai kino ai Ō te kā rere mai noa ahau e auē Tukua tanu ki moana I rere koe iho e Tuku i tēnei a Tamahaki E koro e kui ka aroha ai Tēnei au e whitiki a kōura Mai ki maunga ki Tangaroa Anei rā o tūpuna tū e mōu tonu Karī e memeha a Tamahaki Maranga, maranga Ngāti Haunui Kia Kowhaiarangi e te whenua Te hapū i Ngaupoho whakamataui Kia noho ora ai ngā tūpuna Te hapū kia hono ai te ao mārama Takahi i te kino a ka nangara eee Tēnei nā ka tūhono (inaudible 14:05:55) Hei pou, hei pou a Tamahaki	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Te hapū ka ora ai te ao mārama Pupuri i te kino a Kānara eee Tēnei nā taku hono atu rā Hei pou, hei pou, ā Tamahaki Tohu e hui, hui eē, tāiki eē	
	PAORA HAITANA	
	Aha atu nei e mihi atu ki a koe a ngā tāngata tiaki o te tēpu i mua i a mātou a kia koutou hoki ngā tāngata o te Karauna. Ki a koutou a ngā whānau whānui a mātou o tēnei takiwā, kia ora hoki te Taraipiunara i tēnei wiki. Ka tū e mihi atu ki a koe, ki a koutou a tēnā rā tātou katoa.	
	Firstly to you, Sir, Judge, I know that we've extended our time somewhat so therefore I'll have most of my brief as read. I'll read – I'll just give an introduction and we could go straight to the kaitiaki of the land and we'll go to other parts of my brief that I think that we can address and then come forward and give an explanation of those taonga that are in front of you. And I will be as brief as I can. **READS BRIEF OF EVIDENCE #R019** "My name is Paora Haitana. I am of Whanganui, Maniapoto and Tūwharetoa descent. My whakapapa on my mother's side is Ngāti Hauā of Taumarunui, Ngāti Kurawhatia of Pipiriki, Ngāti Hikairo of Lake Rotoaira and we affiliate to the Anderson's of Ngāti	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Rora in Te Kūiti. Our Taranaki connections are with Ngāti Maru." If we can go from there to the Kaitiaki of the land, Sir. Oh no, I'll need to 1.6 because it's relevant to this district. **CONTINUES READING BRIEF OF EVIDENCE #R019** "I am of the Whanganui River: Ko au ko te awa me te awa ko au. My partner was Arlene Phillips. Between us we had seven children and raised four whāngai. All the whāngai are related to us in one way or another. She is of Tūwharetoa iwi, Ngāti Manunui, Ngāti Hikairo and others. She is also of Ngāti Maniapoto and affiliates to Petania Marae in the Inquiry District. Therefore, our children and grandchildren link to these lands in the Inquiry District through their whakapapa. **Kaitiaki of the land** I have hunted, fenced and done a range of agricultural activities mainly in the southern areas within this Inquiry District. I therefore have knowledge of that part of the whenua and the surrounding environment. In particular, I have hunted exclusively for various marae hui in the Rangitoto-Tūhua 67 Block at the south end of the Inquiry District, Waitangi Station.	
1410	I have also been employed on a number of land blocks at the southern end of the Inquiry District from approximately 1973 to 1980. This was casual. These land blocks include: a. Rangitoto-Tūhua 74, Hikurangi Station for the then	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Manager, Graeme Murray. b. Rangitoto-Tūhua 60, Doug Vertue, farmer, deceased. c. The farm block of Rob Hall. A farmer whose farmland boundaries all of the land blocks referred to above. From 1973 to 1980, I worked and regularly hunted these land blocks as well as Hikurangi Maunga from its eastern slopes and down the western side to Uepango Stream. At this time eels were plentiful in all creeks, streams and swamplands." If we can go to 2.5. **CONTINUES READING BRIEF OF EVIDENCE # #R019** "To me, kaitiakitanga is first based on one's whakapapa. Secondly, the knowledge one gains in the journey of life. My journey has taken me across the land to various marae and wānanga to get a better understanding of who we are as kaitiaki. I believe I can understand the importance of kaitiakitanga on the land. My whanaunga, Sir Archie Taiaroa would always say, 'One has to walk the talk in order to talk the walk.' One way in which I continue my link to the whenua is by holding wānanga. During these wānanga, we invite young and old who are interested in the ancient pathways of our tūpuna or tūpuna to come along and learn about their history and its importance to our whānau, hapū and iwi. We take young groups – we take groups to various places across the whenua and explain the significance of certain sites to ensure that what little knowledge we have left survives. The	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	purpose of these wānanga is to retain the knowledge about where the old pathways lead to and what the kōrero is behind them. We travelled into the Inquiry District in mid-2013. We were in the Inquiry District on a wānanga. We followed the journey where our pou whenua lie from Miringa Te Kakara, an ancient marae, down to another pou called Paepaeroa, which was spoken about earlier, through the Inquiry District to Te Koura, the marae there and to Te Peka Marae, up here at the Taumarunui Hospital, and on further to an old marae called Ariā Matia on the banks of the Whanganui River, and further South again to the confluence of the Ōhura River and the Whanganui River. There stands the pou of the Hauhau people at Maraekōwhai. Most hapū in the area –"	
	PROFESSOR RICHARD BOAST	
1413	Sorry Mr Haitana.	
	PAORA HAITANA	
	Yes Sir.	
	PROFESSOR RICHARD BOAST	
	Kia ora. Perhaps, could you move to the substantive issues of the varroa and the stones now –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PAORA HAITANA	
	Aha.	
	PROFESSOR RICHARD BOAST	
	– that is really what we should get to I think.	
	JUDGE AMBLER	
	Can I just be clear Professor Boast? The question of the varroa bee mite, is that in the Statement of Claim is it? I just do not recall –	
	PROFESSOR RICHARD BOAST	
	I have no idea.	
	JUDGE AMBLER	
	Well I – well, we are here to deal with claims.	
	PROFESSOR RICHARD BOAST	
	Yes.	
	JUDGE AMBLER	
	I do not recall it being identified. It may be there I just do not know.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PROFESSOR RICHARD BOAST	
	I will have to check that Sir but perhaps if the witness say tell us what he is concerned about, in any event, very quickly?	
	JUDGE AMBLER	
	Yes. As you know Mr Haitana we have read this so –	
	PAORA HAITANA	
	Yes. Yes. Yes.	
	JUDGE AMBLER	
	– you can cut to your point.	
	PAORA HAITANA	
	Okay. So we can put this aside?	
	PROFESSOR RICHARD BOAST	
	Feel free. Tell us about the varroa.	
	PAORA HAITANA	
	The concern we have is that I've spoken with the then chair of the New Zealand Beekeepers Association, Mr Neil Mossom and his concern was every beekeepers concern that the varroa mite was destroying the majority of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the bees within the honey bee community, and what was notable was that the wild honey bee no longer exists in this country. As kaitiaki of the land we fear that if the varroa mite spreads or mutates into something much more powerful it could therefore and this is only surmising, but it could therefore attach itself to the wild native bee and that will cause huge environmental and ecological damage to our ngahere. So we bring forward this claim of, or submission Sir about the varroa mite and about our concerns regarding the native bee. That is also because there is no more honey bee – wild honey bee left in New Zealand as indicated by a television programme run by some day some time ago, evidence on there was quite clear that the wild honey bee no longer exists in New Zealand. So it is our wish to put before the table or the Tribunal that if there is any – should there be any research in the future in regards to the varroa mite with respect to our native bee, we would very much like to be part and parcel of that research. But more importantly, as a man that travels the bush and as a man that lives the land, and I mean that literally, for about four years now the Rata bloom and the native bushes that I'm comfortable walking and comfortable travelling through, is noticeable that the Rata flower is not as predominant as it used to be. But the Kōwhai in the spring that too, while it still blooms, is not quite as terrific as it used to be and that may be seasons, it may be something else? And as one that it's touch with beekeeping and beekeepers on the Whanganui River in particular, Dave Davies who is a	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	beekeeper up in a block called Tamahoe, I've had discussions with him and in particular to the growth and the flowering of the Mānuka and the only bee up there that can pollinate or does pollinate is the bees that he carries in, or his own bees and his bee hives that are there. So that is a concern for Tamahaki and I guess all in the Inquiry District. And if I can move on Sir to Pakohe, the Pakohe stone in front of you. Let me approach it. First and foremost Sir, all these taonga are found within the Inquiry District. This – all these we call Pakohe to here and our Pakohe of a different use. Obviously, the word for this in the Pākehā world is Obsidian and obsidian in our old peoples' ways it was used – they chipped pieces off it. I had taonga found by the Department of Conservation staff of the Whanganui River in the upper reaches here, in fact, of what was obviously a knife and a thumb print in it. And it's sharp in the bottom and if you believe it or not had serrated edges. So our people must have understood the use of serrated edge way back in that time. And after much debate about this particular tool, it was learned that this particular stone was used for many, many things, weapons. But another thing it was used for was a pito knife. So when the child was born this can be very, very sharp and the pito was cut and tied and it was either Pakohe or this Pakohe from pieces of this Pakohe, not this particular Pakohe but this stone, that the pito knife was bred from. We have here the Pakohe or Argillite. Argillite is found in	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	many different colours, many different shapes and this particular one is the green – it's a green – argillite is the green one. These are some of the weaponry and it's not completed, that our people would use argillite for. It's heavy and one could understand the damage it would do if struck in the perfect place. These are old and ancient tools that our old people used to use. This is another of argillite and most of these here have been collected at where our old people have small quarries. So there are those quarries of this taonga, this particular, these particular stones that are in my evidence you will see that two Pākehā bushmen they found the workings of an old quarry in the headquarters of the Taringamutu and Johnny Wī a bushmen of many years in that region also confirmed that that was there. His exact words, "Oh how the hell do you know that?" So – and we have over here basalt. Basalt sorry, is another form of Pakohe that our old people would use. He kōhatu taonga ēnei. This is a heavier version of it and it would be used for heavier work. And we get to probably the most precious of all. The most valuable is this one. This one is the humble hāngi stone. This kōhatu holds supreme mana I believe. The first kōhatu that our migrationary ancestors would have looked for in order to cook their food. This would have been the kōhatu that they would have looked for as they arrived here in New Zealand. It looks ordinary but don't be fooled. In my opinion, this humble kōhatu provided to our iwi within this Inquiry District the ability for them to survive. The proof is	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	we are here today. In fact, on Saturday the 27th my brother-in-law we had his unveiling and this kōhatu here was part of the hāngi stones that heated the kai for the hākari. On it today is, it looks like pumpkin to me and when you heat it up that all burns off anyway. But if you have a look at this stone the porous on it is like a lot deeper than this one here and that is because our old people would use this one with the deeper porous to put in today, this is today not yesterday. But back in the day they would do the same, but our people here because we were blessed with all ranges of kōhatu in our river but more importantly, we could go along and select whichever hāngi stone was required to cook a particular hāngi. For example again, I'll go back to this one here, it's deeper and so the heat would evaporate a lot quicker and because it would evaporate a lot quicker or leave the stone a lot quicker it didn't burn for as long. So when the meat was put down on top of the hāngi this one would be put amongst it, not to burn it but to retain the heat, and the vegetables would be put on top again the heat wouldn't be so vast that it would burn the vegetables. This one, in fact, would be the one that would go on the bottom. Now, I'm fortunate enough way back in the day when our kaumātua Sonny Barrett was there, the chief ringawera for Ngapuwawaha Marae. So every hui that was on the marae three of us would go down; we were his tauira to learn these taonga. People might think, oh it's just a hāngi but in fact he taught us that it was more a wānanga about who we are in	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	respect to these kōhatu, than just creating and building and cooking a hāngi. Those that were with me at that time was Eugene Topene; he is a great direct descendant of the great warrior chief Topene Te Mamaku; and Richard Thompson. Richard Thompson, the three of us would go to all the hui on the marae and that was our job with this kaumātua, this man of a lot of knowledge. He was from originally from Piupiu but from also our families out at Hiakaitepeka, Sonny Barrett. We progressed on where – after our kaumātua died, Sonny. Richard Thompson became the chief ringawera for many, many years and his family they provided those – our hākari for that marae in the old fellas absence or after he passed on.	
	JUDGE AMBLER	
	Mr Haitana?	
	PAORA HAITANA	
	Yes Sir.	
	JUDGE AMBLER	
	Ka pai. Kua mārama.	
	PAORA HAITANA	
	Okay.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	So I fear you are going to take longer than you would –	
	PAORA HAITANA	
	Okay, I'll stop there.	
	JUDGE AMBLER	
	– if you were going to just read your brief –	
	PAORA HAITANA	
	Yes, I said I'll stop –	
	JUDGE AMBLER	
	– because we might have some questions so have a –	
	PAORA HAITANA	
	Okay.	
	JUDGE AMBLER	
	Just before you leave the table though –	
	PAORA HAITANA	
	Yes Sir.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	– you have described all of those stones as Pakohe –	
	PAORA HAITANA	
	To here.	
	JUDGE AMBLER	
	To there, all right.	
	PAORA HAITANA	
	Yes.	
	JUDGE AMBLER	
	And you have described them are argillite.	
	PAORA HAITANA	
	Yes.	
	JUDGE AMBLER	
	The shiny kōhatu I know as obsidian –	
	PAORA HAITANA	
	Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	– as you have described it –	
	PAORA HAITANA	
	Yes Sir.	
	JUDGE AMBLER	
	– and elsewhere I know of it as Tūhua, is the name given to it.	
	PAORA HAITANA	
	Yes.	
	JUDGE AMBLER	
	So what is the name that is given to it here?	
	PAORA HAITANA	
	We class it all, as I understand, as being all Pakohe.	
	JUDGE AMBLER	
	And so the obsidian is in fact found in this district?	
	PAORA HAITANA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes it is.	
	JUDGE AMBLER	
	All right.	
	PAORA HAITANA	
	Yes it is Sir.	
	JUDGE AMBLER	
	Have a –	
	PAORA HAITANA	
	Yes I will.	
	JUDGE AMBLER	
	Head back to the lectern –	
	PAORA HAITANA	
	Okay, I'll go back.	
	JUDGE AMBLER	
	– there might be some questions.	
	PAORA HAITANA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	The Manawatū Whanganui Regional Council continue to issue grants to metal contractors to extract metal from these catchments within the Inquiry District. With little or no regard to the cultural use of these or our hāngi stones, loaders, diggers randomly dug the metal stones from the river beds for roading, railways, buildings et cetera. Therefore, in my view, the Crown has failed to protect this taonga hāngi kōhatu by allowing the wholesome crushing of theses taonga for those purposes I have indicated. Further to this, our concern again is that these other taonga, a koe, are being crushed also because in its raw state unless you have the eye for it you can't understand or can't see what it is. And so Sir, as I said, because one has to have the eye to be able to identity these kōhatu taonga in their raw state in these waterways and on the land, our fear is that they too have been crushed for the roads. Tēnā koutou.	
	AMY WILLIAMS	
	Tēnā koe Mr Haitana, Ms Williams' for the Crown.	
	PAORA HAITANA	
	Yes.	
	AMY WILLIAMS	
	Thank you for that. Before I start, I just wanted to say Sir,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the Crown has looked at the Statement of Claim and there has been no claim made about the varroa bee mite before. The Crown does not propose to address that at this stage.	
	JUDGE AMBLER	
	All right.	
	JASON POU	
	Sir, Mr Pou here, it is implicitly within the statement of issues though in terms of section 20.1 through to section 20.3 in terms of Rohe Pōtae Māori tikanga in relation to protection and care of whenua, ngahere, wai, awa, roto and fisheries. So it is a live issue even though I do accept that this Tribunal's responsibility is to respond to claims, it is an issue that has developed and it kind of sits within that statement of issues that I have just read.	
	JUDGE AMBLER	
	Well if it is not in the Statement of Claim it is not in the claim and the varroa bee mite issue has been around for a number of years. So we will proceed on the basis that it is not in fact part of the claims before this Tribunal. Ms Williams.	
	PAORA HAITANA	
	May I ask why that is so Sir?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Because we are here to deal with the claims that have been filed –	
	PAORA HAITANA	
	Yes.	
	JUDGE AMBLER	
	– and that have been accepted as part of this District Inquiry. We cannot just go along –	
	PAORA HAITANA	
	Yes.	
	JUDGE AMBLER	
	– and add to issues after issues otherwise –	
	PAORA HAITANA	
	That's right.	
	JUDGE AMBLER	
	– there would be no end.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PAORA HAITANA	
	I see.	
	JUDGE AMBLER	
	So there does have to be some discipline in terms of what we can address as part of this Inquiry, all right? Now, Ms Williams.	
	AMY WILLIAMS	
	Thank you, Sir. I just wanted to discuss at pages 8 to 10 of your brief where you talk about the traditional use of Pakohe stone and in particular at paragraph 3.16. You talk about the Crown wanting to – wanting the Crown to recognise the special status of the stone. Are you able to tell us which other iwi you have had discussions about the recognition of Pakohe as taonga? You mentioned that there was another iwi that you know about?	
	PAORA HAITANA	
1430	This pakohe or any stone?	
	AMY WILLIAMS	
	Pakohe, I think you mentioned –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PAORA HAITANA	
	In 3.7, “I do know that Māori used to quarry pakohe. In fact, Te Tau Ihu used to quarry the stone and still has the original site available for public access. There were also quarries on the Rangitoto Island. Boulders of pakohe can be found in mountain streams and fragments could be collected from the rivers and surrounding lands.” So yes other iwi did use pakohe.	
	AMY WILLIAMS	
	But as far as you’re aware there’s been no recognition in terms of whether it’s taonga with other iwi?	
	PAORA HAITANA	
	For other iwi yes it’s taonga.	
	AMY WILLIAMS	
	Has there been any kind of discussions with the Crown about –	
	PAORA HAITANA	
	Not that I – not to my knowledge, no. Definitely not with us anyway.	
	AMY WILLIAMS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Okay. Do you know if pakohe is still quarried within the Te Rohe Pōtae district? Are there still active quarries?	
	PAORA HAITANA	
	Yes, we – yes, we have a school in the marae at Pūtiki, Wanganui.	
	AMY WILLIAMS	
	That's right.	
	PAORA HAITANA	
	And they – there's tauira there that learn the art of stone-carving there and they have 15 there at the present time. Generally between seven and eight will graduate and go on further. So yes it is still used.	
	AMY WILLIAMS	
	The ancient quarry sites that you talk about, –	
	PAORA HAITANA	
	Yes.	
	AMY WILLIAMS	
	– are they located on private land or Crown land or Māori land? Do you know whether – what the status of the land	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	that they're located is?	
	PAORA HAITANA	
	I believe it's on Māori land under forestry.	
	AMY WILLIAMS	
	And are there any specific sites that you'd want to see protected and how would you like that to be done?	
	PAORA HAITANA	
	We would like all our catchments to be protected under the same act or decision that was made for Ngāi Tahu and pounamu.	
	AMY WILLIAMS	
	Okay.	
	PAORA HAITANA	
	Ngāi Tahu have the right to all the pounamu and we in this inquiry district and all its catchments wish for nothing better.	
	AMY WILLIAMS	
	And would that relate specifically to the group that you represent or would there be other hapū or iwi that have interests in –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PAORA HAITANA	
	I believe it's, I believe it's a taonga of all our iwi within the Te Rohe Pōtae inquiry district and, therefore, while it's not for me to say but I believe that those iwi too would like to be labelled within the same constraints as ourselves in respect to the pakohe.	
	AMY WILLIAMS	
	At paragraph 3.15 of your brief at page 9, it's right down the bottom?	
	PAORA HAITANA	
	Yes.	
	AMY WILLIAMS	
	You talk about the school and you just discussed that before that you have the teaching of carving and working with pakohe stone. So obviously there are some steps that have been taken within the area to preserve the use of the stone and the knowledge involved in that. So do you accept that there is a role for Māori to play as kaitiaki or this knowledge? That that's part of –	
	PAORA HAITANA	
	It's not so much a role. They are the kaitiaki, but more	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	importantly I hear what you say in how the Crown is working towards – is that what you're saying? What are you saying about the Crown working towards –	
	AMY WILLIAMS	
	That you've got a role to play in protecting the taonga as well as what you say the Crown has?	
	PAORA HAITANA	
	I believe, I believe that first and foremost the Crown has that right. The Crown has that role to protect it for the iwi and it's up to us to negotiate how that is protected.	
	AMY WILLIAMS	
	I just wanted to just clarify, so why is that you think that Crown has the foremost obligation to protect that taonga or the knowledge involved in –	
	PAORA HAITANA	
	It's not so much the knowledge. I think we retain the knowledge but they need to put for the protection mechanisms for us to be able to continue our practices culturally and through – you see there pakoe, we see whakapapa. Each and every one of those kōhatu have their own whakapapa and each and every one of them carry their own mauri and it's not, it's not about the Crown protecting that. It's the Crown protecting it for us so that we as the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	tangata whenua or the guardians of those can ensure that the mauri for those are continued and the mauri for them is also respected, but more importantly the karakia in order to evoke the mauri is still held within those schools that we hold down in Pūtiki in Whanganui.	
	AMY WILLIAMS	
	Thank you very much for that. We don't have any other questions for you.	
	PAORA HAITANA	
	Kia ora.	
	JUDGE AMBLER	
	No other counsel?	
	TAVAKE AFEAKI	
	Kia ora Your Honour, Afeaki here.	
	JUDGE AMBLER	
	Yes.	
	TAVAKE AFEAKI	
	Tēnā koe e te rangatira, Paora. Thank you for your evidence. One of the things you mentioned in there was	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	tuna and as an environmental issue and as a kaitiakitanga issue that was a big kaupapa; still presently. Last year you filed some evidence about, and it was document #L012 and you presented at Waimiha I think for the Wai 1812 Awa Claim. In respect of that one of the thing that I wanted to follow up with continuing on the kaitiakitanga kōrero and the journeys of yourself as kaitiaki and the journeys of the Crown to support kaitiaki.	
	PAORA HAITANA	
	Kia ora.	
	TAVAKE AFEAKI	
	There was a report from the Parliamentary Commissioner for the environment which was filed with your evidence about the long-fin tuna.	
	PAORA HAITANA	
	Yes.	
	TAVAKE AFEAKI	
	At the time they had – she had advised with – the scientist had advised Parliament that the long-fin tuna was on the brink of extinction, –	
	PAORA HAITANA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	TAVAKE AFEAKI	
	– Matua, that was almost a year ago, eh? It's –	
	PAORA HAITANA	
	Yes.	
	TAVAKE AFEAKI	
	You filed your evidence last April. Paora, are you able to update us on what you have seen the Crown do or not do from that time to now about the virtually extinct tuna, te taonga nei, the long-fin?	
	PAORA HAITANA	
	I can't comment that I've seen the physical side of it, no. However, I can comment that I know Judge Ambler has gone down the roadway or the pathway to try and do, within the Tribunal, to address that issue in respect to the evidence that was provided at Waimiha.	
	TAVAKE AFEAKI	
	Kia ora Matua, and have you seen many of those tuna i roto i ngā awa i te Wanganui pea?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PAORA HAITANA	
	We catch one at a time these days.	
	TAVAKE AFEAKI	
	Yes, as opposed to thousands.	
	PAORA HAITANA	
	Yes, but you know you only catch one for today's meal. Before, because the season was only a brief season and it hasn't come yet, our people would catch them by the thousands and then they would hang him on big racks to dry and that was the, was the sustenance, let's call it, for those long winter months without the – without that sort of kai within their region.	
	TAVAKE AFEAKI	
	And it was a core source of protein for all the people of Wanganui and Rohe Pōtae, wasn't it?	
	PAORA HAITANA	
	Was a core source for I think all the iwi of the land because I know that in the lands of Jason Pou they also had it up there and you go down the Ngāi Tahu I know that the eels are prevalent down there. So while it was – while it is predominant at those times in the Wanganui and	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Te Rohe Pōtae inquiry, today we have people building wetlands and making swamps to try and regenerate those long-finned tuna which we call the tuna eke.	
	TAVAKE AFEAKI	
	Paora, so given what you've just described, is it fair to say that the tuna is still under stress?	
	PAORA HAITANA	
	It's beyond that. It's beyond being under stress. The simple fact is as I gave in that evidence, "We are the ambulance at the bottom of the cliff," and it needs a real input and shove by the Crown, Crown agencies and I think in evidence in Waimiha I remember saying that it needs to be a total ban on it because the age of the female tuna before it is old enough to, to migrate and spawn, as the old fulla Koro Titi has explained and taught me in his teachings to me about these things in front of us is that it takes 20 years to get – be old enough to go and spawn.	
1440	So in order for that tuna to regenerate it has to be a ban to such a point where at least that are still with us can go and spawn and return and regenerate those lakes, those wetlands that was predominant in their life cycle.	
	TAVAKE AFEAKI	
	And possibly a rāhui or a ban for a generation?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PAORA HAITANA	
	Yes.	
	JUDGE AMBLER	
	Well Mr Afeaki –	
	TAVAKE AFEAKI	
	Thank you, Sir.	
	JUDGE AMBLER	
	– I will haul you in here because you are taking us way back to Waimiha and we did hear substantial evidence from Mr Haitana there.	
	TAVAKE AFEAKI	
	Yes, I just wanted that update on it, thank you.	
	JUDGE AMBLER	
	No the update I think is appropriate. Kia ora.	
	PAORA HAITANA	
	Kia ora.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Thank you.	
	TAVAKE AFEAKI	
	Sorry Your Honour I had one question more about kaitiakitanga and tikanga. It just follows on from that kōrero.	
	PAORA HAITANA	
	Kia ora.	
	TAVAKE AFEAKI	
	I roto i te taha o te taiao, you know, an environmental context, Paora would you agree with me that what you were describing is that the kaitiakitanga itself, the whole of it, is a duty for you for your people? Not just a right but a duty, a responsibility, would you agree with me?	
	PAORA HAITANA	
	In the signing of the Treaty of Waitangi it was a right. Today, it's a duty because we lost our right and now it's our duty to fight in whichever way we can, in order to be able to go forward with your mokopuna, with mine and there's tomorrow in order to be able to witness those things that our old people were brought up with.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	TAVAKE AFEAKI	
	And that is the tikanga that you are describing?	
	PAORA HAITANA	
	Yes.	
	TAVAKE AFEAKI	
	Tēnā koe Paora. Ngā mihi ki a koe. Kia ora. Kia ora, Your Honour.	
	JUDGE AMBLER	
	Thank you. And for the record the brief is #L002 not #L012 from Waimiha.	
	PAORA HAITANA	
	Kia ora.	
	JUDGE AMBLER	
	I will just put that on the record.	
	PROFESSOR POU TEMARA	
	Tēnā koe Mr Haitana.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PAORA HAITANA	
	A tēnā koe.	
	PROFESSOR POU TEMARA	
	Look, I am interested in the Pakohe now that you talk about.	
	PAORA HAITANA	
	Yes. Yes.	
	PROFESSOR POU TEMARA	
	And you say that you were talking to a couple of Pākehā hunters –	
	PAORA HAITANA	
	Yes.	
	PROFESSOR POU TEMARA	
	– who talked about a quarry –	
	PAORA HAITANA	
	Yes.	
	PROFESSOR POU TEMARA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	– up the Taringamotu –	
	PAORA HAITANA	
	Yes.	
	PROFESSOR POU TEMARA	
	– headwaters of the Taringamotu. Now the Taringamotu is in the Tūhoe area.	
	PAORA HAITANA	
	Yes.	
	PROFESSOR POU TEMARA	
	Okay.	
	PAORA HAITANA	
	That's in our Inquiry District, yes Sir.	
	PROFESSOR POU TEMARA	
	Yes. Yes. But specifically it is in the Tūhoe area and I just want to pick up on what Judge Ambler was talking about. I think in the rest of the motu the obsidian is called Tūhua.	
	PAORA HAITANA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	PROFESSOR POU TEMARA	
	I just find it a – is it a coincidence that Taringamotu is in the Tūhua area?	
	PAORA HAITANA	
	Yes.	
	PROFESSOR POU TEMARA	
	That is the quarry is a factory as the scientists call it and these factories are well known right throughout Māoridom –	
	PAORA HAITANA	
	Yes.	
	PROFESSOR POU TEMARA	
	– because of the trade in obsidian and this area is one, Tongariro is one and they have songs about that and of course the island of Tūhua out in the Bay of Plenty where we used to get ours from –	
	PAORA HAITANA	
	Okay.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PROFESSOR POU TEMARA	
	– the Mātaatua area. So I just want to ask, is there a coincidence between Tūhua the obsidian and Tūhua the land from which, out of which, Taringamotu flows? I am just putting that as a...	
	PAORA HAITANA	
	Yes Sir I believe there is a connection.	
	PROFESSOR POU TEMARA	
	Yes.	
	PAORA HAITANA	
	All things are connected in respect to that taonga in front of us. Understood it to be all known as Pakohe because our people were dominant and working with Pakohe. Could you put that photograph on the screen please? So I do know of areas within the western bays where obsidian can be found but not prolifically.	
	PROFESSOR POU TEMARA	
	Yes. Yes, thank you because Whanganui do sing about it.	
	PAORA HAITANA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	PROFESSOR POU TEMARA	
	They sing about the obsidian.	
	PAORA HAITANA	
	Yes Sir.	
	PROFESSOR POU TEMARA	
	“Mā wai au e kawe ki Tongariro –	
	PAORA HAITANA	
	Yes. Yes.	
	PROFESSOR POU TEMARA	
	– ki te toka i tau ai te mata.”	
	PAORA HAITANA	
	Yes that’s right.	
	PROFESSOR POU TEMARA	
	And they are talking about the blade –	
	PAORA HAITANA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	PROFESSOR POU TEMARA	
	– to lacerate the skin.	
	PAORA HAITANA	
	Yes.	
	PROFESSOR POU TEMARA	
	Yes, yes, that was just a proposition that I thought I would put to you.	
	PAORA HAITANA	
	Yes Sir.	
	PROFESSOR POU TEMARA	
	Kia ora.	
	PAORA HAITANA	
	Just while I'm here, on the screen you'll see an anchor stone. That's a big toenga and it has been drilled right through it and in the days of the old people that was where waka taua were being anchored. But more importantly, that exposed itself after the Tongariro Power Development Scheme. So it would have been under water may be two	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	and a half, three metres. Our question is, how did they drill it under water? Tēnā koutou.	
	JOHN BAIRD	
	Well thank you Mr Haitana.	
	PAORA HAITANA	
	Yes.	
	JOHN BAIRD	
	I've just got one question. In 316 and 317, you talk about the Crown not discussing any appropriate recognition of Pakohe. I just wondered whether you have had any discussion with the Crown from your end. It seems to me it is sort of asking quite a lot of the Crown to actually anticipate the problem?	
	PAORA HAITANA	
	May I answer it this way Sir and I'm not trying to win any kudos here. If it was oil or gold – I'll throw the question back. It is merely a taonga of ours and as far as I believe the Crown see it as just, in my opinion again, worthless rock of an ancient people. And so that may be so but it's dear and endearing to those of us within this whole inquiry block, Sir.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JOHN BAIRD	
	Yes I am not disputing that for a moment.	
	PAORA HAITANA	
	Yes Sir.	
	JOHN BAIRD	
	But, I mean, have you raised this with the Crown?	
	PAORA HAITANA	
	Not today we have not. The closest we've got to the Crown is their lawyers over here, Sir. May be through them we can negotiate a time to sit with the Crown?	
	JOHN BAIRD	
	Well, probably you should go direct to the relevant department I would think. Anyway, thank you very much.	
	PAORA HAITANA	
	Yes Sir, I will. We'll take advice from our lawyers on that.	
	JUDGE AMBLER	
	Now tēnā koe. As far as the –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PAORA HAITANA	
	Kia ora.	
	JUDGE AMBLER	
	– obsidian or Tūhua is concerned, are there only one or two very specific sites where that is found?	
	PAORA HAITANA	
	To my knowledge there was only – they are in the Mangonui-o-te-ao, prolifically in the Mangonui-o-te-ao, the Maungaturuturu and the Taringamotu.	
	JUDGE AMBLER	
	That is the obsidian?	
	PAORA HAITANA	
	Obsidian, yes.	
	JUDGE AMBLER	
	Just talking about that firstly.	
	PAORA HAITANA	
	Yes, obsidian.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	So you are saying it is found in the river?	
	PAORA HAITANA	
	It's not quarried but we can find I tin the river, yes.	
	JUDGE AMBLER	
	In the river?	
	PAORA HAITANA	
	And when I say we find it in the river it won't be as big as that.	
	JUDGE AMBLER	
	No.	
	PAORA HAITANA	
	It'll be fragments of it where maybe it's fallen down off a bank and broken on the rocks because it's very brittle and it doesn't take much to break. If you hit it with another rock or a small dumpy hammer it will break, it'll shatter.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	PAORA HAITANA	
	So we believe that – well, my belief is, is that those little pieces are floating down later on in the floods.	
	JUDGE AMBLER	
	It's quite a distinctive rock so it is easier to identify than others –	
	PAORA HAITANA	
	Yes Sir.	
	JUDGE AMBLER	
	– but if we look at the other Pakohe, I would imagine that in the river it would only – it would take a very trained eye to actually identify it, is that right?	
	PAORA HAITANA	
	That's dead right, yes Sir.	
	JUDGE AMBLER	
	All right.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PAORA HAITANA	
	And that's right and that's why I say it needs a trained eye to be able to understand what you're looking at and because they are in these rivers here and in the Taringamotu when metal extraction happens they are also being crushed for the roads and the railways and whatever.	
	JUDGE AMBLER	
	Yes. It makes it very hard to protect doesn't it if only a few trained eyes can identify it?	
	PAORA HAITANA	
	I think what we should be doing is, and this is the Crown's responsibility, we should be putting a rāhui on certain areas where we know they are so those taonga can't be crushed, so they can't be extracted for metal and for those things.	
	JUDGE AMBLER	
	And is that something that you would be prepared to do in terms of identifying those sites?	
	PAORA HAITANA	
	I think it's an option for all our iwi to be able to go out and identify those places that are special or those taonga within their Tribunal areas, Sir.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Kia ora. Ngā mihi. Professor Boast, is there anything arising?	
	PROFESSOR RICHARD BOAST	
	Not thank you Sir.	
	JUDGE AMBLER	
1450	Tēnā koe, kia ora.	
	PAORA HAITANA	
	Tēnā koe.	
	JOHN BAIRD	
	Nothing further. Thank you Sir.	
	JUDGE AMBLER	
	Thank you, all right.	
	WAIATA	
	Ruapehu te maunga Whanganui te awa	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Rangitengaue te tupuna e Ā hī auē auē Maraekōwhai takoto mai Te rongonui, riri kore Au au pai mārire. Te teinga kōkiri Rere hape ngā wai heke Tū tangata kino eē Ngarungaru āe ngā wai Riporipo ki te moana Anei tātou ngā uri eē Anei tātou ngā uri eē Anei tātou ngā uri eē	
	PAORA HAITANA	
	Tēnā tātou katoa.	
	RICHARD BOAST	
	Sir, just one last thing. We'll have a very good look at the Statements of Claim just to clarify that point.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes. All right, who's next counsel responsible?	
	BERNADETTE ARAPERE	
	Sir, that's me Ms Arapere with Ngāti Huru. Perhaps while we get out people up, Sir, we've got 10 minutes. I can do a very brief opening and then we'll try and get into it straight away.	
	JUDGE AMBLER	
	Yes.	
	IHIPERA PETERS	
	Tēnā koe, Sir. Ms Peters here. Perhaps if I could just record my appearance while the witnesses are making their way to the table. I have been here all day but I didn't want to interrupt the proceedings in the morning. So I'd just like to record my appearance at this time.	
	Anā, i runga i tēnā, tēnei hoki te mihi ki te haukāinga o Ngāti Rangatahi mō tō koutou manaakitanga mai ki a tātou katoa. No reira, tēnei te mihi nui ki a koutou. Kia ora.	
	BERNADETTE ARAPERE	
	Sir, the Ngāti Huru whānau are just placing some taonga up there that they will speak to in their evidence, but given we've got 10 minutes till afternoon tea I'll get going.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I've filed some brief – some opening submissions and they're document #3.4.069. We were down to have about two hours of time for Ngāti Huru but I will lead the witnesses through their evidence and we'll keep it as lean and mean as possible lest Mr Tootill thinks we can't keep to a timetable without him.	
	JUDGE AMBLER	
	But if we just pause for a moment. We've got Sarich and Sarich and Francis tomorrow and the next day through to the afternoon. I'm hoping that we're not going to need all of that time. So I don't want you to take your foot off the pedal in terms of witnesses. I want to take them through it in an efficient manner, but I don't think we're at the point of panicking yet even though we're almost a session behind.	
	JASON POU	
	Sir, there's also the three witnesses that have vacated on Friday as well. So there is that gap as well.	
	JUDGE AMBLER	
	Yes, and I think – well there is a revised timetable. So I'm not panicking yet.	
	BERNADETTE ARAPERE	
	Excellent Sir. We wouldn't want that. Ngā mihi ki a koutou	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	katoa.	
	READS OPENING SUBMISSIONS #3.4.069 "These submissions are filed on behalf of the Wai 1230 Ngāti Huru claimants. Ngāti Huru is a hapū of Ngāti Maniapoto and Ngāti Te Kanawa. The hapū has many whakapapa links and connections to ancient and current hapū and iwi within and outside of the inquiry district." There will be some maps up while the claimants are giving evidence but if the Tribunal wishes to orientate yourselves, we will be speaking about blocks in the south-eastern portion of the inquiry district along the border with CNI. So, "The traditional customary interests of the hapū within Te Rohe Pōtae are within what might be considered the hinterland of the inquiry district on the high ranges of Tūhua maunga in the "Hurakia o Kahu" rohe. In particular, the customary interests include Hurakia A1 Block, Hurakia, Ketemaringi, Potakataka, Rangitoto-Tūhua 9 Block, Rangitoto-Tūhua 10, Rangitoto-Tūhua.21 Ngairo Block and Rangitoto-Tūhua 51. Ngāti Huru also share interests with other hapū and other blocks both inside and outside the inquiry district," but their evidence is very focused on the blocks that I have listed." Sir, earlier today you spoke to one of the witnesses about the spelling of Ongaruhe or Ōngarue. Mr Tūwhāngai presented evidence to the Tribunal on that for Ngāti Huru	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	during the week 5 Waimiha hearing and that's document #L007, but of course you can ask him again about that today. **CONTINUES READING #3.4.069 FROM PARAGRAPH 7** "At the centre of the Ngāti Huru claim is the Crown's failure to recognise and provide for the tino rangatiratanga of the claimants in relation to their whenua, kāinga, awa and other taonga. The key issues for Ngāti Huru include: The impact of the Native Land Court process and the resultant land losses which have left Ngāti Huru virtually landless with only a few small land holdings in individual or whānau ownership on the fringes of the Pureora Forest Park," and in our virtual site visit yesterday a slide was shown of Ngairo Kāinga and that is one of the few pieces of land left in the ownership of particular whānau of Ngāti Huru today and the claimants will have some more photographs up to show you today. A further issue is that the Crown charged survey costs that resulted in Ngāti Huru owners losing large tracts of their land to the Crown. Indeed, entire blocks of land were taken by the Crown and referred to as ***"sale"*** blocks to pay for the outside survey of themselves and neighbouring blocks, and the evidence is that Rangitoto-Tūhua 10 in which Ngāti Huru has interests and which was 6000 acres was taken as one of these so-called sale blocks. It was the largest sale block in the inquiry district. A further key issue is, "The impact of the Waikato-Maniapoto Māori Land Board and crown purchasing which resulted in	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	an entire block, the Potakataka Block, Rangitoto-Tūhua 9 which was over 12,000 acres and in which Ngāti Huru had interests. That was lost to the Crown in just nine years." A further matter is the, "Environmental issues and the Crown's failure to protect the taonga of Ngāti Huru such as the native bird populations and ngahere; as well as historic and contemporary attempts by the Crown to exploit the Tūhua area for minerals," and Mr Tūwhāngai will speak about that issue. "The loss of the social and economic position of the hapū," is a significant issue. Sir, you spoke with one of the Ngāti Rangatahi witnesses yesterday of instances where hapū have disappeared and they've been mourned or instances where the blame is put squarely at the feet of the Crown or where it's put down to the waxing and waning of hapū over time. "It is the Ngāti Huru position that their landlessness," has forced the hapū into a position where it has, struggled to survive as a functioning entity as their people have been forced to move away from their ancestral lands," for work and in order to survive. A significant part of Mr Tūwhāngai's evidence, members of the Tribunal, is about the Native Land Court. Ngāti Huru were followers of the Pao-mīere Movement and the Kīngitanga and in many cases did not engage directly with the Court and were either not awarded interests or only very small interests. Yet the issue is, in my submission, that whether hapū engaged with the Court or not there were significant costs	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	imposed on them and I've spoken earlier, Sir, about the Rangitoto-Tūhua 10 Block and also the Rangitoto-Tūhua 51 Block which was 3000 acres and they both cut out and taken in order to pay for survey costs. The Tribunal will recall that that issue of sale blocks was dealt with in quite a bit of detail by Drs Husbands and Mitchell in their Native Land Court report which is #A076 and the sale blocks issue is a particularly prevalent problem in the Rangitoto-Tūhua blocks and is a significant source of grievance for Ngāti Huru.	
1500	The Tribunal will hear from two witnesses today; Mr Tūwhāngai who is well known to the Tribunal. He will speaking to his presentation summary, which is document #R013(b). He is an iwi historian who will give evidence on the history of Ngāti Huru, who they are and how they connect to other hapū within and outside the district and he focuses on the Hurakia and Rangitoto-Tūhua blocks in particular and details losses through the Court and the sale block process. Mr Wayne Houpapa who is to Mr Tūwhāngai's right, he will be led by Ms Peters of my firm and his document is #R007. He focuses on the connection of Ngāti Huru to the remaining lands which is Ngairo Kāinga. He describes the tikanga of his people on the Ngairo lands and the ways in which the hapū have been alienated from their lands as a result of Crown actions. The tangata whenua evidence is of course supported by the considerable body of technical evidence which I will address in closing submissions.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	The Crown has made some acknowledgements and concessions that it breached the treaty and its principles and in particular the Crown has conceded that in some subdivisions within Rangitoto-Tūhua Block, "Hapū and iwi had to give up unreasonably large amounts of land to pay for survey costs, and that the Crown's failure to protect the affected iwi and hapū of Te Rohe Pōtae from this burden breached the Treaty and its principles. My submission is that this concession must apply to the Rangitoto-Tūhua sale blocks and to Ngāti Huru. However, as the concession is non-specific as to whom the concession is made to, it is very difficult for Ngāti Huru or indeed for any hapū to rely on. Accordingly, the claimants seek findings from the Tribunal that apply directly to their claim and the prejudice that they have suffered." Lastly, Sir, the claimants have prepared some PowerPoints and maps which will be on the screen as they present their evidence and one last thing from me was in relation to the waterways map that Ms Le Gros had up today, Sir, that's a different one from the one that I have filed which was for the Wai 1812 claim. The map that it have filed is #A119(b) and that is intended to show the main waterways and their catchments and some of the streams and they are all named. So that's – the one that was shown this morning is a different map. So unless the Tribunal has any questions for me, we could either call Mr Tūwhāngai or we could go to afternoon tea, Sir.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Just one matter and then I think we're going to hear the call. As far as the question of non-participation in the Native Land Court is concerned by followers of Pao-mīere and the Kīngitanga, did Husbands and Mitchell address that as a subject? That is, did it look at those who stayed out of the Court?	
	BERNADETTE ARAPERE	
	What they looked at, and only very briefly, in their evidence is engagement and non-engagement. They didn't look at reasons necessarily for that non-engagement.	
	JUDGE AMBLER	
	Thank you.	
	BERNADETTE ARAPERE	
	Thank you Sir.	
	HEARING ADJOURNS: 3.04 PM	**HERE**
15:25:55	**HEARING RESUMES: 3.25 PM**	
	JUDGE AMBLER	
	Kia ora.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	THOMAS (TAME) LESLIE TE NUINGATŪWHĀNGAI	
	READS BRIEF OF EVIDENCE #R013(b) **"May it please the Tribunal** Ko Tūhua te maunga tapu ki atu rā ko Hurakia te pae tapu o Tāne. Ko ngā punawai o te Maramataha tae noa ki te matawai o Taringamotu, ngā wai oranga o mātou. Ko Tainui te waka. Ko Maniapoto te iwi. Ko Te Kanawa te tangata. Ko Ngairo te kāinga. Ko Ngāti Huru te hapū mōrehu. Tihei mauri ora. Ā, tēnā rā koutou ngā rangatira o te Taraipiunara. Ko Tame Te Nuinga Tūwhāngai ahau. He kaikōrero mō te hapū i mua i a koutou nei. My evidence today covers some of our history of Ngāti Huru; how we connect to other hapū, our whenua of Hurakia and Rangitoto-Tūhua and the Crown breaches of the Treaty and their impact on Ngāti Huru. To begin, I note that a large part of my brief addressed our traditional history and kōrero tuku iho of Ngāti Huru. This is because our hapū was not covered in any of the Oral and Traditional History reports for this Inquiry. I ask that the Tribunal read that section of my brief closely as I am only able to summarise part of that kōrero here in order to concentrate my presentation of evidence on the Crown breaches of the Treaty in respect of Ngāti Huru. **The Wai 1230 Ngāti Huru claim** The Wai 1230 claim sets out the traditional customary	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	interests of Ngāti Huru contained within the Hurakia o Kahu rohe, especially the blocks: Hurakia and Hurakia A1, Ketemaringi, Rangitoto-Tūhua No.9 Potakataka Block, Rangitoto-Tūhua No.10 Block, Rangitoto-Tūhua No.21 Ngairo Block, Rangitoto-Tūhua No.51 Block. Our hapū also shared interests with other hapū in other blocks within and outside of this Inquiry District. **Ngāti Huru** Ngāti Huru is a living breathing hapū. Other names that we were once known by are Ngāti Pareuekaha, Ngāti Kauwhakarewa, Ngāti Kahutotara, Ngāti Taiwa, Ngāti Hari and under the loose term Ngāti Urunumia. My late cousin and well known rangatira Piripi Crown described us, "All those Te Kanawa lot on Tūhua." I set out at paragraphs 16 and 26 of my brief the lands, forests, waters, wildlife of Ngāti Huru. The waters that flow from our Ngāti Huru lands are sourced from the high ranges of the Hurakia. From these sources come the Waihurakia Stream, Maramataha Stream and River, Te Rerengaohoro Stream, Wharehuru Stream, Waione Stream, Waikoura Stream, Mangatukutuku Stream, Mangakahu Stream and onto the streamlets, Waikino and all the headwaters of the Taringamotu River. Ngāti Huru and other hapū have always known the Tūhua area as being the abode of the Patupaiarehe tribes led by their chiefly leaders, Rākeiora, Tarapikau, Te Ririo, Tākaka and others who sustain their kaitiakitanga over the forests and wildlife in this region. Ngāti Huru still ask for the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	permission and spiritual protection of these deities before entering into the ngahere. From Hurakia looking to the north is Pureora maunga, named for the ancestor Kahukeke. Turning towards the north east across Weraroa to the sacred mountain, Tītīraupenga, once the home of the ancient kuia, Kurangaituku who was known as the bird-woman. Towards the south is Tūhua maunga and nearby in the southwest is Hikurangi maunga. Ngāti Huru maintain our mana motuhake and interests over all the headwaters, awa, whenua and ngahere that I will refer to today. The ancestor Kahukeke, known as Kahurere to others, daughter of Hoturoa of the Tainui waka and her tohunga husband, Rakataura, travelled along the south eastern extremities of the Hurakia range. Kahukeke's name was bestowed upon many Tainui landmarks such as Pirongia-te-aroaro-o-Kahu, Kakepuku-te-aroaro-o-Kahu, Rangitoto-o-Kahu, Wharepūhunga-o-Kahu and Pureora-o-Kahu. As for the Hurakia, the full name is Hurakia o Kahu/The discovery of Kahu. Her naming of places was all part of a journey that extended over a number of years. Tūhua maunga is an ancient land mark for many tribes and the pivotal centre for the Tūhua region and Tūhua people. The name Tūhua comes from Hawaiki, or more precisely Tahiti. Tūhua was the name of a small active volcanic island on the far eastern extremities of Tahiti. My Uncle and kaumātua of Hiakaitupeka Marae, the late Tahi Crown, relayed to me that, "Our tupuna Raka gave the name Tūhua as coming to the end of his hīkoi…he saw beyond this place	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	was covered in dark fog." Can I go to paragraph 14? **CONTINUES READING BRIEF OF EVIDENCE #R013(b)** "The Maraeroa, Hurakia and Tūhua region was a crossroads for many ancient and early people like Ngāti Hotu, Ngāti Ruakopiri, Ngāti Hia, Ngāti Hā, Ngāti Kahupungapunga and others. Ngāti Kahupungapunga once lived throughout the Hurakia and Tūhua region. Their blood runs through the veins of Ngāti Huru as does the whakapapa line to Ngāti Hia who we acknowledge as the tangata tūturu of the lands that merge on the western side of the Hurakia below Tūhua and towards the Mōkau district. These lands feature strongly among many of our related tribes including Ngāti Te Ihingarangi, Ngāti Raerae, Ngāti Tamakaitoa, Ngāti Ngatu, Ngāti Hinerangi, Ngāti Rangatahi, Ngāti Pareteho, Ngāti Hinekiore, Ngāti Hinewhatihua and many others." Can I go to paragraph 20 please? **CONTINUES READING BRIEF OF EVIDENCE #R013(b)** "It is Ngāti Huru tradition that the tūpuna Maniapoto left his two brothers Matakore and Tuwhakahekeao, the tūpuna of Ngāti Matakore and Ngāti Rereahu, in the Maraeroa region to secure those lands for them and their descendants.	
1535	Maniapoto went to secure the Hurakia range in Tūhua Maunga for himself and his descendants as he had heard of the abundance of birds to be had there."	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	BERNADETTE ARAPERE	
	Kia ora Mr Tūwhāngai, would you like to show the taonga that you have to the Tribunal.	
	THOMAS (TAME) TŪWHĀNGAI	
	Just here is the – here is my tuakana who has brought Tuwhakahekeao. Here is my other tuakana Wayne Herbert who allowed me to use Matakore. And this taiaha here is called Tūturu Whakamate so I never orchestrated this but they seem to all come together. So when Maniapoto told his two brothers Tūturu Whakamate kia mau, hold onto the lands of Maraeroa and the Rangitoto. And the smaller one here is Huru. Kia ora.	
	CONTINUES TO READ BRIEF OF EVIDENCE #R13(b) "These lands were subsequently fought over by Tūtetawhā of Tūwharetoa and Te Kanawa-whatupango (Te Kanawa of the Baleful eye) of Maniapoto. Te Kanawa heard of the Tūwharetoa chief's intentions to claim Tūhua and the Hurakia so he went there to reinforce his tūpuna Maniapoto's prior claim to this area four to five generations before. Te Kanawa-whatu-pango was a powerful Maniapoto warlord descended from the Tātai-ariki line. He held mana over many areas including Te Awaroa district, towards the Waiharakeke inlet in South Kāwhia, Kakepuku Mountain, Ōtorohanga, Waitomo, Mokauiti-Ariā district and over to the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Hurakia beyond Tūhua Mountain. As Te Kanawa-whatupango laid claim to Hurakia and Tūhua he stood on the highest point of Tūhua Maunga and blew his sacred trumpet, Pio-o-tawhero, towards his rival Tūtetawhā to confirm that he had ascended Tūhua and taken supremacy. Tūtetawhā acknowledged the Maniapoto chief by sounding his trumpet Ngā-tai-o-paranui and finally both met at Oruaiwi on Rangitoto Tūhua 67 Block just below the south eastern portion of Tūhua. The names, Oruaiwi (The Place of the Two Tribes) and Te Takapū-tīraha-o-Tūtetawhā (The Place where Tūtetawhā lay face upwards), commemorate an important pact between these two famous ancestors. He whakataukī: Te Teko o Tūhua - Te Teko o Te Kanawa The Pinnacle of Tūhua, the Pinnacle of Te Kanawa Our eponymous tupuna Huru was the grandson of Te Kanawa-whatupango. Huru took charge of his grandfather's affairs in the Hurakia and Tūhua area. Huru married a woman from Ngāti Wheoro named Waituranga. This marriage gave another strong link to those hapū of the Western shores of Lake Taupō. Huru lived on this land and when he passed away he was placed inside his wharepuni at the head waters of a stream and the Wharepuni was then buried. The stream still bears his name today as Te Whare o Huru Stream on the Hurakia. Also known on some maps as Whare Huru Stream.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Te Māngina and Kiri, son and daughter of Huru, married into Ngāti Tarakaiahi strengthening Ngāti Huru on the eastern side of the Hurakia and Hauhungaroa Range. Te Rōre, son of Te Māngina married the chieftainess Hariata of Ngāti Hari and Ngāti Hira, and strengthened our ties between Ngāti Urunumia and Ngāti Hauā towards Hikurangi Maunga and Taringamotu Valley." Can we go paragraph 30 please. **CONTINUES READING BRIEF OF EVIDENCE #R13(b)** **"Kāinga** Ngāti Huru had many kāinga and pā in our rohe including Whangaipeke pā, Ōtākou, Ngāmarama, Ngapukanohi, Ngairo, Poukiore and others as set out in my brief of evidence. The work on these lands involved preparing and checking the line of waka manu (bird troughs), constructing the papa huahua or patua out of tōtara and tānekaha bark and making ready the kiore snares, fowling spears, kete and refurbishing each year the kāinga that they lived in making sure their firewood was stacked and readily available to huahua there, collecting the awheto (preserved caterpillars) and hīnau berries and harvesting pōhata at Pākihi. The Ngāti Huru chief Te Māngina would set his hīnaki around the headwaters of the Taringamotu River. Through our bloodlines we could cross tribal boundaries to our Kāinga throughout this region and procure the abundant birds of the Hurakia and onwards to Tītīraupenga Mountain	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	for the tribes of Maniapoto, Tūwharetoa and Raukawa. For example, our Tūpuna procured manu huahua for the workers who were building the Flour Mill at Te Māhoe, Waiharakeke in the Southern Kāwhia Harbour in the 1850s. **War: Te Riri o te Pākehā** Ngāti Huru were Kingites and were called to duty when the British invasion of Waikato began. Our tūpuna, Te Rōre Te Māngina joined a small Maniapoto taua that took part in an engagement against British Troops on the 7th September 1863. Te Rōre's son Īnia was killed at the battle of Waiari on the 11th February 1864, close to the Mangapiko Stream. In commemoration of our tūpuna and the event, my grandmother's first cousin was named Mangapiko. In 1880 Te Rōre Te Māngina of Ngāti Huru helped his son-in-law, Tūkino Takurua of Tūwharetoa and Ngāti Hauā, by hiding him in the vastness of the Hurakia and Hauhungaroa Ranges as one of the perpetrators in the death of William Moffatt who was coming to prospect for gold. It was well known amongst those living in the Tūhua district that the Crown hired bounty-hunters or mercenaries to deliberately cross over the aukati line into this forbidden area. Ngāti Huru were forced to deal with European gold prospectors who invaded our region without permission or consultation with those who had mana whenua on these lands. **Te Taha Wairua** Ngāti Huru were adherents of the Pao-mīere. Te Rā Karepe and Rangawhenua were priests of the Io cult. The name	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Pao-mīere (to refuse honey) was given to the adherents of the cult. One feature of the investigations of title in the Native Land Court were the Crown purchases that quickly followed Court sittings and the sellers were able to purchase many of the good things of life. The adherents of Pao-mīere kept away from these processes. They were in many cases left out of titles to tribal lands or had only nominal shares awarded to them. It was because of all these things that the name Pao-mīere was given to the cult by other members of Ngāti Maniapoto. Pao-mīere adherents confronted William Cussen and his surveying party in 1888 as they started work around Oruaiwi near Tūhua. On 6 February 1888 Cussen reported "that another stoppage has been made by the natives to the survey of the Rohepōtae near Petania" and Cussen named those who obstructed the survey. The names of our tūpuna who were the followers of Pao-mīere and disrupted the surveyors were Te Hira Te Ākau, Te Mōrehu Patehau, Punakirangi Patehau, Te Manu Tupukaheke Te Hā, and my great grandmother Ngahinu Te Rōre.	
1545	To have my great grandmother named and shamed is a mockery when all she was trying to do was protect her hapū lands. **Land Loss** The Taupō-nui-a-Tia Block and the subsequent title investigations impacted upon our hapū ability to maintain and manage our lands. These were the actions of the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Crown through the Native Land Court. Our people were placed in the 1885 Ngāti Tūwharetoa hapū list as Ngāti Pareuekaha or as Ngāti Urunumia. Either way as tikanga dictates it is our whakapapa that carry us over those disputed boundaries back to our ancestors of Tūwharetoa and Tia as part of the list of 141 hapū prepared by Te Heuheu Tūkino IV Horonuku and submitted with the Taupō-nui-a-Tia Block application. It seems to me that the Crown through the Court was intent on encroaching on Te Rohe Pōtae from the north, the south and the east. The Crown's intention in my view was to break up our whenua and acquire land for itself. **The Native Land Court** As I have already noted our traditional lands of Ngāti Huru are in the south-eastern part of the Rohe Pōtae inquiry district where it intersects with the Central North Island Inquiry district principally in the Hurakia and Rangitoto-Tūhua 9, 10, 21 and 51 blocks. At 1840 Ngāti Huru held wide customary interests within these and other lands. There were risks from non-engagement with the Court. Due to our old people following the Pao-mīere and our allegiances to the Kīngitanga, many of Ngāti Huru and some of our kin like Ngāti Hari and Ngāti Pahere did not engage with the Court. The risks were that in many cases our people missed out on being named in the lists and on the titles. However, it seems to me that our old people were damned if	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	they did and damned if they didn't engage with the Court because like so many of the Crown's mechanisms for colonisation, it was coming whether our people wanted these things to occur or not. As individual interests were defined by the Court, individual owners were free to sell their shares as they saw fit with no reference to history or the wishes of the rangatira of the hapū and iwi. Further, it is clear that the Native Land Court process encouraged people to focus on particular lines of whakapapa, tūpuna and hapū and dismiss the stories and ancestries of competing groups. This was a fault of the process not of our old people. The impact of the Court and Crown purchasing processes has meant that as at today there are no lands within or outside Te Rohe Pōtae inquiry district that are under the legal ownership, control or guardianship of Ngāti Huru as a hapū. **Hurakia** Our Ngāti Huru lands in Hurakia were bound up with the Native Land Court process involving the Maraeroa and Ketemaringi blocks. These blocks came before the Court on 24 March 1886 due to an application by Te Heuheu Tūkino claiming through the ancestor Kārewa through Tūwharetoa and Tia. Several counter claimants appeared for other hapū. Hurakia was famous for its bird catching grounds and so contests took place in the Court between our hapū and iwi over those grounds. These were our traditional lands of Ngāti Huru.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	The background to the Maraeroa, Ketemaringi and Hurakia hearings is set out in detail at paragraphs 102-133 of my Brief which I do not intend to repeat. In short, our Maniapoto tūpuna, Taonui, wished the Maraeroa case to be reheard. A Royal Commission found that there was enough evidence and doubt over the western boundary of the Taupō-nui-a-Tia West Block for that part to be re-considered. Therefore, a re-investigation of the Pouākani and Maraeroa blocks was undertaken by the Native Land Court. On 24 August 1891 the Court did readdress the issue when Te Paehua Matekau set up a case. He claimed through the ancestor Kahu and claimed that there was three divisions of the block including; "Hurakia owned by Ngāti Huru, Ngāti Parekaihina, Ngāti Toreihu, Ngāti Ruahine, Ngāti Pēhi, Ngāti Rereahu and Ngāti Hinemata." On 9 September 1891 my great grandmother Ngahinu Te Rōre of Ngāti Huru gave evidence in the claimant case.6 She said, "I live at Tūhua, Hurakia. I am Ngāti Huru. I am acquainted with Hurakia towards Pākihi. I have lived on that land at a kāinga called Ngapukanohi….I have a claim to that land, that is to Hurakia, by right of inheritance from Maniapoto….My father and all of us occupied on the Eastern side of Hurakia also Poukiore was our kāinga, as residents of that place we were called Ngāti Hā." This evidence was supported by Tāiki Te Rāwhiti Te Kurī on 12 and 14 September when he stated, "The only kāinga on Hurakia now before the Court is Ngapukanohi. That was the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	settlement of Ngāti Huru, Ngāti Hinemata and Ngāti Pēhi." On 22 September 1891 the Maraeroa-Hurakia judgment was delivered. Hurakia Block containing 6,572 acres was awarded in favour of Tāiki Te Rāwhiti Te Kurī and others including some of our Ngāti Huru people. Between 6 April 1892 and 1908 our people lost a large proportion of their interests in these lands through Crown purchasing and surveying costs. There were also partitions of the land. A large portion of Hurakia A (3,257 acres) was lost to the Crown in 1901. On 10 November 1936 the Native Land Court issued a consolidation order for Hurakia A1 Block with 297 owners. I annexed the order and schedule of owners to my brief. The block had 297 owners holding 1,768 shares. Included in the owners list owners are some of our Ngāti Huru tūpuna such as my great grandmother Ngahinu Te Rōre, who is listed as holding 15 shares. Notably, the largest shareholder in the block was "His Majesty the King" listed as holding 109 shares out of the total 1768 shares. It seems very odd to me that the Crown should be listed as an owner in our ancestral whenua alongside our old people. Fragmentation and individualisation has become even worse since my great grandmother's time. As at today, Hurakia A1 Block has 1,846 owners holding the original 1,768 shares in an area of 715 hectares. I have annexed only an extract of the Māori Land Online search for Hurakia A1 Block to my Brief because the entire search runs to over 70 pages due to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	all of the many individual owners. The Crown, Her Majesty the Queen still owns 109.2188 shares in this block. We understand there was another consolidation order registered against the block in 1966 and that this sets out that the Crown gained its interests in order to satisfy survey charges due to it." Can I turn to paragraph 60 please. **CONTINUES READING BRIEF OF EVIDENCE #R13(b)** "**Rangitoto-Tūhua No. 9 Potakataka** "This block was customarily part of the Ngāti Huru bird hunting grounds. Following the Court hearing in 1898, the survey of this block was paid for in land and the Crown took the neighbouring block Rangitoto-Tūhua 10 as what it called a "sale block." I discuss this further on in my evidence. Rangitoto-Tūhua 9 totalled about 12,438 acres and was a key block in the south-eastern sector of Rangitoto-Tūhua blocks.10 The bulk of Rangitoto-Tūhua 9 was vested in the Waikato-Maniapoto Land Board in May 1909. Only two of the approximately 300 owners attended the Native Land Commission hearing in 1907 that had recommended that the block be set apart for leasing. Most owners were unaware that the block had been vested in the Board. In 1912 a petition of 60 owners called for the re-investment of Rangitoto-Tūhua 9 in the owners. The Board considered an application for re-investing, signed by over 150 owners in 1913 but declined to offer any recommendation on the grounds that, "A comprehensive	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	scheme of roading, in respect of this and adjacent blocks is in hand, and in view also of our being advised that…the land will be in a position to be put upon the market within the next twelve months…". So it is clear that the Crown through the Board had its own ideas about what the land should be used for. In April 1913 the owners informed the Board that they wished to retain 3,000 acres for their own maintenance and support and were prepared to recompense the Board for any expense incurred in the preparation of a scheme for roading and subdivision. The Native Department took up the matter of re-vesting with the Department of Lands and Survey who indicated that survey costs amounted to £244 2s 9d and suggested that if the block was to be re-invested the Crown should have the first option to purchase "seeing that in order to get access to the Crown lands at the back it had to construct roads right through this block." Dr Hearn states that the two departments contemplated employing the survey charges as another means of delaying or thwarting re-investment of the land back in the owners. We of Ngāti Huru consider this to be unacceptable behaviour and collusion by two departments of the Crown in order to get our lands. The Native Land Purchase Officer proposed that the Crown acquire the block under section 109 of the Native Land Amendment Act 1913. By that section the Crown was no longer obliged to purchase blocks owned by more than ten	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	owners through meetings of assembled owners. On 26 January 1915, 80 owners attended a meeting of assembled owners and rejected a proposal to sell the entire block but agreed to transfer half the block and with the re-vesting of the balance, with all owners to have shares in both portions. The Crown then acquired over a quarter of the balance of the shares stating, "A large number of the Natives refused to sell the remainder of their interests, but I think it very probable that when they have spent the amount which they were paid by the Board, they will fall into line and sign in due course".	
1600	By October 1916, the Crown had acquired all but 1,064 acres of the Rangitoto-Tūhua 9. By October 1917 the owners retained only 400 acres. In May 1918, the Crown lodged an application for a partition and made an effort to acquire as many of the outstanding interests as possible. By July 1918, the Crown had acquired all but 255 acres. By 4 July 1918, there were 42 non-sellers holding 16 and 259-360 shares still valued at £21. Trustees of minors were tracked down, the remaining owners were located and the number of outstanding shares whittled away. The Crown's application for partition was heard in the Native Land Court in November 1918. The Crown was awarded 12,137 of the total area of 12,340 acres. The balance of 203 acres was awarded to the non-sellers. That small block was	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	located in the south western corner of the block and adjoining their land in Rangitoto-Tūhua 66. The Crown then set out to acquire the remaining 203 acres. Rangitoto-Tūhua 9B of 203 acres was proclaimed Crown land in July 1923. I set out this example for the Tribunal because it shows the Crown's concerted efforts to acquire all of Rangitoto-Tūhua 9 which was completed within only nine years. The entire block of over 12,000 acres was lost to the Crown in that very short period. It is staggering, in my view, the lengths that the Crown agents went in order to acquire this block. **Rangitoto-Tūhua No. 21** Within the Rangitoto-Tūhua 21 Block is our kāinga of Ngāti Huru called Ngairo. I have discussed in my brief of evidence the significance of this kāinga to Ngāti Huru and our long associations with the whenua in that area. The block was originally approximately 7,157 acres and was first awarded to 142 owners in 1898 by the Native Land Court. But this changed in 1900 when a new order issued, it was awarded to 207 owners. Our Ngāti Huru people were among the owners. On 21 February 1908, the Crown's interests were defined in the block. During 1913 two sales were recorded. In 1947, a lease of a grant for timber cutting rights was negotiated and in 1956 one sale was recorded. Over the years more and more parts of our land were lost to the Crown. Now Ngāti Huru have only 42 acres left for our use and that	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	is Rangitoto-Tūhua No 21B 2A 2A 2, which was a farm but has in recent times reverted to native bush. I attached the Māori Land Online search for this whenua to my brief. This whenua is vested in an ahu whenua trust. None of the lands in the Rangitoto-Tūhua 21 are vested in our hapū, Ngāti Huru as a whole."	
	BERNADETTE ARAPERE	
	Kia ora Mr Tūwhāngai, I believe you have a map that shows where the remaining idle kāinga lands are?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes, and this is Rangitoto-Tūhua 21. Yes, there are only small little acreages in this land and I think there is another mā there with some of the land blocks still on there. Robert, #RT 21. And these are the land blocks still in Māori ownership. These ones here have no administration on them. Some of our people are still in there and these ones here, there is no roads going to them. Only this block here which is administrated by an ahu whenua trust and the roadway which goes up to here is council but it only goes so far so our ahu whenua trust and our family maintain the road that goes through here which eventually goes on, back onto the main paper road which goes in to the Puriora State Forest Park. DOC usually, occasionally, usually comes up here and ask permission to use our roadway to go into the forest park. Kia ora.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Now, where was I?	
	BERNADETTE ARAPERE	
	If you could continue reading at paragraph 79 of your summary?	
	THOMAS (TAME) TŪWHĀNGAI	
	Thank you.	
	BERNADETTE ARAPERE	
	Thank you.	
	THOMAS (TAME) TŪWHĀNGAI	
	CONTINUES READING BRIEF OF EVIDENCE #R013(b) **"Sale Blocks – Rangitoto-Tūhua No. 10 and Rangitoto-Tūhua No. 51** A significant issue for Ngāti Huru is the amount of land, in fact entire blocks that the Crown took from us in payment of survey costs. These blocks were described as 'sale blocks' by the Crown. The blocks were defined as 'sale blocks' under section 10 of the Native Land Laws Amendment Act 1896. I can confirm categorically that there was no sale whatsoever of these lands. What the Crown did was to charge our people for the cost of surveying lands taken through the Native Land Court.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Those charges were paid for in land. We have always known this to have been the case from the kōrero handed down from our old people but helpfully, historians in this Inquiry found out more information. The so-called 'sale blocks' became known as 'Crown blocks' because the Crown got title to them through survey charges following investigation of title. As the historians…" Aroha mai, can we please go to paragraph 83. **CONTINUES READING BRIEF OF EVIDENCE #R013 (b)** "Despite the low prices, the Crown was willing to pay, the survey costs levied against the land were high. For instance, the survey charge on Rangitoto-Tūhua 9 Potakataka Block was £332. Where on earth would our old people have gotten that kind of money from? With no other means of paying these debts, our old people would have had little choice but to accept the measly sums the Crown offered for their land in order to offset the survey debt. The practice of cutting out 'sale blocks' to pay survey charges was particularly prevalent in the Rangitoto-Tūhua Blocks. At least 12 'sale blocks' was created within Rangitoto-Tūhua. The largest 'sale block' was Rangitoto-Tūhua 10. The size of this 'sale block' was roughly half the size of the block that had been surveyed and for which it was being used to pay for that survey. I set it out as follows: a. Rangitoto-Tūhua 10 'sale block' – 6,070 acres taken to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	pay for survey for itself and Rangitoto-Tūhua 9 of 12,347 acres. b. Rangitoto-Tūhua 51 'sale block' – 3,000 acres taken to pay for survey of itself and Rangitoto-Tūhua 21, 7,157 acres. The historians have stated that the portion taken from the 12 original Rangitoto-Tūhua Blocks from which 'sale blocks' were created was significant to say the least. I consider that it to be rather large understatement. Put bluntly, this was an unacceptable amount of land to lose to pay for a survey. Within the area of the 1886 Aotea Rohe Pōtae Block, as a whole an estimated 68,000 acres was set apart as 'sale blocks' to pay survey charges. This is a huge amount of land to lose. In my view, this was a breach of the Treaty in that Crown took far more land than was necessary and failed to protect Ngāti Huru and ensure that we were left with sufficient land for our needs."	
1610	**Waikato Maniapoto Land Board and Crown purchasing** As the Tribunal is aware the Crown transferred much land into the control and management of the Waikato-Maniapoto District Māori Land Board and progressively the remaining tribal leadership and control over those lands was removed. Our view is that the Crown, through the Waikato-Maniapoto District Māori Land Board, failed to adequately consult or obtain proper consent from Ngāti Huru before alienating large amounts of lands from around 1910 onwards. The Crown failed to protect the lands that were vested in its	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	agents, the Waikato-Maniapoto Land Board to be managed for the Māori owners. I have already given the example of our Rangitoto-Tūhua 9 Potakataka Block of 12,340 acres was vested in the Board. The owners of this block asked to have their interests partitioned out of the block. They said: 'We desire this…that we may retain our interests for the benefit of our children. We have several children but the lands we hold are few and will not maintain our descendants. In the end, the Crown acquired the entire 12,438 acre block in the space of 9 years between 1914 and 1923 leaving no lands for Ngāti Huru. **Environmental Issues** My whanaunga Wayne Houpapa will address the significance of the environment and our food basket to our people of Ngāti Huru in his evidence. However, I am aware that a transmitter tower was placed on our Maunga Tūhua. From my perspective it shows a fundamental lack of respect for our sacred maunga for this to have occurred and certainly for it to have occurred without consultation with all of the hapū that hold mana over our maunga. We are always aware that the Crown wants to exploit and use the resources of our whenua for whatever financial gain that it can. We are vigilant and take our role as kaitiaki very seriously. As recently as June 2013 we were concerned to see that the Crown (through MBIE) was proposing to undertake a tender process for permits for the exploration of metallic minerals. I attached the Press Release dated 26	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	March 2013 to my Brief (Annexure **"**D**"**). The Crown set out its intention to "attract competitive bids…and stimulate investment in minerals exploration in the region" as well as the stated desire to "maximise the return to New Zealand from this valuable resource". This intention by the Crown caused us of Ngāti Huru grave concerns. The map of the proposed tender area that was provided by the Crown shows that the south western portion of the zone is directly in our Ngāti Huru lands, specifically the Hurakia Blocks. On 28 May 2013 I, on behalf of Ngāti Huru and Ngāti Maniapoto, wrote to the Crown advising of the mana whenua interests of Ngāti Huru, of the existence of our Wai 1230 Ngāti Huru claim and our kaitiaki status and mana over this land. My letter is attached to my Brief (Annexure **"**E"). I stated in my letter that given our responsibilities to our hapū and iwi and the Hurakia lands, that Ngāti Huru strenuously requested that the whole area of our lands not be included in the competitive tender process. To date, there has been no response from the Crown to my letter of 28 May 2013." Since then, since the evidence of brief was filed a letter came the next day so I can bring that in for the records for the Crown. Thank you. **CONTINUES TO READ BRIEF OF EVIDENCE #R013(b)** "To my mind, the Crown now is acting in the same way as the gold prospectors in 1884 that broke the Aukati and came into Te Rohe Pōtae looking for gold on the Tūhua maunga. During the Aukati our people could evict them. We do not	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	have such authority to do that now and worse the prospectors of the people granting rights to the prospectors are the Crown. Even in these supposedly enlightened times the Crown only appears to want to take from the land whatever it can. This is no more than greed and exploitation of our precious whenua and resources. It seems ironic in this modern age that Ngāti Huru must protest again just as our tūpuna such as Ngahinu Te Rōre did in order to protect our whenua. **Loss of economic and social position** The end result for Ngāti Huru of all of this land loss and challenges to our tino rangatiratanga was a consequential loss of social and economic position. As a hapū Ngāti Huru have struggled to even survive. Our people became scattered and in turn began to favour other hapū lines. It has only really been some of our own whānau and those who descend from my great grandmother Ngahinu Te Māngina who have struggled to keep the Ngāti Huru identity alive to this day. There has also been a consequential loss of te reo and some of our tikanga. We are fighting to keep these alive within our hapū. We blame the Crown for these losses. If our people had been able to keep and maintain their land base then I do not believe we would be in the position that we are in today. Put simply, the Crown failed to ensure that sufficient Ngāti Huru lands and resources were set aside for the present and future needs of Ngāti Huru. In addition, the Crown has failed to adequately remedy the state of landlessness of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ngāti Huru and failed to compensate for its failure to ensure sufficient land was retained. **Ngā Moemoeā – Our Aspirations** What we desire as a hapū is recognition of our tino rangatiratanga by the Crown. We are here. We exist and are not going away. In fact, we have skills and knowledge as Kaitiaki that would be useful to the Crown. We have set out in detail in our amended Statement of Claim the remedies that Ngāti Huru requires from the Crown. In short, we would like to partner with the Crown. In particular, we wish to see either title returned or partnership of our hapū with the Crown and their entities over all conservation lands in our rohe, particularly the Pureora Forest Park. We would like to see our people take their rightful place as recognised guardians over our whenua, ngahere, awa and other taonga." Kia ora.	
	BERNADETTE ARAPERE	
	Tēnā koe Mr Tūwhāngai. If you can just remain there and answer questions from Crown, Council my friends and the Tribunal.	
	AMY WILLIAMS	
	Tēnā koe Mr Tūwhāngai, Ms Williams for the Crown. Thank	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	you for that. I have just got a couple of questions really, one, paragraph 34 of your summary you talk about how it was well known that the Crown hired bounty hunters or mercenaries to deliberately cross the Aukati line. Was that from your own research or did you find that in some of the reports that have been entered on the Record of Inquiry?	
	THOMAS (TAME) TŪWHĀNGAI	
	Looking at a lot of stories and that, and there has even been films of actually bounty hunters coming into the Rohe Pōtae and actually coming in and to extract certain people in those times of around between the 1870s and between 1885.	
	AMY WILLIAMS	
1620	And were they extracting certain Māori or Pākehā that had crossed over the aukati or do you know who they were going to look for?	
	THOMAS (TAME) TŪWHĀNGAI	
	No. I don't know but I do know that they were operating and the thing was a lot of those bounty hunters, well a lot of them were how would you term, half-casts.	
	AMY WILLIAMS	
	At paragraph 78 of your main brief of evidence, I don't know that you mentioned it in your summary today, but you talk about how you monitor the DOC staff who access Tūhua	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	and you mention people with ideas of quick fortunes, but I just wondered if you could clarify your relationship with DOC, whether there's any kind of formal relationship that you have with them as a hapū or whether there's a memorandum of understanding for them too?	
	THOMAS (TAME) TŪWHĀNGAI	
	Not really because DOC have restructured and who, who we used to deal with now, officers have changed and as you well know that DOC has restructured in many of the areas and no, we haven't, we haven't got a formal arrangement with DOC.	
	AMY WILLIAMS	
	But you did have some – you did have a relationship with them in the past before the restructure?	
	THOMAS (TAME) TŪWHĀNGAI	
	Probably in lip. Probably in just talking and just, and as we are, my people and that, we have nothing in writing.	
	AMY WILLIAMS	
	Yeah.	
	THOMAS (TAME) TŪWHĀNGAI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yep.	
	AMY WILLIAMS	
	Would you describe that as a positive relationship that you had with them in the past?	
	THOMAS (TAME) TŪWHĀNGAI	
	My people are always positive. They're always happy. They're, how would you say, we're a manaaki people. So, when they come to and want to use our, come to our lands, of course, we let them through, but as long as they tell us.	
	AMY WILLIAMS	
	Just drawing on that, you talk about the monitoring of the staff. What purpose does that serve, monitoring the DOC staff when they do access Tūhua? Is it –	
	THOMAS (TAME) TŪWHĀNGAI	
	We make sure that their safe. Why? Because many hunters go through there and we do tell the hunters and that, be careful, because there are DOC workers up there.	
	AMY WILLIAMS	
	Okay.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	THOMAS (TAME) TŪWHĀNGAI	
	Okay.	
	AMY WILLIAMS	
	Thank you for that. At paragraph 77 of your summary, you state that, you talk about the sales and the lease of Rangitoto-Tūhua 21. I just wondered if you could clarify where those transactions with the Crown?	
	THOMAS (TAME) TŪWHĀNGAI	
	Which number is that again, which one?	
	AMY WILLIAMS	
	Paragraph 77.	
	THOMAS (TAME) TŪWHĀNGAI	
	77.	
	AMY WILLIAMS	
	And it's block 21. So you've got that there were two sales recorded in 1913, a lease in 1947 –	
	THOMAS (TAME) TŪWHĀNGAI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Mmm.	
	AMY WILLIAMS	
	And a sale in 156.	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes. No, that wasn't with the Crown. I only know one instance where my grandmother had to actually cut bush on her own land to pay for her rates. Okay. That's the only one I know.	
	AMY WILLIAMS	
	At 91 of your summary, you mention the transmission tower that was placed on Tūhua.	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes.	
	AMY WILLIAMS	
	When was that erected? Do you know?	
	THOMAS (TAME) TŪWHĀNGAI	
	70s? Probably in the early 70s.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	AMY WILLIAMS	
	And are you aware of any consultation with any other iwi groups or?	
	THOMAS (TAME) TŪWHĀNGAI	
	They may have been with other people but, not with my people.	
	AMY WILLIAMS	
	And just onto the, your discussion of the Crown consultation process ahead of the epithermal gold exploration tender.	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes.	
	AMY WILLIAMS	
	You discussed that at about 92 to 95 of your summary.	
	THOMAS (TAME) TŪWHĀNGAI	
	That's right.	
	AMY WILLIAMS	
	And so you said that the Hurakia Blocks are still held in	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ngāti Huru?	
	THOMAS (TAME) TŪWHĀNGAI	
	We’re individual owners in there.	
	AMY WILLIAMS	
	Okay. Are you aware that the exploration permits don't actually grant a right of access to those blocks?	
	THOMAS (TAME) TŪWHĀNGAI	
	I, I wouldn't know because that piece is surrounded by DOC. So it’s landlocked.	
	AMY WILLIAMS	
	In terms of –	
	THOMAS (TAME) TŪWHĀNGAI	
	Mmm.	
	AMY WILLIAMS	
	If someone was to be granted a tender though, and to be successful through the tender process and to be granted that exploration permit –	
	THOMAS (TAME) TŪWHĀNGAI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Mmm.	
	AMY WILLIAMS	
	Are you aware that if they wanted to actually exercise that permit, they would need to negotiate any access with the person who either owns or has authority over that block?	
	THOMAS (TAME) TŪWHĀNGAI	
	Okay and that would be the Crown, wouldn't it?	
	AMY WILLIAMS	
	If it's DOC land, it would be the Crown I guess.	
	THOMAS (TAME) TŪWHĀNGAI	
	Yeah.	
	AMY WILLIAMS	
	But if it was Māori land –	
	THOMAS (TAME) TŪWHĀNGAI	
	Mmm.	
	AMY WILLIAMS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	– which you've –	
	THOMAS (TAME) TŪWHĀNGAI	
	But, it is Māori land but the biggest shareholder is the Crown.	
	AMY WILLIAMS	
	And I just wanted to, just one more point on that, just whether you are aware that if there were any permits to be granted for any substantive mining that it would have to go through the resource consent process? So you're aware that that's -	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes, I'm aware of that. Thank you, Ms Williams.	
	AMY WILLIAMS	
	Excellent. Thank you for that.	
	THOMAS (TAME) TŪWHĀNGAI	
	Thank you.	
	JUDGE AMBLER	
	No other counsel?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PROFESSOR POU TEMARA	
	Tēnā koe, Tame.	
	THOMAS (TAME) TŪWHĀNGAI	
	Kia ora matua.	
	PROFESSOR POU TEMARA	
	I only have a few questions of clarification.	
	THOMAS (TAME) TŪWHĀNGAI	
	Mmm.	
	PROFESSOR POU TEMARA	
	Your late cousin, Piripi Crown, described you as all those kanwa on Tūhua.	
	THOMAS (TAME) TŪWHĀNGAI	
	Was he being nice or?	
	THOMAS (TAME) TŪWHĀNGAI	
	That's just our cheeky banter –	
	PROFESSOR POU TEMARA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Oh, all right.	
	THOMAS (TAME) TŪWHĀNGAI	
	– amongst ourselves as cousins.	
	PROFESSOR POU TEMARA	
	You talk about mercenaries being sent in.	
	THOMAS (TAME) TŪWHĀNGAI	
	Mmm.	
	PROFESSOR POU TEMARA	
	To Te Rohe Pōtae to extract people, wanted people. Were these Pākehā or Māori?	
	THOMAS (TAME) TŪWHĀNGAI	
	Mostly, what I heard was that a lot of them were Māori and a lot of them were utilised. A lot of them were – a lot of half-casts. One that I did know of was one called, his name was Gauge.	
	PROFESSOR POU TEMARA	
	All right. So half-casts wouldn't stand out?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	THOMAS (TAME) TŪWHĀNGAI	
	Not really.	
	PROFESSOR POU TEMARA	
	In Te Rohe Pōtae?	
	THOMAS (TAME) TŪWHĀNGAI	
	There's, there were many half-casts that were in the Rohe Pōtae as my, my own family, the Barrett family, all of them were half-casts, but they weren't allowed to leave the Rohe Pōtae. They had to stay inside the Rohe Pōtae.	
	PROFESSOR POU TEMARA	
	Ka pai. Now you talk about the te taha wairua at paragraph 35, Pao-mīere.	
	THOMAS (TAME) TŪWHĀNGAI	
	Mmm.	
	PROFESSOR POU TEMARA	
	Your interpretation of Pao-mīere is different to Piripi Crown's and his is different to other writers. Is there some place that we can get any reading on this?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	THOMAS (TAME) TŪWHĀNGAI	
	Actually this, I think this was, this – when I put this interpretation here, it was actually from a letter from Pei, Dr Pei Jones and he was writing a letter actually saying that these people here, with how would you say, they were sort of left out, they – and it was no fault of their own because this was the reason why and that letter was sent to the, I think, Polynesian Journal at one time which they have recorded.	
	PROFESSOR POU TEMARA	
	All right.	
	THOMAS (TAME) TŪWHĀNGAI	
	And he described the people of Pao-mīere.	
	PROFESSOR POU TEMARA	
	I've forgotten Piripi Crown, how he described it.	
	THOMAS (TAME) TŪWHĀNGAI	
	Mmm.	
	PROFESSOR POU TEMARA	
	But we may have to look at the transcripts. Thank you for	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	that.	
	THOMAS (TAME) TŪWHĀNGAI	
	Yeah.	
	PROFESSOR POU TEMARA	
	Koira aku pātai. Thank you very much.	
	THOMAS (TAME) TŪWHĀNGAI	
	Kia ora matua.	
	DR AROHA HARRIS	
	Kia ora.	
	THOMAS (TAME) TŪWHĀNGAI	
	Kia ora.	
	DR AROHA HARRIS	
	Thank you for your evidence today. I've got a, actually, first I'll start with the Pao-mīere, I had a question about that too. I noticed that you were using the word "cult" and I was wondering if that was your choice of word or whether you'd picked that up out of one of the sources?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	THOMAS (TAME) TŪWHĀNGAI	
1630	It's one of the sources. I wouldn't call ourselves a cult.	
	DR AROHA HARRIS	
	What would you, what would you use?	
	THOMAS (TAME) TŪWHĀNGAI	
	I would say we were a movement.	
	DR AROHA HARRIS	
	Thank you. I'll just look for my other questions. You described the area that you've been talking about in paragraph 14 of your summary. You described it as a "crossroads" that Maraeroa, Hurakia, Tūhua area. So had – and I think you mean it had a lot of people going through it.	
	THOMAS (TAME) TŪWHĀNGAI	
	Exactly right.	
	DR AROHA HARRIS	
	So I want to know if you knew where they were going to and where they were coming from?	
	THOMAS (TAME) TŪWHĀNGAI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	In many, many instances there as you do know the crossroads there, if we look at the map if we come out a bit further the whole thing is between the central North Island and this is one of the main highways of the central North Island and as you can see Lake Taupō being there and around there are many movements of many people from those areas and crossing over the Hurakia Ranges and actually coming into the main, which we call, the Whanganui highway and as Mr Haitana – a lot of trading was done with kōhatu. So many of our ancient people did use that area, plus also with the teaming of birdlife on – in that area.	
	DR AROHA HARRIS	
	So you – so it's sort east-west movement, an east-west movement?	
	THOMAS (TAME) TŪWHĀNGAI	
	Exactly right, yes.	
	DR AROHA HARRIS	
	So there must be good tracks because that just doesn't seem like a logical pathway to me.	
	THOMAS (TAME) TŪWHĀNGAI	
	I, I –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	It's looks so rugged and –	
	THOMAS (TAME) TŪWHĀNGAI	
	I'll leave that to Mr Wayne Houpapa. He's the man who loves those tracks.	
	DR AROHA HARRIS	
	Okay. I was a bit curious about – you've got this nice little mention of your tūpuna getting manu huahua for the people who were building the flour mill at Te Mahue.	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes.	
	DR AROHA HARRIS	
	So I was just wondering if you could say a bit more about particularly about what that tells us about a wider social and political relationship there?	
	THOMAS (TAME) TŪWHĀNGAI	
	This, this – it was really political in those times there. The flour mill was being built at Waiharakeke by Ngāti Te Kanawa and Ngāti Urunumia that time for the Kīngitanga movement. They came to my tūpuna and they asked him	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	for huahua or bird and it wasn't a problem for him to support that and he always did that with a lot of our – well most of all our people, Ngāti Huru, have always been like that. What resources we had we shared with the ones from Mōkau and vice versa.	
	DR AROHA HARRIS	
	So it's a bit of a all hands to the pump kind of ring?	
	THOMAS (TAME) TŪWHĀNGAI	
	Exactly right and it wasn't only us. There were many other tribes all around that would've helped that way.	
	DR AROHA HARRIS	
	Now I want to make sure I've got it right about the road –	
	THOMAS (TAME) TŪWHĀNGAI	
	Okay.	
	DR AROHA HARRIS	
	– at Ngairo.	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	So is the situation that the road is a public road and then it turns into a private road that you maintain and then it turns into a public road?	
	THOMAS (TAME) TŪWHĀNGAI	
	That's right, yeah.	
	DR AROHA HARRIS	
	Is that –	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes. **DR AROHA HARRIS**	
	Did I hear that right?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes, that's right. It is public road going virtually just about to this block. It used to come around inside our block but the whole of the road fell into the Mangakahu Stream.	
	JUDGE AMBLER	
	Can you zoom in closer please, Mr Jonathan.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	You talked about this the other day I think.	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes it's just in there. Yes. So the road used to come around here. This is an old map but used to show the old road. That fell into the Mangakahu. So my uncles and that, by spade and shovel and wheelbarrow, made their own road coming straight through and then re-joining with the existing Crown road over here. So all this existing road here doesn't exist anymore.	
	DR AROHA HARRIS	
	Okay.	
	JUDGE AMBLER	
	Okay, but it is still there as a paper road?	
	THOMAS (TAME) TŪWHĀNGAI	
	It's still there marked as a paper road.	
	DR AROHA HARRIS	
	But it's under water?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	THOMAS (TAME) TŪWHĀNGAI	
	Yes, it all fell in the water and like I said my uncles and – they cut a road through here to join up with this one over here and virtually I was told by the council yes that's your own private road going through.	
	DR AROHA HARRIS	
	And is this the only access to Pureora from this side?	
	THOMAS (TAME) TŪWHĀNGAI	
	It is –	
	DR AROHA HARRIS	
	Road access I should say?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes it is. It's probably one of the, the more easier way to get into the Pureora and the road access and a lot of foreign trampers and that since - through this summer have actually come through there quite a bit.	
	DR AROHA HARRIS	
	I was – well, yes that was my next question. So – and if there's an emergency like a bushfire or a tramper that needs rescuing for some reason or something like that, this is	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	probably going to be the most likely access?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes, about six months ago one of our, one of our whanaunga who monitors the place up there, the road slipped, he was blocked in there for about two weeks, two weeks and he couldn't get out. So he lived on possums and whatever he could find in the bush, but other than that – and the only thing he wanted was just a packet of smokes. So, yes.	
	DR AROHA HARRIS	
	And okay so my last question is about Rangitoto 9. So the block that the Crown said they wanted because they want – you know they needed to put roads in it to access. Are there any – actually any roads up there? I couldn't see any on the map.	
	THOMAS (TAME) TŪWHĀNGAI	
	I think there is in – I'm not too sure if the Judges actually wrote on them.	
	DR AROHA HARRIS	
	Those would be –	
	THOMAS (TAME) TŪWHĀNGAI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	It's the bike trail.	
	DR AROHA HARRIS	
	The bike trail. So that's the closest thing to a road that they've got there?	
	THOMAS (TAME) TŪWHĀNGAI	
	That's the closest thing to a road.	
	DR AROHA HARRIS	
	Okay, kia ora, thank you.	
	THOMAS (TAME) TŪWHĀNGAI	
	Thank you.	
	JOHN BAIRD	
	Well thank you very much for a very clear brief. I've just got one question and that was about the mineral tender.	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes.	
	JOHN BAIRD	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And you said that after you'd written to them I think it was, you got a letter back the next day?	
	THOMAS (TAME) TŪWHĀNGAI	
	Exactly right.	
	JOHN BAIRD	
	And what, and what – are you allowed to tell us what it said?	
	THOMAS (TAME) TŪWHĀNGAI	
	It said, "In time we'll have consultation." So I will bring it tomorrow and – I forgot it and it's at home.	
	JOHN BAIRD	
	Right –	
	THOMAS (TAME) TŪWHĀNGAI	
	Can I put that on record, Judge? Thank you.	
	JOHN BAIRD	
	But nobody's been in touch yet.	
	THOMAS (TAME) TŪWHĀNGAI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Mmm, mmm. It is one thing that we've always learned when we were only young and especially for my aunty. She used to give us a riddle. She used to tell us, "The person that finds the fire finds the gold," and I was – and we're still scratching our head to this day what did she mean by that? So I'm only thinking that it's probably ahi kā she's talking about; keep the fires burning.	
	JOHN BAIRD	
	Right, well yes I hope you get a suitable response or you go back to them for a suitable response.	
	THOMAS (TAME) TŪWHĀNGAI	
	Thank you.	
	JOHN BAIRD	
	Thank you.	
	JUDGE AMBLER	
	Tēnā koe e te rangatira me te pai o ō kōrero.	
	THOMAS (TAME) TŪWHĀNGAI	
	Kia ora.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ngāti Huru's marae, where is it?	
	THOMAS (TAME) TŪWHĀNGAI	
	We – a lot of us use Hiakaitupeka Marae. As you know our poupou is up there of our ancestor Te Kanawa. He's one of the poupou there with Tutetewha. So – and Ngāti Hari shelters us as Ngāti Huru.	
	JUDGE AMBLER	
	Ka pai. This might be a question for Mr Houpapa, but the – you've talked about the ancient trails through here. Do the DOC tracks follow those ancient trails? Mr Houpapa can you press the button.	
	WAYNE HOUPAPA	
1640	Yes, yes they do. The track that goes from Mangakahu through to Waihāhā runs along the ridges and then it used to go along the Hauhungaroa Bridge to an area of Waihāhā called Pou Kiore. But the new track that DOC has there it drops down at Te Awaiti Streams there and it runs along to the Waihāhā.	
	JUDGE AMBLER	
	So that's running from west to east?	
	WAYNE HOUPAPA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	JUDGE AMBLER	
	And are there tracks running to the north or not?	
	WAYNE HOUPAPA	
	More or less. I've only used those tracks running from Mangakahu through to Waihāhā and swinging around the Waione River and swinging back up and coming back up around Te Ngairo. More or less in the upper reaches of the waterways there.	
	JUDGE AMBLER	
	Ka pai. Kia ora. Now Mr Tūwhāngai, as far as the experience of Ngāti Huru and the Native Land Court is concerned, I understand the blocks were you have interests and we have the Rangitoto-Tūhua 9, 10, 21, 51, Hurakia and Ketemaringi Blocks which you've identified.	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes.	
	JUDGE AMBLER	
	So my question is, did Ngāti Huru receive interests in any of those blocks as Ngāti Huru or were they individuals who	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	received interests through another hapū identity?	
	THOMAS (TAME) TŪWHĀNGAI	
	In a sense when the first box, these scriptions [sic] were put out, the name Ngāti Huru was put there after that it was broken down into individual shareholdings.	
	JUDGE AMBLER	
	So the main block was under – like a list of owners were under Ngāti Huru?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes. I can identify all my tūpuna on the lists as Ngāti Huru but they weren't listed as Ngāti Huru, they were with many other people in there.	
	JUDGE AMBLER	
	Well it is a subtle point and it's not a judgment of Ngāti Huru but in the Native Land Court process you would more often or not have lists of owners under certain hapū. So the Court will have said this hapū or people who align to this tūpuna are entitled to interests and then list their names. And what I am interested in is was Ngāti Huru identified by the Native Land Court as being a hapū entitled to interests?	
	THOMAS (TAME) TŪWHĀNGAI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	No. I have never seen one there with a hapū list with Ngāti Huru on there.	
	JUDGE AMBLER	
	All right. And yet for all this time the traditions of Ngāti Huru have been maintained very strongly?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes, very strong.	
	JUDGE AMBLER	
	The Hurakia A1 Block I'm interested in. 1846 owners and no governance structure?	
	THOMAS (TAME) TŪWHĀNGAI	
	That's right.	
	JUDGE AMBLER	
	I assume it's all in virgin native bush?	
	THOMAS (TAME) TŪWHĀNGAI	
	Beautiful virgin bush yes.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	It was never felled?	
	THOMAS (TAME) TŪWHĀNGAI	
	I wouldn't know about that but I wouldn't think so. There are no tram tracks up there.	
	JUDGE AMBLER	
	And it's stuck in the middle of the DOC estate?	
	THOMAS (TAME) TŪWHĀNGAI HERE	**1hour 02.33**
	Exactly right.	
	JUDGE AMBLER	
	So – and Mr Houpapa might be able to help here, this is part of the reason of my earlier question but do the DOC tracks go through the Hurakia Block or not?	
	THOMAS (TAME) TŪWHĀNGAI	
	No, well they do. They – it goes through to – the DOC track goes – leaves from Waihāhā and it goes through to Waihora. And near the Wiraro Maunga, just on the inside of the Hauhungaroa Ranges Hurakia – so the DOC tracks do go near Hurakia, yes.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Would they go over the private Māori land though or not?	
	THOMAS (TAME) TŪWHĀNGAI	
	No I don't know Sir.	
	JUDGE AMBLER	
	Well perhaps, approaching this another way, do you know if there is – is there any sort of formal relationship between DOC and the owners of the Hurakia A1 Block?	
	THOMAS (TAME) TŪWHĀNGAI	
	Not that I know of and I am on the Maniapoto Trust Board and there is none that I have seen coming through there either.	
	JUDGE AMBLER	
	Yes and you have partly anticipated my next question which is in your engaging with this mineral exploration initiative you have responded as a delegate for Ngāti Huru on the Trust Board?	
	THOMAS (TAME) TŪWHĀNGAI	
	I actually put that through our local RMC.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	THOMAS (TAME) TŪWHĀNGAI	
	And the name of the RMC is Tūhua Hikurangi RMC.	
	JUDGE AMBLER	
	Yes and we heard about RMC's at Mōkau at the last hearing week and I guess my question is on the one hand, has Ngāti Huru been able to achieve any formal relationship with any Government departments on its own?	
	THOMAS (TAME) TŪWHĀNGAI	
	Question is – no.	
	JUDGE AMBLER	
	But using the umbrella of the Trust Board do you think you have a better prospect of achieving some sort of relationship?	
	THOMAS (TAME) TŪWHĀNGAI	
1647	At the moment, and I know we could utilise the Trust Board and that, but we do know that at the moment that the Trust Board in itself will be restructuring itself in another two, three years time.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Yes.	
	THOMAS (TAME) TŪWHĀNGAI	
	So for us, it's probably onus on us. But the trouble is, we don't know as the, forgive me for the word, who's in the zoo. We seem to talk to somebody who is a manager of a manager and he disappears and we get a new face and, you know, it costs money to go around and catch them up and neither is helpful. We were in Te Kūiti. Now, I think the office, the main office has moved over into Taupō now.	
	JUDGE AMBLER	
	Well it just strikes me that for hapū like Ngāti Huru, that you are likely to get more of a response using an umbrella body. I am not telling you how to do your business but I am just thinking of Te Tania which you pointed out –	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes.	
	JUDGE AMBLER	
	– and I went to the Māori Trustee's article on that, on the, what did you call it, a Bailey Bridge –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	THOMAS (TAME) TŪWHĀNGAI	
	Yes.	
	JUDGE AMBLER	
	– and it seemed that because the Māori Trustee had quite a bit of muscle it was able to achieve something that had not been able to be achieve for some time –	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes.	
	JUDGE AMBLER	
	– and it just seems to me that in terms of these building of relationships what you are doing here through, what do you call it, RMC –	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes.	
	JUDGE AMBLER	
	– may be more likely to achieve a result.	
	THOMAS (TAME) TŪWHĀNGAI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	We'll take that on board.	
	JUDGE AMBLER	
	Anyway –	
	THOMAS (TAME) TŪWHĀNGAI	
	Kia ora.	
	JUDGE AMBLER	
	– heoi anō ngā mihi ki a koe –	Thank you –
	THOMAS (TAME) TŪWHĀNGAI	
	Kia ora.	
	JUDGE AMBLER	
	– me tō kaha ki te whai te kaupapa nei a Ngāti Huru. Kia ora koe. One more question over here.	– in your determination to pursue this matter.
	JOHN BAIRD	
	Sorry Tame.	
	THOMAS (TAME) TŪWHĀNGAI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Kei te pai.	
	JOHN BAIRD	
	Just following on from one of the Judge's questions. You said back in your paragraph 39 that, "Our people were placed in the 1885 Ngāti Tūwharetoa Hapū List as Ngāti Huriokaha or as Ngāti Urunumia." So I guess you were placed there and it sort of, I guess, follows up the Judge's question about whether or why you were not placed in the later lists, it was just the names.	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes. Well, it probably came down when – if you have noticed the Taupō-nui-a-Tia would have actually come right across the Hurikia and that, and of course you are going to take a lot of those hapū in there that have those alliances with other iwi. So no doubt those ones there that have that whakapapa back there, you really make sure that you would really record them right. However, like I said, it was pushed back but we still recognised that hapū list which Ngāti Tūwharetoa are still recognised and still hold up.	
	JOHN BAIRD	
	Thank you.	
	THOMAS (TAME) TŪWHĀNGAI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Kia ora.	
	JUDGE AMBLER	
	Anything arising?	
	BERNADETTE ARAPERE	
	No Sir, nothing arising. Tēnā koe Mr Tūwhāngai.	
	THOMAS (TAME) TŪWHĀNGAI	
	Kia ora.	
	BERNADETTE ARAPERE	
	Sir, next we have Mr Wayne Houpapa who will be led by Ms Peters, but I am conscious of the time, Sir, it is 10 to five. I do not know if you had an intention to sit later this evening or?	
	JUDGE AMBLER	
	No it was forecast 27 degrees today and I think we are feeling that.	
	BERNADETTE ARAPERE	
	Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	I would like us to make a start with Mr Houpapa. We will be beginning again at 8.30 in the morning. There is a fair bit of time to make up but I still have some confidence that later in the week it will not take up so much time. So Mr Houpapa can commence.	
	BERNADETTE ARAPERE	
	Tēnā koe, Sir. A tēnā koe Mr Houpapa. Sir, Mr Houpapa will be reading from his brief of evidence which is document #R007. Tēnā koe matua. Kei a koe te wā.	
	WAYNE ANTHONY HOUPAPA	
16:51:36	**READS BRIEF OF EVIDENCE #R007** "Tēnā koutou i runga i te kaupapa o te rā, e ngā rangatira o te Taraipiunara anō hoki ki atu e ngā iwi, e ngā reo, e ngā karanga maha, tēnā koutou, tēnā koutou, tēnā tātou katoa. My name is Wayne Anthony Houpapa. I am of Ngāti Huru descent of Ngairo Tūhua maunga. My evidence covers our connection with Ngairo. Ngairo is situated on the northern slopes of the Tūhua Ranges within the block now known as Rangitoto-Tūhua 21. There are two	Greetings everyone, distinguished people of the Tribunal. Greetings to the people gathered, greetings.

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	kāinga located on the property that are occupied by Ngāti Huru descendants. Our tūpuna ranged freely over these lands in former times and held mana whenua over them. However, due to the actions of the Crown, in particular, the Native Land Court and Crown purchasing, we now have few lands. My evidence will also set out how important our lands, resources and the environment are to us of Ngāti Huru. It is our view, that many of our taonga have not been protected by the Crown despite the guarantee of protection in article 2 of the Treaty of Waitangi. **Ngairo Tūhua maunga** For the past fifteen years, I have hunted wild pigs, goats and deer in the upper reaches of the Mangakaahu Stream, the Mangatukituki, Waikoura, Waione and the Taringamotu River Blocks. I hunt with my elder brother and cousins. On various expeditions, our sons, daughters and nephews have all accompanied us. Before we go hunting we karakia and offer a gift to the Patupaiarehe or the fairy people for a safe journey within their domain. It is very important to Ngāti Huru that we follow this tikanga of offering karakia to the Patupaiarehe."	
	BERNADETTE ARAPERE	
	Mr Houpapa, can I ask you to go to paragraph 10, please.	
	WAYNE HOUPAPA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	CONTINUES READING BRIEF OF EVIDENCE #R007 "We had a lot of tikanga associated with going to prepare and catch birds on our lands. We had seasonal gathering places where we would go to gather the birds. Our old people would start at Ngairo then move on to Pākihi and other kāinga, gathering the resources of those places. There were use rights for different hapū and the hapū and whānau worked together. However, if outsiders came in they got dealt to. Our people would set bird snares up on Tūhua only at certain times of the year. This was last done in the 1970s at Ngairo by our Koro Huti Barrett and his brothers. These men were the last bird people of Ngāti Huru. When the Crown came in and the land was lost a lot of our people left those places and never went back. Because of this, I believe we lost a part of our culture and tikanga that we had been carrying out for centuries. Although, the Department of Conservation has not heard or seen a kiwi at Ngairo since 1980, the descendants of Ngāti Huru have often come across markings or heard them calling. On one occasion during a pig hunting expedition along the Tūhua ranges, we walked into a stand of white pine where the soil was moist. While looking for a pig sign, we noticed penetrating holes in the ground and kiwi feet marks. Sometimes at night you can often hear the faint call of the kiwi. The Awheto (Vegetable caterpillar) and the wooden rose	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	(the Dactylanthus taylorii) are both found at Ngairo. They are taonga to us. The Awheto occurs when the parasitic fungus attacks the caterpillars of several moth species. The caterpillar feeds on ground leaves and picks up spores from the parasitic fungus. When the caterpillar goes under ground the parasite starts growing a stem inside the caterpillar eventually killing it. The stem grows to the ground surface and releases its spores again. When the parasite sucks the moisture out of the caterpillar it goes hard and you eat it just like that. You don't need to cook it. It tastes just like a peanut. The wooden rose can also be found under-ground. Its flowers can be seen on top of the surface and below it grows a root bulb. This is cut away from the other tree roots and boiled until the bulb softens and reveals the wooden rose. Back in the milling days, the bushmen would dig it up and clean them and varnish them and give them away as gifts. **Public access of Ngairo Tūhua maunga** As Tame Tūwhāngai has set out in his brief of evidence, Tūhua and the surrounding lands are very significant to Ngāti Huru and our old people had many kāinga and wāhi tapu. However, most of these lands have now been alienated from Ngāti Huru and are administrated by DOC. We are effectively squatters on our ancestral whenua. Having said that, we consider that the DOC land to be our land. Now, the public are able to access our traditional lands of Ngāti Huru. During the spring and summer months, many	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	trampers including the local tramping club, city folk and overseas tourists, walk the hiking track from Waihāhā to the Mangakaahu Valley. There are two Department of Conservation huts located in the track vicinity named Waihāhā and Hauhungaroa. The track from the Mangakaahu Valley to the Hauhungaroa Hut begins at the farm gate, along the farm road to the Pureora Forest gate. There is a one kilometre walk to the old Nutfield Mill site. Nothing is there now, only a sawdust dump and old wrecks. There is a junction here where a right turn goes to the Mangakaahu Falls. A hike straight ahead will lead you on a three to four hour walk which will take you to the Hauhungaroa Hut."	
1700	The track carries on to Mōtere Maunga. From here, you climb 991 metres to the top. An approximate 10 to 15 minute walk down hill brings you to a rock outcrop and a lookout point. Tongariro maunga is in full view here. Flowing below are the headwaters of the Taringamotu and Waihāhā Rivers and the plains of Hauhungaroa. In the distance, lie the shimmering waters of Taupō-nui-a-Tia, with Tauhara Maunga in view in the background. From Mōtere Maunga to the Hauhungaroa hut is a further one hour, 30 minute walk. The view from the hut looks down the Waikato River valley. In the distance rests Maungatautari near Cambridge. Pākihi maunga can also be seen, and the head waters of the Waione Stream. At Pākihi, there is a kāinga called Ngapukangohi and a pou to acknowledge the Patupaiarehe of the Pureora forest. Down	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the Waione Stream to a joining stream called Te Whare-o-Huru, is where our ancestor Huru is buried."	
	IHIPERA PETERS	
	Thank you Mr Houpapa. Sir I just note that it's gone 5 o'clock so perhaps this may be an appropriate time to pause for the day.	
	JUDGE AMBLER	
	Yes. Ka pai tēnā. We'll complete your evidence tomorrow, Mr Houpapa.	
	WAYNE HOUPAPA	
	Kia ora Sir.	
	JUDGE AMBLER	
	Just before we close. Mr Tootill –	
	TAVAKE AFEAKI	
	Kua haere atu ia, Your Honour. But Mr Burgess is here.	
	JUDGE AMBLER	
	Mr Burgess.	
	JEROME BURGESS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Just here Sir. I can try and assist as best I can.	
	JUDGE AMBLER	
	Yes, you're still counsel, coordinating counsel are you, effectively?	
	JEROME BURGESS	
	Effectively.	
17:02:42	**TAVAKE AFEAKI**	
	Yes, he's doing very well Your Honour.	
	JUDGE AMBLER	
	Well look, I just wondered if you or other counsel could have a talk to Mr Edward Emery here because he has provided us with an outline of his evidence and which he's presenting on Friday, but it would be helpful if you could sit down with him or someone could and just get an idea of what specifically he wants to tell the Tribunal and get an idea of how long he is likely to be. It would be ideal if we could have more of a brief but that's something that you can talk to Mr Emery about, Mr Burgess.	
	TAVAKE AFEAKI	
	Tēnā koe, Your Honour. Afeaki here. My friends have	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	volunteered me and I've volunteered to have a kōrero with Mr Emery.	
	JUDGE AMBLER	
	Kia ora.	
	TAVAKE AFEAKI	
	And see how we can advance those whakaaro Sir.	
	JUDGE AMBLER	
	Yes, that would be good.	
	TAVAKE AFEAKI	
	And I don't know if he wanted to say something just now to Your Honour.	
	JUDGE AMBLER	
	Well I'll leave you to do that and you can let me know tomorrow or the next day how you got on with that.	
	TAVAKE AFEAKI	
	Thank you Sir and we'll work it in with the timing once we have had those kōrero. Kia ora Your Honour.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ka pai. Well we will commence at 8.30 tomorrow.	
	Nō reira, kua roa te rā. Kua tae ki te mutunga. Ka whakahokia te rākau ki a koe e te pāpā. Kei a koe.	Been a long day. We're finally at the end. Hand back to the old people, close our day.
	WAIATA	
	He hōnore, he kororia Maungārongo ki te whenua Whakaaro pai e kī ngā tāngata katoa Ake ake āmine Te Atua te piringa Tōku oranga Tōku oranga	
	KARAKIA WHAKAMUTUNGA	
	E te Māngai e ngā anahera pono e te tokotoru tapu, tēnei rā ka whakahokia te reo whakamoemiti whakakororia ki mua i tō koutou aroaro mō ngā manaakitangi i whiwhi nei mātou mai o ngā rā ki muri tae noa mai ki tēnei hāora. Nō reira kei te inoi kia whakaūngia mai tō koutou arohanoa ki runga ki a mātou katoa mō ngā wā katoa. Homai tērā, piki te kaha, piki te ora, piki te māramatanga me te rangimārie ki runga ki a mātou katoa, ērā o mātou e haerenga huaraki i tēnei rā kia tae ora ai, ki tae pai ai rātou ki ō rātou nei haerenga. (Māori 17:06:04) te kikokiko o te tangata kia whai wāhi ai ō mātou	May the Māngai and the holy host of angels assist the Holy Trinity. We thank Thee for Thy blessings in binding us in love at all times. Long life to us all and enlightenment and care for those travelling on the roads for You are our rock on which we cleave and may the Māngai support now and forever, Āe.

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	tinana me ō mātou wairua e hāpai nei i roto i tō koutou korōriatanga. Ko koe anō e Ihoa tō mātou piringa me te Tokotoru Tapu; Matua, Tama, Wairua Tapu me ngā anahera pono me te Mangai hei tautoko mai, āianei ake nei, āe.	
	HEARING ADJOURNS: 5.06 PM	

BEFORE THE WAITANGI TRIBUNAL

WAI-898

IN THE TE ROHE POTAE DISTRICT INQUIRY (WAI 898)

HEARING WEEK 11

WHARAUROA MARAE, TAUMARUNUI

Hui Commenced: Monday 31 March 2014 to Friday 4 April 2014

Tribunal:	Judge D J Ambler Professor Pou Temara	Dr Aroha Harris John Baird
Crown Counsel:	Geoffrey Melvin Amy Williams	

Lead Counsel:	Bernadette Arapere Cameron Hockly Emma Whiley Eve Rongo Glenn Tootill Ihipera Peters Jason Pou Mark McGhie Māui Solomon Te Kani Williams Tom Bennion
Witnesses:	Jonathan Sarich Nikora Barrett Raukura Tangihaere Thomas (Tame) Leslie Te Nuinga Tūwhāngai Wayne Houpapa

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	HEARING RESUMES ON WEDNESDAY 2 APRIL 2014 AT 8.24A.M	
	HOUSEKEEPING	
0824	Misty morning, can't see no sun. Welcome, welcome everybody. Good morning to the tēpu, te Tūru, ki a koutou, tēnā koutou, tēnā rā tātou katoa. My families, welcome to another day for our hearing. Before we start, I just like to ask, to be sure to turn your phones off, and if we can keep the talking down to a minimum while people are giving evidence. I also have a paepae out the front here for his witnesses. We will provide you with chairs should you need it. Koro?	
	KARAKIA (KAUMĀTUA)	
	Tēnā koutou. Te Matua, te Tama, te Wairua Tapu me ngā anahera pono. Ko te Māngai hei taitoko mai, āianei, ake nei, āe.	Morning everyone. Father, the Son and the Holy Spirit and the angels and the Māngai to support now and forever, āe.
	UNIDENTIFIED MALE SPEAKER	
	Āe.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	KAUMĀTUA	
	A ka inoi tātou.	Let us pray.
	KARAKIA	
	Ki te Māngai, anahera pono, te Tokotoru kaha. Kia tātou mai anō koutou ki waenganui ki tēnei whakamoemiti o mātou, hei tātari ngā kupu katoa, (inaudible 08:25:16) ki roto o mātou ki te rangimārie i ngā wā katoa, ki roto i tō koutou korōriatanga. Ko koutou nei hoki te tīmatanga me te whakaotinga mai o ngā rā ki mua, tae noa mai ki tēnei rā. E inoi ake nei mātou i roto i tō koutou korōriatanga, ko te māngai hei tautoko mai, āianei, ake nei, Āmine.	Tō the Māngai and the holy angels, may you come amongst us once more to sift through the words that we are to offer here at all times in your glory. For you are the commencement and conclusion of all things, unto this day and we revel in your glory now and forever, āe.
	ALL PRESENT	
	Āmine.	
	WAIATA	
	Kororia hareruia; Ki a Ihoā o ngā mano; Ki te Kāhui Ariki Wairua; Ko te māngai hei tautoko mai; Te Ārepa, Te Omeka; Tautokotia mai te rōpū nei;	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Piriwiritua Hamuere; Ka puta ka ora e; Ka puta ka ora e.	
	KARAKIA	
	Ki te māngai me ngā anahera pono, te Tokotoru. Whakaūngia mātou ki roto aroha noa. Pai heretia ana mātou ki te rangimārie i ngā wā katoa. Ko te māngai anō kei roto i a tātou katoa, āianei, ake nei, Āmine.	…now and forever, āe.
	ALL PRESENT	
	Āmine.	
	JUDGE AMBLER	
	Tēnā koe e te Matua me te reo whakawhetai ki te Rungaraw. Tēnā tātou i tēnei, te rā tuatoru o tēnei hui. Heoi anō, Tame, he whakaatu tēnei ki a koe. Tae atu ētahi o mātou ki Petania i te pō rā. Mīharo hoki tērā wāhi. Nō reira ngā mihi ki a koe, ki a koutou i whakaae mai kia peka atu mātou ki reira. Tēnā koe, tēnā koutou. Ka haere tonu ngā mahi. Ka hoki atu ki a koe Mr Houpapa, Miss Peters.	Thank you Sir for the prayers. Greetings to everyone on day 3 of our hearing. Tame, some of us went to Petania last night and it was a wondrous sights, so thank you to all of you who gave us permission. So we carry on with our work. Returning to you Mr Houpapa and your evidence.
	IHIPERA PETERS	
	Sir just before Mr Houpapa continues, just a couple of preliminary matters. I just wanted to introduce Mr Rangi Te	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ruruku to the Tribunal who sits next to Mr Tūwhāngai. He's one of the named claimants for Ngāti Huru. Unfortunately the other named claimant, Mr Abra Matenga couldn't be here today. Secondly, the letter from the Crown that Mr Tūwhāngai received in relation to the mineral prospecting tender process, he's just given me this morning, and I'll place that letter on the Record of Inquiry. And lastly, Mr Houpapa has overnight found a map of some of the ancient trials and pathways up through the Tūhua and Hauhungaroa Rangers, which unfortunately we only have in hard copy but again, I'll have that placed on the Record of Inquiry. Thank you very much.	
	Tēnā koe Mr Houpapa. Can you please take the, take the stand to the podium? Kia ora Mr Houpapa and could you please continue reading from paragraph 22 of your brief?	
	WAYNE HOUPAPA	
	CONTINUES READING BRIEF OF EVIDENCE #R007 "The Pureora Timber Trail Mountain bike ride begins at Maraeroa B a Department of Conservation Village and leads to the Piropiro Camping area. It is a good ride to the Maramataha River Bridge. The next major bridge crossing is the Waione River. Further along the trail, you arrive at number 11 Mill Camp which is a flat area. The local engines carried logs travelling	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	over the lands of Ngāti Huru to the number 10 Camp and the Waikoura Camp. Nearby is the Waikoura Bridge. In this area was a kāinga called Otakau, the eeling places of our ancestors. This kāinga was shared by Ngāti Huru and Ngāti Pēhi. The last bridge is the Mangatukituki and down to Te Rongoroa and around the spiral and into the tunnel and finishing along the Mangakaahu Stream at Bennett's Road. From Bennett's Road you travel up the Mangakaahu Stream to a joining stream called Otataka. Near this place was a kāinga called Kaingārara, in the area of Te Taurimu. This kāinga was also shared by Ngāti Huru and Ngāti Pēhi. The Ngairo Block has been shared by both Pākehā and Māori, from the milling days of the Lokey engine, and the Pākehā deerstalker during the seasonal roar. Along with the trampers and the mountain bikers they all enjoy their access through our ancestral lands known as Ngairo. It is nice for the general public that they can access all of these places. Yet we, the original owners and people of these places, feel like squatters on our own whenua as only a few of us have been able to hold on to title to small portions of whenua. Land loss. **Loss of land and resources** A lot of Ngāti Huru land was lost due to fragmentation following the Native Land Court process. The land was held by individuals and I believe we were often under a lot of pressure to alienate interests to the Crown and also due to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the rates levied upon some of their lands. For instance our kuia, Mihiata Ngahinu was faced with these pressures in relation to her Ngairo lands (Rangitoto-Tūhua 21B2A2A2). It is unclear to us why her land would have been rated as there were few, if any, services up on Tūhua and the road to the land was built by our whānau not by the council. In the end she was forced to cut timber off her land in order to pay her rates. This is just one example of the pressures of our old people were under. There has been a lot of environmental damage to our whenua. The private mill operated close to Ngairo kāinga by Nutfield from the early 1900s through to the 1950s. That caused damage to the environment and deforestation. With that came the subsequent loss of the ngahere and the loss of the birds. We understand that the operator paid the Crown for the timber but the access to the timber was through our Ngāti Huru (Ngairo) lands. No royalties were paid to Ngāti Huru for access. As I mentioned above, Nutfield Mill left their dump behind when they finished milling in our rohe. There were steel, polluted sawdust, truck wrecks and so on just left there and this type of rubbish has polluted the Mangakahu River. Tō the best of our knowledge the Crown and councils did nothing about the fact that the dump was left there. As a direct descendant of Ngāti Huru, Ngairo for me will always be home. We are the last whānau that has been able to hold on to a part of our lands up on Tūhua. Our lands within the Pureora State forest have been	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	alienated from us through the Crown actions and processes. As I have said we are now placed in the position of being squatters, except for very small holdings of land. And our Ngairo land is totally landlocked.	
0835	**Redress** Tō my mind the Crown has a lot to do to make up to Ngāti Huru for its breaches of the Treaty. However, to make it easier for them we have given thought to what we might want in order for the Crown to make amends. We would like a role in joint management of all our ancestral whenua. For instance, we would like to jointly manage Pureora Forest Park with the Crown. There is no good reason for our ancestral whenua and ngahere to be solely managed by DOC. We would like to see the protection and rejuvenation of our whenua, ngahere and rivers so that the bird life, tuna, koura and other species can return. We would like our wāhi tapu returned and protected.”	
	IHIPERA PETERS	
	Tēnā koe Mr Houpapa. Could you please remain standing and answer any questions from Crown counsel and my friends and the Tribunal?	
	AMY WILLIAMS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Tēnā koe Mr Houpapa, Ms Williams for the Crown.	
	WAYNE HOUPAPA	
	Kia ora.	
	AMY WILLIAMS	
	I just wanted to ask about the dump that you said Nutfield Mills left behind. Do you know if there were any steps taken to talk to council or Department of Conservation or anyone about the state of the dump and what it was doing to the river?	
	WAYNE HOUPAPA	
	I haven't talked to council, nor has Tame. We are on the trust that are operating on the 42 hectare of that land. But we conversate [sic] with our relation who is a DOC worker who comes in and tidies up the, the tramping tracks. We've spoken to our relation about it, you know, about the dump and that.	
	AMY WILLIAMS	
	And is it still in much the same state or has anything been done more recently to improve it?	
	WAYNE HOUPAPA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	No, no it's still there, yeah. Nothing's been done.	
	AMY WILLIAMS	
	All right, that's all I have for you. Thank you very much for that.	
	WAYNE HOUPAPA	
	Kia ora Miss.	
	JUDGE AMBLER	
	No other counsel?	
	DR AROHA HARRIS	
	Mōrena Mr Houpapa.	
	WAYNE HOUPAPA	
	Mōrena.	
	DR AROHA HARRIS	
	I've just got a couple of questions. In your paragraph 8 you mention that Mangatukituki and Mangakahu have a gold colouring in them. I was wondering if you could explain that.	
	WAYNE HOUPAPA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	It's the – I think it's where they – where the headwaters are, and they spring from a swamp, and I think it's the goldie colouring in the swamp that comes through the streams there.	
	DR AROHA HARRIS	
	Okay.	
	WAYNE HOUPAPA	
	Yeah but I been told by my grandmother Rāhera Barrett that the gold is there.	
	DR AROHA HARRIS	
	You haven't been digging around?	
	WAYNE HOUPAPA	
	No, no not yet.	
	DR AROHA HARRIS	
	Okay and I noticed too that the LINZ maps used Mangu – Mangatukutuku and I was wondering if it should be Mangatukituki. You used Mangatukituki.	
	WAYNE HOUPAPA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes ma'am that's the proper pronunciation is Manatukituki not Manatukutuku.	
	DR AROHA HARRIS	
	Okay.	
	WAYNE HOUPAPA	
	Yes.	
	DR AROHA HARRIS	
	So you – your – the whānau still have some land Ngairo?	
	WAYNE HOUPAPA	
	Yes ma'am it's 42 hectare just under – just over 100 acres, a hundred acre block that belonged to our kuia, Mihiata Ngahinu.	
	DR AROHA HARRIS	
	And that's the block where the road fell into the water or is it?	
	WAYNE HOUPAPA	
0840	Further back from the actual gate to go into the farm is where the – that paper road had fallen into the river.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	But it's on that block that you still, āe. That's the block that you're talking about I mean.	
	WAYNE HOUPAPA	
	Yes that's the block I'm talking about.	
	DR AROHA HARRIS	
	And when your kuia had to cut the timber down to pay her rates, was that in your lifetime or do you know when that happened?	
	WAYNE HOUPAPA	
	No ma'am it wasn't in my lifetime because our kuia Mihiata Ngahinu had passed away in 1963, and I was born in 1962.	
	DR AROHA HARRIS	
	Okay.	
	WAYNE HOUPAPA	
	Yes.	
	DR AROHA HARRIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And so how do you keep – are you paying rates now or you got rates for remission or something or how do you keep yourselves sustained?	
	WAYNE HOUPAPA	
	We are negotiating with local council and we hui with them and at the moment, we are not paying rates because of our – we have no services there and we maintain sort of everything by ourselves there. Like we have a person there who's a – looks after our gate, our relation, and he makes sure that the trampers can go through that area safely. So we try not to have too many hunters in that area, in the Mangakahu Valley because that's where they walk through, to not to hunt in those areas there because of the trampers. 'Cos we like the trampers and the tourists 'cos they're friendly people. They Germans and English.	
	DR AROHA HARRIS	
	Kia ora and you've got no arrangement, no formal arrangement with DOC at all whatsoever?	
	WAYNE HOUPAPA	
	Our arrangement with DOC is really with our whanaunga there, Jason Turner. He is the one who, who comes and he talks to Tame that he's bringing workers through to tidy up the Mangakahu Waihāhā Track, and our kōrero is with Jason. But one time at, Hiakaitupeka Marae, a few years	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ago, we had hui'd with the manager of the Taranaki Conservation, and the Pureora Conservation there. They wanted to do a – to go up to Hikurangi and study the deca lantus but that is at our rohe. But we have spoken to the managers once.	
	DR AROHA HARRIS	
	You have to tell me what that is.	
	WAYNE HOUPAPA	
	The deca lantus?	
	DR AROHA HARRIS	
	Yeah.	
	WAYNE HOUPAPA	
	Could I go in – bro, the deca lantus?	
	DR AROHA HARRIS	
	So is this the – one of the plants you talked about in your brief?	
	WAYNE HOUPAPA	
	(No audible answer 08:43:26).	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	Okay.	
	WAYNE HOUPAPA	
	It's a parasite. It hooks on to other trees and grows.	
	WAYNE HOUPAPA	
	This is our great, grandmother, Mihiata Ngahinu.	
	DR AROHA HARRIS	
	The one who has chopped the trees –	
	WAYNE HOUPAPA	
	Just, just to there, her tā moko. She was only 15 when she got her tā moko.	
	DR AROHA HARRIS	
	So, one last question and still with this topic of your arrangements with DOC. If your relation, Jason Turner decided to move on and get a different job or move away from the area, who would you talk to?	
	WAYNE HOUPAPA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	We probably talk to his replacement and probably his manager will come and talk to us too.	
	DR AROHA HARRIS	
	Okay.	
	WAYNE HOUPAPA	
	Yeah.	
	DR AROHA HARRIS	
	Kia ora thank you very much.	
	WAYNE HOUPAPA	
	Kia ora thank you.	
	PROFESSOR POU TEMARA	
	Tēnā koe.	
	WAYNE HOUPAPA	
	Kia ora.	
	PROFESSOR POU TEMARA	
	I was interested in the – that sample you have that there.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	We call that hakeka.	
	WAYNE HOUPAPA	
	Okay.	
	PROFESSOR POU TEMARA	
	And we eat that, āe. The other one of course that I wanted to – you to share with me is the – te awheto. I have an idea that what you're talking about, to us is the mutara. The stem, if I'm right, the stem grows above the ground. It's like a dry one piece – is that what you're talking about?	
	WAYNE HOUPAPA	
	Yes Sir.	
	PROFESSOR POU TEMARA	
	Yes. You ate that?	
	WAYNE HOUPAPA	
	Yes.	
	PROFESSOR POU TEMARA	
	You eat that?	
	WAYNE HOUPAPA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Well –	
	PROFESSOR POU TEMARA	
	Oh well, okay.	
	WAYNE HOUPAPA	
	I've tried it.	
	PROFESSOR POU TEMARA	
	Have you seen the caterpillar in its nettle before it digs down into the ground?	
	WAYNE HOUPAPA	
	Well I've seen sorta photos online of a website of our relations.	
	PROFESSOR POU TEMARA	
	Yeah, that's huge. It's –	
	WAYNE HOUPAPA	
	Yeah.	
	PROFESSOR POU TEMARA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yeah.	
	WAYNE HOUPAPA	
	Yeah. Could I just talk about the –	
	PROFESSOR POU TEMARA	
	Mmm.	
	WAYNE HOUPAPA	
	– the awheto. It was also used for the tā moko.	
	PROFESSOR POU TEMARA	
	Yes, yes, that's what we used it for.	
	WAYNE HOUPAPA	
	Yes, yes.	
	PROFESSOR POU TEMARA	
	Yes, and that's why we didn't eat it.	
	WAYNE HOUPAPA	
	Okay. It was a sort of a – for the tohunga.	
	PROFESSOR POU TEMARA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Āe.	
	WAYNE HOUPAPA	
	Yeah.	
	PROFESSOR POU TEMARA	
	Āe, kia ora.	
	WAYNE HOUPAPA	
	Thank you.	
	JUDGE AMBLER	
	Kia ora, just following on from that question. In terms of it being used in association with tā moko, how was it used?	
	WAYNE HOUPAPA	
	It was – I think it would be like grounded up into a paste, a pastie and then rubbed in to the tā moko, and it sorta gave it an outlook, a brighter look to it, you know, and too, was used as a sort of a anaesthetic yeah, as well.	
	PROFESSOR POU TEMARA	
	May I answer that or may I add to that. That was crushed and it was, the leaves of the ~~believed of the –~~ ko wareware i au te ingoa o te rākau nei. Was used and crushed with it	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	and then oil was added, and it was crushed together and that formed the – it was actually the ink in our area.	
	WAYNE HOUPAPA	
	Kia ora.	
08:48:10	**UNIDENTIFIED MALE SPEAKER**	
	Just to follow on to that, we also used to use the heart of the māpara tree and they used to use the charcoal to mix it up there also with the awheto. Kia ora.	
	JUDGE AMBLER	
	Āe, tēnā koe te rangatira. Some of my questions have been already asked. As far as the Mangatukituki is concerned like we also will need the correct map A1 119B Ms Arapere, in terms of the name that's shown on there. At paragraph 22 when you're talking about the Pureora Timber Trail I rode ~~wrote~~ half of it in May last year and I'm hoping to ride ~~write~~ the other half on Saturday, but you talk about the number 11 Mill Camp. So is that north of Piropiro?	
	WAYNE HOUPAPA	
	Oh, number 11. That would be – when you come down from Piropiro, I suppose it would be, would be north. Well, Piropiro is sort of here but the Number 11 Camp is here, and	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Waimiha is over here. So –	
	JUDGE AMBLER	
	I see.	
	WAYNE HOUPAPA	
	Yeah.	
	JUDGE AMBLER	
	All right I just asked that because I – coming through that land from Pureora –	
	WAYNE HOUPAPA	
	Yes.	
	JUDGE AMBLER	
	– was striking when you get out of the bush. What a significant plateau of quite flat land there is there.	
	WAYNE HOUPAPA	
	Yes there is.	
	JUDGE AMBLER	
	I expected it to be very hilly still, but it's quite good land.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	WAYNE HOUPAPA	
	Yes, yes it is Sir. It's a flat area.	
	JUDGE AMBLER	
0850	Yes.	
	WAYNE HOUPAPA	
	From the, well from the Waione through to the, to the Waikoura. It is a flat plateau there, and before you drop down into the Mangatukituki it starts getting down to the road, to the Mangakahu Road sort of area into Te Rongoroa Block.	
	JUDGE AMBLER	
	Now the Nutfield Mill, so they finished in the 1950s?	
	WAYNE HOUPAPA	
	Yes. I was told by my uncles who were born there, and who lived there during the milling days that the mill was closed in the sorta late 1940s and 1950s.	
	JUDGE AMBLER	
	And is that land that the mill was on, is that private land today or is it part of the DOC estate or what?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	WAYNE HOUPAPA	
	It's part of the DOC estate. There used to be an old hut there that DOC used to use for trampers and that coming through but it was riddled with rates, so they had to pull it down, get rid of it and then they started concentrating on building the Hauhungaroa Hut.	
	JUDGE AMBLER	
	And finally in relation to paragraph 31 where you talk about the Ngairo land is totally landlocked, this is the 42 hectares you are talking about?	
	WAYNE HOUPAPA	
	Yes Sir, it's – what I meant by that, totally landlocked. It is landlocked from the Pure – for our access into the Pureora Forest. But our access to the 42 hectare, we can still come through the road, but our access to the Pureora Forest is totally landlocked from us because all lands around us are owned by – our Pākehā neighbour had purchased my cousins 30 acres up there, under the abandoned lands with the Ruapehu District Council through the 2002 Land Act. And we didn't know at the time that the part of this 30 acres was at the back of our 42 hectare property, so when they did the – our local farmer down the road did the survey, it cut us off to the Pureora Gate.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
0953	So does that paper road that Tame showed yesterday, does that not give you access through that land?	
	WAYNE HOUPAPA	
	Not really because on the other side of the Mangakahu River, the farmer also owns another piece of land that was part of the ones that were taken in the abandoned lands.	
	JUDGE AMBLER	
	I wonder Mr Jonathan if you can put up that image. Can we zoom in on the 42 hectare block? You had, you had some image which showed it. Can you show the boundaries of the block?	
08:54:04	**UNIDENTIFIED MALE SPEAKER**	
	The line actually cuts across straight across here which is privately owned.	
	WAYNE HOUPAPA	
	The line which the local farmer has, cuts straight from this piece lime bush and it cuts straight up, straight through there. And where our kāinga is, it's right on there. He's actually built a deer fence and you can see the land over here which is privately owned now, and this is all we have	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	now.	
	JUDGE AMBLER	
	So that's the 30 acres at the back that you talked about Mr Houpapa?	
	WAYNE HOUPAPA	
	Mmm. Yes Your Honour, but that 30 acres, part of it goes on to the other side of the Mangakahu River, and that's where the sort of paper road used to be.	
	JUDGE AMBLER	
	All right. I am interested in that rating sale. So when did – when do you say that happened?	
	WAYNE HOUPAPA	
	That happened probably about 2012.	
	JUDGE AMBLER	
	Only two years ago?	
	WAYNE HOUPAPA	
	Yes Sir.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	So that bit of whānau land must have been general land for that to happen.	
	WAYNE HOUPAPA	
	At the time Sir, it was under one individual owner.	
	JUDGE AMBLER	
	Was that individual owner still living?	
	WAYNE HOUPAPA	
	Yes Sir he's still living but at the time, he was away when these bills were coming and he tried to start paying them off, but they just got too much for him, and then he got sickly.	
	JUDGE AMBLER	
	Do you know the name of that particular block?	
	WAYNE HOUPAPA	
	I don't know the name of that block but I think Tame might.	
	THOMAS (TAME) TŪWHĀNGAI	
	It has a block number and I could provide that but – off my head.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Yes I will get your lawyer to follow-up with that because we heard at the last hearing week from your relationships at Ōngarue, about rating debts with land that was Māori freehold land, is not general land. And I am just interested in how many other instances you are aware of in the last 25 years where whānau land has been sold for rating debt? Are you aware of others?	
	WAYNE HOUPAPA	
	Yes there are. My father's property in Te Ururanga A6B. It's owned by whānau and the council wanted to put that on to abandoned lands, but I went down to hui with council to stop it from going into their abandoned lands. And during our hui, for about two weeks, I had a lot of help from my whānau, from Ngāti Hauā who was a Māori lawyer here and he helped quite a bit to stop the land, my father's Tūranga B2 to be sold as abandoned lands.	
	JUDGE AMBLER	
	Do you know if that land is Māori land or general land?	
	WAYNE HOUPAPA	
	The land of my father's is, it's a Māori freehold, but because of the new law of the 2002 Act, local council, Ruapehu District wanted to charge rates. So I went in there with all	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the – my mapping and all the kōrero of all the owners who were there. In those blocks, there were two blocks and he went with council with a letter with my friend who is a lawyer here, for Hinengākau Development and he helped me to hold on to my father's interest in Te Uranga A6B.	
	JUDGE AMBLER	
	And just remind me perhaps on the map on the wall, where approximately is Te Uranga? This is Rangitoto A74 is it?	
08:59:00	**UNIDENTIFIED MALE SPEAKER**	
	Yes.	
	JUDGE AMBLER	
	All right. That is enough thank you.	
	WAYNE HOUPAPA	
	Just on the Ngaero kāinga there, we don't believe we pay rate – we don't pay rates there because we have nothing, no income coming off that place, but we are still have the, how would you say, not the threat but – in a position of actually having a charging order against us.	
	JUDGE AMBLER	
	Yes well as I explained the last hearing week that you are still obliged to pay rates, but if it is general land, can be sold.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	If it is Māori freehold land, it cannot be sold. So it is just quite an eye-opener to know that within the last two years, whānau land has been sold for rating debt.	
	WAYNE HOUPAPA	
0900	Yes Sir. I thought the confiscation of land was over. I didn't think it still carried on to this day.	
	JUDGE AMBLER	
	Ngā mihi ki a koe. Ms Peters, anything arising?	
	IHIPERA PETERS	
	No Sir.	
	JUDGE AMBLER	
	Kia ora.	
	WAYNE HOUPAPA	
	Kia ora matua.	
	IHIPERA PETERS	
	Thank you Sir. That closes the evidence for Ngāti Huru and the whānau wish to close with a waiata.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
09:00:32	**WAIATA**	
	Takinga mai; Mai Hawaikinui; Te manu, tioro, tioro ; Takinga mai i te uranga tapu; Te manu, tioro, tioro; Takinga mai i Raukawa; I Hurakia te manu, tioro, tioro; Takinga mai i Tūhua; I te Rongoroa te manu, tioro, tioro; Takinga mai kei te poho o Te Kanawa; Te manu, tioro, tioro ; Takinga mai ngā uri o Huru; Te manu, tioro, tioro; Ko wai te karanga; Ko au, te manu, tioro, tioro, tioro eee i.	
	JUDGE AMBLER	
	Kia ora. Tēnā koutou. Kia ora, Mr Solomon?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	MĀUI SOLOMON	
	Yes, it is Mr Solomon for Ngāti Hari and 1803, Sir. Mōrena koutou. Before I commence my opening submissions Sir, I would just like to introduce the panel here as Mr Nikora Barrett who is giving evidence today. With him is his sister Raukura Tangihaere who is with leave of the Tribunal, will be reading an introductory statement to Veronica Canterbury's evidence. Unfortunately, the kuia passed last year and that is her photograph there on the table. So she is actually with us. And beside Raukura is Jackie Kīngi who is the niece of Veronica.	
09:04:15	**RAUKURA TANGIHAERE**	
	Granddaughter.	
	MĀUI SOLOMON	
	I beg your pardon, granddaughter. My opening submissions, Sir, are on the Record of Inquiry #3.4.72. **READS OPENING SUBMISSION #3.4.072** "This claim is brought by Terry Tūru and Veronica Canterbury on behalf of themselves and their hapū of Ngāti Hari. Sadly, the Kuia Veronica, passed away in 2013. However, before she died her evidence was recorded and has been	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	filed as document #R008 on the Record of Inquiry. With leave of the Tribunal, the claimants would like to have her evidence taken as read and for her niece, Raukura Tangihaere, to present a short introduction of Veronica's evidence. Unfortunately, Sir, the principle named claimant Mr Terry Tūru who has been suffering poor health for the last few years, had hoped to be here today. He was here yesterday although his health wasn't so good. So he is not here today but I just wish to acknowledge and mihi to him." He is? Just arriving? Oh well that is showing his dedication to this kaupapa. So ngā mihi e koro, haere mai. **CONTINUES READING OPENING SUBMISSION #3.4.072** "The claimants I represent, would also like to acknowledge the other claimant for Ngāti Hari, Mr Tame Tūwhāngai in Wai 987 and to express their support for his evidence to be presented today. **The Claim** Ngāti Hari are situated directly on the border between the Rohe Pōtae and Whanganui Inquiry Districts. As such, they too like other claimants, have claims both within the Wai 903 and Wai 898 Inquiry Districts. Ngāti Hari are kaitiaki of the Taringamotu Valley centred around Hiakaitupeka Marae. As such, they feel deeply aggrieved that they have been left virtually landless today as a tribal grouping. They say that this is due in main to breaches of the Treaty of Waitangi relating in particular to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	failing to ensure Ngāti Hari were left with sufficient land holdings to sustain themselves, the individualisation and alienation of lands within the Rangitoto-Tūhua Blocks, the taking of land for Public Works such as roads and gravel pits. Their claim also relates to failure to pay compensation for those public takings, environmental and cultural degradation resulting from gravel extraction from riverbeds and quarrying of their whenua. **The Evidence** As noted, leave has been sought to have Veronica's evidence taken as read and for a short summary of the evidence read by her niece Raukura Tangihaere. The reason for this is to honour the kuia's memory and her commitment to her people in this claim." And Sir, if leave is granted this will be accompanied by a PowerPoint presentation. **CONTINUES READING OPENING SUBMISSION #3.4.072** "Veronica's evidence focuses mainly on the history of Ngāti Hari, including their tribal connections to Ngāti Pahere and Rangawhenua, and also to her beloved Hiakaitupeka Marae and Taringamotu Valley. Her evidence also speaks of the damage done to puna and waterfalls by river control works, gravel extraction and plantation forestry on their sacred maunga, Tūhua. **Mr Nikora Barrett** Counsel has sought leave to file an addendum to Nikora Barrett's evidence including a bundle of documents. The	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	documents only came to counsel attention on Sunday actually and relate to the blocks of land known as Rangitoto-Tūhua 66A3C which is discussed in the main brief of evidence of Nikora Barrett. These documents are useful, as they outline a paper trail of how the lands in the Rangitoto-Tūhua 66A3 Block were partitioned and subsequently alienated, or parts of those blocks alienated. They also show how the land on which the Fraser quarry came to be owned and operated by the Fraser family." Paragraph 11 is now redundant Sir because this was prepared, presentation yesterday. **CONTINUES READING OPENING SUBMISSION #3.4.072** "The uncertainty about how this block was alienated, this is 66A3C, was also highlighted by Mr Tame Tūwhāngai on Monday when discussing the location of the quarry on those blocks during the virtual site visit. The new evidence comprises various documents including partition orders relating to the original 66A3C Block, approval of the Waikato Maniapoto District Māori Land Board, acting as an agent for the owners to the alienation of lands within the block, and other documents relating the sale and purchase and leasing of parts of this block.	
0910	Nikora's primary evidence in document #R009(a) deals with issues concerning wāhi tapu, Tūhua maunga, quarries on Rangitoto-Tūhua 52A1 and 66A3C." And Sir, with your leave, I would like to assist the Tribunal and the witness by leading this witness through the various	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	documents in both of the bundles, when he gives his evidence, and those are my opening, Sir.	
	JUDGE AMBLER	
	Ka pai. Well, leave is granted in both respects. I think if the Crown needs time to digest the material or other parties, then questions can be filed in writing following. But if you lead your witness, witnesses.	
	NIKORA BARRETT	
	Thank you, Sir.	
09:12:15	Tihei mauri ora. Whakarongo ake ai au ki te tangi a te manu nei a Mā Tūī. Tūī, Tui te Tuia. Tuia ki runga. Tuia ki raro. Tuia ki roto. Tuia ki waho. Tuia i te here tangata ka rongo te pō, ka rongo te ao. Takia mai ki Hawaiki nui, ki Hawaiki roa, ki Hawaiki pā mamao. Te hono ki wairua, ki te whai ao, ki te ao mārama. Koia nei e rongo. Whakairi ake ki runga. Tūturu whakamaua kia tina, tina, hui e taiki e.	I listen to the song of the Mā Tūī that binds above and binds below and binds within and binds without and binds the people so that the nights and day hears, and bind it unto Hawaiki distant and to the spiritual world.
	Anei rā, ā te tuatahi e wātea au tēnei wā poto ki te whakaaro pai, ki te maumahara mō rātou i hinga i Ōrākau. Kei roto tēnei wāhanga e huihui ana mātou ki te whawhai anō mō tā tātou mana motuhake. Me whakaarohia mō rātou kua hinga, tō tātou kui, whaea, whaea Kuni, matua Hāre Kereopa, matua Fly Kereopa, matua Eddie Kereopa, Koro Archie Taiaroa, matua Ngaku me te maha o ngā kaumātua o ngā whānau i whawhai i tēnei whawhai i mua te aroaro o koutou te Kāwanatanga, tēnei te mihi. Nō reira me koropiko	First, are recollections, commemorations for those who fell at Ōrākau and so we are gathered here once more to fight again for our independent stance and lest we forget our elder, our grand dame Whaea Kuni and Hāre Kereopa and matua Fly Kereopa and Eddie Kereopa and Sir Archie Taiaroa and the elder Ngaku, and the many, many elders of the whānau who fought the good fight in the face of the Crown. I acknowledge them and so let us bow our heads to them.

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	tātou i a rātou.	
	Nō reira tēnei te mihi ki a koutou te tēpu. Kaiwhakawā Ambler. Ki a koe e koro te Pou Temara, te kairangi. Tukuna te mihi ki a koutou katoa o te whānau e huihui nei. Ki a koutou Ngāti Rangatahi, te hau kāinga, kei konei ā Ngāti Hari i roto i te whare hei tautoko i te kaupapa, tēnā koutou. Tēnā koutou Maniapoto. Tēnā koutou Whanganui. Tēnā koutou Tūwharetoa. Tēnā koutou Raukawa. Tēnā koutou Tūhoe me ngā mata waka e huihui nei.	
	Nō reira i tēnei wā ka tukuna te rākau ki taku tuahine a Raukura hei tīmata tētahi kōrero.	
	RAUKURA TANGIHAERE	
09:15:54	E haere mai. Haere mai, ka tū mai koe ki taku taha.	
	Āta mārie. Mōrena. E tautoko ana au ngā mihi kua mihia. I te karakia kua kawea i te ata nei mō tātou katoa i roto i tēnei mahi whakahirahira, nā rātou anō i whakatakoto rā. Nō reira tēnei te mihi atu.	I endorse the welcome and the prayer offered this morning in our works, our important works that they started.
	Nō reira me tīmata tātou. Ka tū tēnei te mokopuna, tana mokopuna nō reira ka tū ia ko taku taha, āe.	And this is Veronica's granddaughter.
	READS BRIEF OF EVIDENCE #R008(a) **"INTRODUCTION TO VERONICA CANTERBURY'S EVIDENCE AS PRESENTED BY RAUKURA TANGIHAERE, NIECE OF VERONICA**	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Just letting you know that our mother, Daphne Adams Barrett, was a tēina, the tēina of Aunty Kune we called her and when our mother passed away she became our mother. So hence the reason, yes, I'll do this kōrero. **CONTINUES READING BRIEF OF EVIDENCE #R008(a)** "Veronica Canterbury passed away on the 4th of February 2013. She rests at her beloved Kaitupeka. In mid 2012, she prepared a brief of evidence for these hearings which is part of the Wai 1803 evidence. Veronica was a shy person but someone who got a great deal of pleasure in teaching the young ones and sharing the stories of her people. She loved to pass on pūrākau about the Taringamotu area, waiata and memories about her tūpuna. She shared with these taonga with aroha and joy and often talked about how important they were to keep alive for the identity of Ngāti Hari. We are privileged to have her words as part of the evidence being presented for Ngāti Hari. Veronica's evidence is being taken as read, but it is important that her contribution and her memory are honoured, not only for her role as the co-claimant but also for the inspirational role she played for her people. The images that are on this PowerPoint show some of Veronica's tupuna and her beloved marae and maunga tapu. Raukura Tangihaere" So this is Tūhua our maunga tapu. This is Kaitupeka, that's	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Aunty sitting up there and Aunty Shirley and the rest of the whānau. This is Aunty Kune's grandparents, our great grandparents. This is Henry Alexander. It was agreed he was Harry and Uncle Terry, thanks to Uncle Terry doing all this research we found out that his name was Henry.	
	MĀUI SOLOMON	
	Raukura, can you just speak into the microphone so that we can record your kōrero, thank you.	
	RAUKURA TANGIHAERE	
	Aroha mai.	
	MĀUI SOLOMON	
	Ka pai.	
	RAUKURA TANGIHAERE	
	This is Henry Alexander Adams and thanks to Uncle Terry, it was Uncle Terry that did that research where we found out that Henry was his name, otherwise we knew him as Harry. And Tininga Tūtahanga Hinerau. Later on in Nikora's kōrero, Tininga Tūtahanga is the sister of Mangapiko Pēhia and there's photographs of her too. So they are the children – they are the parents of the Adams family. That's them, yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
0920	This is Aunty and our mum's parents. These are our grandparents. This is Matekino Turu on this side. Matekino was one of 14, 15 of them of the Turus of Turu and Te Uhunga Mātenga and Koro Tuarā is one of 14, 15 in his family. So yes they both come from big families which a lot of Ngāti Hari are a part of.	
	MĀUI SOLOMON	
	All right, thank you Raukura. If you could just remain there in case there are any questions.	
	JUDGE AMBLER	
	Mr Melvin.	
	AMY WILLIAMS	
	Ms Williams for the Crown. We don't have any questions today. Thank you.	
	JUDGE AMBLER	
	Tēnā koe me te pai o ōu kōrero.	Thank you for your evidence. Thank you very much.
	Just one matter to clarify. At Hiakaitupeka which we passed by on Sunday, how many of the whānau would be living at the community there? How many houses?	
	RAUKURA TANGIHAERE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	There's – although there's big families, the homesteads, the papakāinga of those families are still there. In every one of those papakāinga, those homesteads there's some of the family still there.	
	JUDGE AMBLER	
	So about how many?	
	RAUKURA TANGIHAERE	
	You're talking about around the marae?	
	JUDGE AMBLER	
	Yes.	
	RAUKURA TANGIHAERE	
	Okay, one, two, three, four, five, six. Well, well there's the houses that are on the road of the marae and then there's the houses that are around the roads leading to the marae. So –	
	JUDGE AMBLER	
	Yes, just the overall community, the Māori community there, about how many households?	
	RAUKURA TANGIHAERE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	We'll just go 20.	
	JUDGE AMBLER	
	Okay.	
	RAUKURA TANGIHAERE	
	Yes.	
	JUDGE AMBLER	
	Kia ora.	
	RAUKURA TANGIHAERE	
	We'll just do a round figure of 20.	
	JUDGE AMBLER	
	Yes, I just wanted a sense –	
	RAUKURA TANGIHAERE	
	Because Tauranga B2 and Otamakahi, they're also part of that. Also Takaputiraha up Takaputiraha.	
	JUDGE AMBLER	
	Āe.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	RAUKURA TANGIHAERE	
	Petania, they're also a part of Ngāti Hari 'cos like you heard before we're on the borderline of Tūwharetoa and Maniapoto. So that's why we have Tūtetawhā as well as Te Kanawa. So Ngāti Hari covers all those areas as well as down Te Huru, yes, whenua.	
	JUDGE AMBLER	
	Kia ora. Ka pai, kua mārama.	
	RAUKURA TANGIHAERE	
	Koinā anake.	
	JUDGE AMBLER	
	Thank you.	
	RAUKURA TANGIHAERE	
	Thank you.	
	MĀUI SOLOMON	
	Ka pai. Now call Nikora Barrett to present his evidence. So his main evidence, Sir, is document #R009(b) and there's an attachment to the evidence which is #R009(a) and then there's the addendum to his evidence which unfortunately I don't have the inquiry, the Record of Inquiry number as yet,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	and then the second bundle of documents. So just to give the Tribunal an indication of the one which Mr Barrett's evidence will be presented, he'll read through #R009(b) and at paragraph 11 which is where we're discussing the quarry in 66A3C, I'll then take him to the addendum and then go through that and the associated bundle of documents and then we'll go back to his main brief of evidence and deal with the first lot of attachments. So unless there are any questions, Sir, I'll just ask the witness to proceed with his evidence. Kia ora Nikora. You can –	
	NIKORA BARRETT	
	Kua tarai te mahi i te rama. Kei te kapo ahau.	Tight squeeze.
	READS BRIEF OF EVIDENCE #R009(b) "I am Nikora Barrett."	
	He mokopuna ahau mai i te kuia Matekino Turu and Tuarā Adams.	I am a grandchild of Matekino Turu and Tuarā Adams.
	Tōku pepeha Ko Tūhua te maunga Ko Taringamotu te awa Ko Hiakaitupeka te marae Ko Ngāti Hari te hapū	I say Tūhua is the mountain Taringamotu is the river Hiakaitupeka is the marae Ngāti Hari is the hapū

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ko Maniapoto te iwi Ko Tainui te waka Ko Nīkora Barrett tōku ingoa.	Maniapoto is the iwi Tainui is the waka My name is Nikora Barrett
	"My parents are the parents of the co-claimant, Aunty Kone, Veronica Canterbury. My parents were Daphne, who was a younger sister to Aunty Kone and her husband, Keith Barrett, and whānau again. My mum Daphne was a younger sibling and both my parents are from the Taringamotu River from the Taringamotu Valley. My father – my mother from the south bank of the Taringamotu and my father from the north bank of the Taringamotu. I was adopted, whāngai'd, brought up by my mum's brother, Te Wera Rehu, for the first 10 years of my life. In those times we lived down at the Waipari, the timber mill. I remember the house was a blue house with yellow windows and by the age of five we moved from the Waipari Timber Mill over to Rosland Street to live in a Māori Affairs house till I was 10 and then I was given back to my whānau tūturu, my biological family, and was brought up in the Taringamotu Valley between Hikurangi and Tūhua. My birth parents lived on the Paerata, that's Rangitoto-Tūhua 52D2. I was a carpenter. I was a – that's my kui, Nanny Mangapiko Hinerau, who is a sister to Nanny Tininga Hinerau who is married to Harry Adams. She's married to my koroua who is Pita Mātenga and inside that draft book of the whole – the Rohe Pōtae claim, their names are in that book, in that list and they named themselves as Ngāti Hari. I was a carpenter, I was a soldier, I was a representative of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	a trustee on the ahu whenua land trust Rangitoto-Tūhua 66A3C which is one of the mentioned blocks. My sister Raukura is now the trustee on that same block and Aunty Ruth. I gave evidence in the Kōrero Tuku Iho hearings for this inquiry in April 2010 on our marae at Kaitupeka, our ancestral lands Rangitoto-Tūhua 52D2 and 66A3C and the effects of the quarry on the wāhi tapu Otutewehi in the Mangakahu River. I am honoured to present alongside the evidence from our kui Veronica who we miss dearly."	
0930	She lived for her marae, her people. Was a wonderful example to us, the rangatahi. She taught us much about the history of who we are as Ngāti Hari, and on the history of this valley. My evidence today will cover the history of these lands in more detail, as well as the land at Tūhua maunga and the block at Rangitoto-Tūhua 52A1, known as Te Horangapai. In this statement I proffer, proffer evidence, I give evidence of who I know to be the original occupants and the owners of the lands which make up the subject of this claim. Tūhua is situated in the Rangitoto Tūhua Block it is the most southern part of the block, my family, my five daughters that I love very dearly. We all know that it's the sacred place, Tūhua, wāhi tapu. Tūhua is our ancestor and continues to be at the heart of the spiritual and cultural identity of Ngāti Hari. The old people always said it was out of bounds. I know people have gone there and fallen into	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	caves. I also know that taonga have been removed from the maunga – toki and even the musket. Tūhua is on the trail of war and is a strategic outpost between four iwi, Raukawa, Maniapoto, Tūwharetoa and Whanganui. Outside tribes from 'The North' and 'The East' travelled through this area heading down the Whanganui River and vice versa, vice versa tribes from the river came up the river then on through Tūhua region. It was the boundary place for many – for Te Arawa, Tainui and Aotea canoe federations. Tūhua has always been and continues to be a place of refuge, sustenance and nurture for Ngāti Hari. We were told by the Kīngitanga (Princess Te Puea Hērangi) to go and hide from the authorities to avoid conscription into the Second World War as a protest action against the Crown for the confiscation of Waikato lands. My great – my grand-uncle, Koro Dick Barrett and two of his brothers took shelter up in Tūhua, hiding from the authorities. We also went there to the ngahere in times of sickness and epidemic because we knew the bush would keep us safe." Regions like Otamakahi, Hingamatau, Otutewehi were places Nutfield, Te Ngairo, were places of safety. **CONTINUES READING BRIEF OF EVIDENCE #R009(b)** "Ngāti Hari has never moved from under the shelter and the safety of Tūhua and Hikurangi maunga. Ngāti Hari are the remnants of a people who refused to sell their lands or rights to those lands (non sellers). We are tangata whenua, we	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	are ahi kā. The removal of its korowais of trees is a real and very important issue for us. Only the top part of the maunga now has the forest. I remember whaea Veronica, Aunty Kune said it was 'naked as a jaybird'. She told the pine forestry people that the trees they wanted to plant were all manmade, not like the ones nature had planted. I have heard too that it is proposed to start prospecting for gold on our maunga. We remain opposed to any extraction of metal, minerals and oil on our maunga tapu. **Rangitoto Tūhua 66A 3C** This block lies north of the Taringamotu River on the Ngakonui-Ōngarue Road passing through its western edge, blocks in there." That's Rangitoto-Tūhua A3 C, but this whole block around here is Rangitoto-Tūhua 66A 3, and then it was cut up and it ended up with a c block. There was a part of block down here that belonged to our whānau in Ōtorohanga. Hari Tahana and others, the Wahanui whānau. This is it, the 66A 3C, and Hari Tahana and others block. This area through here is the Fraser family and this here is Otutewehi. This here's the site of the quarry. This map here also shows another gripe that we have with what's happened, is that this part of the road from here to here is a paper road. It doesn't register on the map like all these other roads. There's an old quarry on this block – "	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Sorry, Nikora. Can I just be clear? Where you say the paper road is, which doesn't show on the map, is it actually constructed though?	
	NIKORA BARRETT	
	Yes. In use.	
	JUDGE AMBLER	
	And is that the council road?	
	NIKORA BARRETT	
	Yes, so –	
	JUDGE AMBLER	
	Is that the council road? Is it maintained by the council?	
	NIKORA BARRETT	
	Well, yes.	
	JUDGE AMBLER	
	NIKORA BARRETT	
	I s'pose they drop gravel on it.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Yes, but it is not a private road that you maintain?	
	NIKORA BARRETT	
	No.	
	JUDGE AMBLER	
	No, all right.	
	NIKORA BARRETT	
	But it's not marked down as such, so, and part of the issue is that as owners of this land block we pay the rates for this land block but we don't get the exclusive use of this part of the road. We share it with the public and every day gravel comes out of here and heads down this road to Ōngarue and out to the world, and we get no compensation for that. We can put up a toll gate right there and charge everybody including the community of Tūhua passing through here to get to Ōngarue to Auckland, otherwise you have to go back up, back around the thing.	
0940	Oh there is an old quarry on the block. The quarry operates today and is a source of gravel for the local farm roads in the area and the Ruapehu District Council every day trucks loads of the whenua go from the quarry via Ōngarue to the world.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	MĀUI SOLOMON	
	But –	
	NIKORA BARRETT	
	And now I'll start on this other paper.	
	MĀUI SOLOMON	
	Yes, ka pai.	
	NIKORA BARRETT	
	Addendum number 2. **READS BRIEF OF EVIDENCE #R009(b)(i)** "In my main evidence, I have discussed my concerns about the quarry on Rangitoto-Tūhua 66A3C Block. I was not sure how this land came to be owned by the Fraser family upon whose land the quarry is situated. However, the documents that I have added show how the land came to be owned by the Fraser family. Attached is a bundle of documents that show how the Rangitoto-Tūhua 66A3 Block was partitioned and then subsequently surveyed and alienated into several separate blocks. The documents are indexed and numbered pages 1-40. From what I can tell, the Rangitoto-Tūhua 66A3 Block was	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	originally partitioned in 1906 (page 3) by the Native Land Court. The size of the block was 5,635 acres and was awarded to 91 individuals whose names also appear on the partition."	
	MĀUI SOLOMON	
	Taihoa, Nikora. Could I just take the Tribunal to the bundle which is #R009(b)(i)(a). I have that number now, and if you could turn to page 3 of the bundle. Nikora, do you have that bundle in front of you?	
	NIKORA BARRETT	
	Yes.	
	MĀUI SOLOMON	
	Just turn to page 3, and that shows the partition order for what was originally the Rangitoto-Tūhua 66A3 and then halfway down the page you see the original size of that block 5,635 acres. I think that is 2 roods and 1.5 perches. And if you go over to pages 3, 4, 5 and 6 and 7, they are the names of all of the owners who were awarded shares.	
	JUDGE AMBLER	
	Can I suggest Mr Solomon, I do not think you need to take Mr Nikora through each of the exhibits? We will follow through as he is reading, unless there is any in particular	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	that you want to draw to our attention.	
	MĀUI SOLOMON	
	Thank you, Sir. I wasn't proposing to take him through all the exhibits. There is just two or three that I will refer you to in particular. Thanks, Nikora.	
	NIKORA BARRETT	
	In this page number 4, there is mention of names that are Mangapiko Hinerau, Kahupeka Hinerau, Tūwhāngai Kīngi, all these names are Ngāti Hari names. Where are we now?	
	MĀUI SOLOMON	
	If you can continue from paragraph 4 of your additional, the addendum. I think you are up to paragraph 4.	
	NIKORA BARRETT	
	CONTINUES READING BRIEF OF EVIDENCE #R009(b)(i) "What is interesting about this partition order is that it excludes from the Māori owners all the timber and cutting rights to the timber to the proprietors for the time being of the 5,635 acre block. The original names in this block carry many of the Ngāti Hari	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	tūpuna names Hari, Wera and Rangawhenua. Then in February 1923, there was a further order of the Native Land Court whereby Rangitoto-Tūhua 66A3C Block was partitioned off from Rangitoto-Tūhua 66A3 Block, was awarded to 20 Māori owners whose names are listed in the order. This block appears to have been about 837 acres in size, CT 650/74, pages 15 and 16. Then on 12 December 1933, the Waikato-Maniapoto Māori Land Board approved the alienation of 484 acres in Rangitoto-Tūhua 66A3C Block for sale to one Percy Cyril Beard, a farmer of Ōngarue, page 22. He pays £850 for the land. A title to this land was issued to Percy Beard in 1933, CT 650/75, pages 17 and 18. This title also shows that the Crown loaned him the money to buy the land under the Discharged Soldiers Settlement Act 1917. On 22 December 1933, a certificate of title is issued for the 837 acres in the Rangitoto-Tūhua 66A3C Block, pages 23 and 24, CT 650/74. From a document registered on that title it states that: a. Transfer No. 261419 of part. The native owners by their agent the Waikato Maniapoto District Māori Land Board to Percy Cyril Beard of Ōngarue, farmer. It also appears from the document bundle, Trustee Report to Māori Land Court, 21st of March 1997, pages 29 and pages 31, paragraph 2.2, that Percy Cyril Beard was a councillor on the Ōngarue Council at the time he purchased this block in 1933. According to this document at paragraph 2.2, Mr	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Beard was the grandfather of the Fraser brothers." And hence, that's why the Fraser's end up owning that part of the land. **CONTINUES READING BRIEF OF EVIDENCE #R009(b)(i)** "It also appears from the title CT 650/74 that the balance of the 837 acres in the 66A3C Block was then leased to one Philip Deveraux Smith.	
0950	This lease was for 21 years from 1967. This is the land that is now owned by the Rangitoto-Tūhua 66A3C Trust. I was a trustee of this trust from 1995," maybe, "to 2000," thereabouts. It also appears that Mr Smith was a member of the Fraser family (page 30, paragraph 2.2). This lease was then transferred to Manning McKenzie Fraser and Alexander James Fraser in October 1973. The Frasers attempted to buy the land when the lease expired in 1988 from the 21 years but were not successful. (Trustee Report dated 21st of March 1997 paragraph 1, page 29) The Frasers continued to lease the land until 1996 when the land was then leased to George and Sue Conrad. This land Rangitoto-Tūhua 66A3C was declared to be Māori Freehold land in 1996 (page 23, CT 650/74). This land is now under an ahu whenua trust. The land area is 142.7463 hectares –	
	MĀUI SOLOMON	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Just correcting that. It's 142.7463 hectares. I know you'd like to have 7463.	
	NIKORA BARRETT	
	(Page 29, paragraph 1 – trustee report 21 March 1997). Included is a certificate of title CT650/75 (page 25) which is 418 acres 1 rood and 4 perches. This was part of the Rangitoto-Tūhua 66A3C Block and in 1960 was owned by a company called Otataka Farm Limited. This was the land previously owned by Percy Cyril Beard. This land was eventually bought by the Fraser family in 1978. It is the land on which the quarries are located. There is another block to the south," and this is the quarry. "There is another block to the south of the Fraser land, which is about 247 acres (page 11). I understand that this block is an ahu whenua trust. I believe that Hari Tahana and others owns this land. This land is leased to the Fraser family.	
	JUDGE AMBLER	
	We're just going to take a five minute pit stop and then we'll carry on. We'll just pause you a moment, we'll just take a break.	
	HEARING ADJOURNS: 9.55 AM	
	HEARING RESUMES: 9.59 AM	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
0959	Kia ora tātou, kia tau te whare.	
	NIKORA BARRETT	
	Tēnei wā kei te tukuna he mihi ki to tātou kui, ā Nanny Tuti Aranui, kua tae mai ki te kaupapa o te rā. No reira tēnei te mihi, e kui, tōku tino kaitautoko.	
	MĀUI SOLOMON	
	I think we're resuming from paragraph 17 of your addendum.	
	NIKORA BARRETT	
	CONTINUES READING BRIEF OF EVIDENCE #R009(b)(i) FROM PARAGRAPH 17 **"Quarrying on the Rangitoto-Tūhua 66A3 Lands** Most of the following information comes from the Trustee Research Report 21 March 1997 (pages 29 to 31). The land was under the administration of the Waikato Maniapoto Māori Land Board. In 1917 a lessee of the land Ida Baldwin made an application to the land board to extract metal from the land adjacent to the Mangakahu Stream. That consent was given and the metal extraction is still continuing today. In 1996 an application was made by the Fraser Family to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	continue extracting 7000 metric tonnes of metal from this land. We as a hapū opposed this application on the grounds that the land was wāhi tapu but were not successful."	
	MĀUI SOLOMON	
	I wonder if I could just stop you there, Nikora. There's a – and take you to page 40 of the second bundle and there's a photograph in there which you've included. You might want to explain the significance of that to the Tribunal. It's the very last page of the second bundle.	
	NIKORA BARRETT	
	This piece of information –	
	MĀUI SOLOMON	
	It's the photograph –	
	NIKORA BARRETT	
	Came out of the book *Landmarks of* –	
	MAUI SOLOMON	
	Sorry matua, it's the very last page, page 40. It's a photograph that you've included of the –	
	NIKORA BARRETT	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Page, page 40?	
	MĀUI SOLOMON	
	– Mangakahu River area.	
	NIKORA BARRETT	
	Yes.	
	MĀUI SOLOMON	
	Yes.	
	NIKORA BARRETT	
	It shows how close the quarries here. And down here is the Mangakahu River. It shows how close the quarry is to the Mangakahu River and the quarry is here and this is the Mangakahu, the Mangakahu and down here is Otutewehi and Otutewehi is mentioned in this paper that came from the book *Landmarks of Tainui* and that's pages 38, page 39 and in the photo this is Otutewehi right here. Otutewehi is an island in the middle of the Mangakahu River. The Mangakahu flows around it. At one time it was the home of Te Kanawa Whatupango and he left it to Hari, Hari Maruru and this information. This land here is Rangitoto-Tūhua 66A3C and this land over here that's Otamakahi. So this sacred site is both bordered by our lands, Ngāti Hari lands.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	MĀUI SOLOMON	
	I think you can – I note you've skipped over paragraph 20, but that perhaps can be taken as – well no I think you should perhaps – you might want to point out to read that through for the benefit of the Tribunal.	
	NIKORA BARRETT	
	CONTINUES READING BOE #R009(B)(I) PARAGRAPH 20 "At a trustee meeting we held on 21st of March 1997 (pages 27 to 28, paragraph 7.6), we discussed the issue of gravel extraction from our traditional lands and resolved to make an application to the Waitangi Tribunal for compensation for the extraction of gravel.	
	MĀUI SOLOMON	
	Now continue at paragraph 22.	
	NIKORA BARRETT	
	"I'm also aware that much of the land in Rangitoto-Tūhua 66A3 Block (originally over 5000 acres) was given over to soldiers returning from the war.	
	MĀUI SOLOMON	
	Now Nikora if you can return to your main brief of evidence	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	and continue from paragraph 13.	
	NIKORA BARRETT	
	CONTINUES READING BOE #R009(b) PARAGRAPH 13 "We also are concerned about a stretch of a paper road that passes over the block (Rangitoto-Tūhua 66A3C).Originally 20 acres of land was taken for the road in 1934 under the Land Act (1924) and again under the Public Works Act in 1962 for the road. We have not ever heard of any compensation being paid."	
	MĀUI SOLOMON	
	Right, now the paragraph 14, you've already talked about the importance of Otutewehi Pā. So resume at over the page at paragraph 15.	
	NIKORA BARRETT	
	CONTINUES READING BOE #R009(b) PARAGRAPH 15 "The Rangitoto-Tūhua 52A1 Block is a small area of land on the edge of this inquiry district and is in the same area as the famous peace-making place of Te Horangapai. My uncle, Te Terenga (Terry) Turu, gave evidence about this land in the Wai 903 hearings even though this tiny block is in the Rohe Pōtae on the banks of the Taringamotu River, where it joins the Ōngarue River. The evidence was given in Wai 903 because of the association the block has to the sacred place of Horangapai but in terms of redress it is	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	important that we place these facts before you in this Inquiry. The land has been taken from family ownership for a gravel pit without compensation and is now used by the council, though it is in Crown ownership. There are also various other places along the Taringamotu River where the Crown has extracted gravel from out of the river." That place is named as the crusher. That's one place and I believe that land block is Rangitoto-Tūhua 2A1B. The name is Tihemarau Te Whakauruhanga land. My Koro Patty and Nanny Rihipari Barrett had a garden down the bottom on that same land who are from Ngāti Hari. "In the 1970s my grand uncle, Koro Dick Barrett, travelled to Uncle Terry's home in Auckland with a collection of papers relating to Rangitoto-Tūhua 52A1. These –"	
	MĀUI SOLOMON	
1010	If I could just interrupt you there Nikora. I think Your Honour all of those documents, perhaps rather than the witness reading them through it can be taken as read? They are all attached with the bundle and –	
	JUDGE AMBLER	
	Yes.	
	MĀUI SOLOMON	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	But there is perhaps one letter in that bundle – document I would like the witness to point out and if you go to document g on page 13 of the attachment #R009(a). For you Nikora that is the first bundle of documents and that's the letter from the Taumarunui County Council dated 1985 to the Commissioner of Crown Lands. Nikora, if you could – I will just get you to read a couple of paragraphs. The first two paragraphs, if you could just read those out please. Have you found that document?	
	NIKORA BARRETT	
	No, it's, "Dear Sir –	
	MĀUI SOLOMON	
	You can't. It's a bit small the print is it?	
	NIKORA BARRETT	
	Yes.	
	MĀUI SOLOMON	
	Can you read that?	
	NIKORA BARRETT	
	READS BRIEF OF EVIDENCE #R009(a) "Council addressed in action under the then noxious weeds	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	legislation to alienate an area of land from the Māori owners." Just to break in on that, there was a period of time that Ngāti Hari went along and supported our Whanganui cousins who were protesting at Morero the police station. And I was there, and one day I got approached by my Uncle George Barrett, who said to me, "Boy, you don't wanna be protesting over there. The place you want to be protesting is up at the dump, that's your land. Nanny Mihitiria, your nanny got that land taken off her for not spraying the black berry," and that's my Uncle George. One at the end, tēnā. Rest in peace Uncle George. Kei konei. We might get it back yet. **CONTINUES READS BRIEF OF EVIDENCE #R009(a)** "This land is now contained in CT 78/200. Before this was issued two areas of land were taken by proclamation 5049?"	
	MĀUI SOLOMON	
	Five.	
	NIKORA BARRETT	
	CONTINUES READS BRIEF OF EVIDENCE #R009(a) "…5045 for gravel pit."	
	MĀUI SOLOMON	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Okay. If I could just stop you there and just in the interest of time Your Honour, perhaps if I could ask the Tribunal just to read through the last four paragraphs on that page because the witness doesn't have his glasses.	
	NIKORA BARRETT	
	I've got glasses now.	
	MĀUI SOLOMON	
	You do have your glasses?	
	NIKORA BARRETT	
	I got my sisters.	
	JUDGE AMBLER	
	Well we can read that Mr Solomon –	
	MĀUI SOLOMON	
	Okay.	
	JUDGE AMBLER	
	– so you are drawing to our attention the last four paragraphs.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	MĀUI SOLOMON	
	Yes Sir, thank you.	
	NIKORA BARRETT	
	Carry on reading?	
	MĀUI SOLOMON	
	No the Tribunal will read those paragraphs themselves so we will just have a 10 second break.	
	JUDGE AMBLER	
	You can carry on reading your brief.	
	NIKORA BARRETT	
	Also, that Te Horangapai is part of a larger block that includes the dump, the cemetery, Taumarunui High School, the golf course, all the way down to the Mangakahikatoa Creek. There is Pei Jones, Koro Pei, he referred to that place not as Town and Gower or Hillcrest but Te Horangipai. Yes, that's e ai ki ngā kōrero.	
	MĀUI SOLOMON	
1014	All right. If I could just take you back to paragraph 18 of your main brief and if you continue from paragraph 18.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	NIKORA BARRETT	
	CONTINUES READING BRIEF OF EVIDENCE #R009(a) "The papers show that the land Rangitoto-Tūhua No 52A1 was taken from Mihiata Barrett in or around 1921 for a gravel pit. At that time it was a 12 acre block of which Mihiata was a shareholder. The original owner was Tia Huia Te Rore. Mihiata allowed the council to use part of the land for mining gravel in exchange for keeping weeds under control. They took two acres for the gravel pit and then later in the early 1950s, they applied to the Māori Land Court to have the remaining 10 acres vested in the Māori Trustee so it could be sold. The Land Court sold the land to Edward Thompson and today those 10 acres remain in private ownership. I have never heard any reference to payment or compensation." Shall I go on? **CONTINUES READING BRIEF OF EVIDENCE #R009(a)** "Remedies: We therefore request the Waitangi Tribunal to restore the mana of Ngāti Hari over our tribal lands still held by the Crown in the Rohe Pōtae, and to pay compensation for lands which have been sold into private ownership. Ngāti Hari also seek: a. Recognition of tribal interest over waterways, minerals, waters and ground-waters, other resources. b. Return lands held by Department of Conservation,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Hikurangi and Tūhua. c. Return of the quarry lands at Rangitoto-Tūhua 52A1. d. Compensation for metal extraction from Ngāti Hari tribal lands. e. Compensation for the Frasers, the gravel pit. f. Compensation for use of paper road at Rangitoto-Tūhua 66A3C. g. Apology and for monetary reparation for all rates arrears for lands owned by Ngāti Hari people within the last century. Dated the 17th day of March 2014."	
	MĀUI SOLOMON	
	Kia ora. Thank you, Nikora. Can you remain there and answer any questions from the Crown and the Tribunal.	
	GEOFFREY MELVIN	
	Tēnā koe Mr Barrett.	
	NIKORA BARRETT	
	Tēnā koe, e koro.	
	GEOFFREY MELVIN	
	It is Mr Melvin here for the Crown. I have one –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	NIKORA BARRETT	
	Well, that's who you fellows are.	
	GEOFFREY MELVIN	
	Just us two. Ms Williams and me. I have one question to put to you today and we may file some written questions based on the additional information you have filed. But really a question of clarification arising out of paragraph 7 where you talk about being told by the Kīngitanga to go and hide from the authorities to avoid conscription and you say that this was in the period of the Second World War, but do you mean the Second World War or do you mean the First World War?	
	NIKORA BARRETT	
	I mean one of those wars in history where conscription was happening.	
	GEOFFREY MELVIN	
	Well I think you therefore mean the First World War –	
	NIKORA BARRETT	
	The First World.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	– because that is when conscription occurred.	
	NIKORA BARRETT	
	Yes. The First World War.	
	GEOFFREY MELVIN	
	There was no conscription with the Second World War.	
	NIKORA BARRETT	
	Yes, it was after the confiscation of the Waikato lands that the Kīngitanga would not support wars overseas and reply told our people to go and hide in the bush.	
	GEOFFREY MELVIN	
	Kia ora. Thank you.	
	JUDGE AMBLER	
	No other counsel?	
	DR AROHA HARRIS	
	Kia ora.	
	NIKORA BARRETT	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Kia ora whaea.	
	DR AROHA HARRIS	
1020	I have just got a couple of questions. The first is the block I think it's Rangitoto-Tūhua 66A 3B, the block that the Fraser's are leasing. Do you know – are they just farming that or are they – what activities –	
	NIKORA BARRETT	
	Yes.	
	DR AROHA HARRIS	
	So it's farming.	
	NIKORA BARRETT	
	They're farming.	
	DR AROHA HARRIS	
	Okay.	
	NIKORA BARRETT	
	Well last I saw they were farming it, and the Fraser family always had a dispute with us about the family Tahana, Hari Tahana and others, that the owners to that block came from Ōtorohanga but we always replied – our reply was that those	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	owners from Ōtorohanga are our cousins. They are our Ngāti Urunumia cousins and while they're up in Ōtorohanga, we are on the land down here in the Taumarunui area.	
	DR AROHA HARRIS	
	So does that mean you've tried to be in discussion with the Frasers on some – maybe on the quarrying or some other aspects of their activity? Have you tried to negotiate with them or something? Why you were getting into a dispute with them or a debate with them	
	NIKORA BARRETT	
	We took them to the – we opposed them for the application –	
	DR AROHA HARRIS	
	Oh okay so –	
	NIKORA BARRETT	
	– to extract the metal –	
	DR AROHA HARRIS	
	So it was just, yeah –	
	NIKORA BARRETT	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	– to carry on the quarrying.	
	DR AROHA HARRIS	
	Okay thank you. And the other question was the photo you showed us of the Mangakahu River, the last image in your second bundle of documents.	
	NIKORA BARRETT	
	Yeah page 40.	
	DR AROHA HARRIS	
	It's come off some other report is that right?	
	NIKORA BARRETT	
	It came out of a photo that I took.	
	DR AROHA HARRIS	
	So you took the photo?	
	NIKORA BARRETT	
	Yeah. A lot of these photos I've taken them myself on the day of the application for resource consent.	
	DR AROHA HARRIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Oh okay, so –	
	NIKORA BARRETT	
	We had a meeting with the Fraser family at Hiakaitupeka. They took us on a site visit. We took photos and a lot of these photos were photos of the day.	
	DR AROHA HARRIS	
	So there'll be a larger file to do with that particular resource consent?	
	NIKORA BARRETT	
	Yes.	
	DR AROHA HARRIS	
	Okay.	
	NIKORA BARRETT	
	With the RDC.	
	DR AROHA HARRIS	
	Yeah, that's what I was after. Thank you.	
	PROFESSOR POU TEMARA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Tēnā koe, anei au.	
	NIKORA BARRETT	
	Tēnā koe e koro.	
	PROFESSOR POU TEMARA	
	I saw your koroua Tiki Pāreti. Pai tērā tangata ki te kōrero.	Whaikōrero man.
	Now you talk about Tūhua being denuded of trees. My question is, he wahine a Tūhua, he tāne rānei?	Is Tūhua a man or a woman?
	NIKORA BARRETT	
	He tangata.	
	PROFESSOR POU TEMARA	
	He māhanga. Ā, māu tērā e whakaaro. You think about that one, because it has a bearing on your plans.	He was a person.
	NIKORA BARRETT	
	Āe.	
	PROFESSOR POU TEMARA	
	Tō be denuded.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Mēnā he wahine koe, to be denuded –	
	NIKORA BARRETT	
	Āe.	
	PROFESSOR POU TEMARA	
	– is a lot more serious, than being denuded as a person, as a man.	
	NIKORA BARRETT	
	Kei te tautoko tērā kōrero.	
	PROFESSOR POU TEMARA	
	All right okay. You think about that one. What's a jaybird?	
	NIKORA BARRETT	
	He momo manu.	A kind of bird, species of bird.
	PROFESSOR POU TEMARA	
	So probably has no feathers no.	
	NIKORA BARRETT	
	Āe.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PROFESSOR POU TEMARA	
	Yeah. I don't know. I haven't seen one of those kinds of birds.	
	NIKORA BARRETT	
	Ngā Whaea, Veronica Canterbury –	It's Veronica, our aunties used to say that quite a bit.
	PROFESSOR POU TEMARA	
	Yes, āe,	
	NIKORA BARRETT	
	– tērā kupu –	
	PROFESSOR POU TEMARA	
	Right.	
	NIKORA BARRETT	
	– tērā kōrero.	
	PROFESSOR POU TEMARA	
	Ka pai. In the same paragraph you talk about hearing that gold is going to be prospected for at Tūhua.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	NIKORA BARRETT	
	Āe.	
	PROFESSOR POU TEMARA	
	You know that for sure or where did you hear this?	
	NIKORA BARRETT	
	Oh well, it's been going around through the networks, a follow on. Over the times, there has always been gold prospecting happening in our area, and one time my koro and a couple of his – they went up searching for the gold, and one had to ride a white horse.	
1025	One had to ride a red horse and they were looking for the gold, but the gold that they were looking for was the gold of the heart.	
	PROFESSOR POU TEMARA	
	Okay.	
	NIKORA BARRETT	
	It was a spiritual gold.	
	PROFESSOR POU TEMARA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ka pai. All right. That's all I have. Tēnā koe, Nikora.	
	NIKORA BARRETT	
	Kia ora.	
	JUDGE AMBLER	
	Tēnā koe te rangatira. I have been waiting for you to give evidence because I recall you raised this kaupapa at least twice in the kōrero tuku iho. So it has obviously been a burden for you. I just want to clarify some aspects of your addendum brief. This is #R009(b)(1), and if – can we have the image up of that shows the title, the titles 66A 3C? Yes. So, on the south eastern side we have 66A 3B, which is still in Maori ownership, that is right?	
	NIKORA BARRETT	
	Āe.	
	JUDGE AMBLER	
	And then on the north western side we have 66A 3C, which is still in Maori ownership and you were –	
	NIKORA BARRETT	
	Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	And you were a trustee and your sister –	
	NIKORA BARRETT	
	Yes.	
	JUDGE AMBLER	
	Is now a trustee of that block, and then in the middle we have this piece that was cut out and sold off. I think you have worked it out in the 1930s? That is right?	
	NIKORA BARRETT	
	Yes.	
	JUDGE AMBLER	
	Nineteen – yes, 12 December 1933, and what I am curious about is why there was so much interest in that middle piece of land, and I see from the material you have put in, paragraph 18 of this statement, there is a 1917 lease of land to Ida Baldwin. This is to extract metal. Do you see that?	
	NIKORA BARRETT	
	Yes. The land was under the administration of Waikato-Maniapoto Māori Land Board.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Yes. But, that was to extract metal from the river, beside the river? That is not the – that is not a reference to the actual quarry site? Is that your understanding?	
	NIKORA BARRETT	
	Āe.	
	JUDGE AMBLER	
	I am just asking you if you have worked that out from the documents?	
	NIKORA BARRETT	
	Oh yeah, land adjacent to the Mangakahu Stream. That consent – that consent was given and the metal extraction is still continuing today.	
	JUDGE AMBLER	
	Yes, but the area that was leased in 1917, do you know if that was the quarry site or another part of that middle block?	
	NIKORA BARRETT	
	I believe it was this site here. That's what I believe.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Yes. It is a little hard to work out from the documents because the document at page 24 of the title refers to a lease of Lot 2, on Plan 11629 and 11630, but I do not know if Lot 2, is the same as the Lot 2 that you have got up there. Anyway, leaving that to one side, whether it was the river or the quarry, what is the particular attraction of that middle piece of land that the land board sold in 1933?	
	NIKORA BARRETT	
	If you, if you quarry in this area next to the Mangakahu Stream, the Mangakahu Stream is still 50 metres down. It wouldn't really be in the stream.	
	JUDGE AMBLER	
	So do you think that people had identified by 1917 that there was a significant seam of rock fall for quarrying?	
	NIKORA BARRETT	
	Yes.	
	JUDGE AMBLER	
1030	Now, can I just be clear, Otutewehi Pā is in fact a quite separate area from the quarry?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	NIKORA BARRETT	
	Yes.	
	JUDGE AMBLER	
	Right.	
	NIKORA BARRETT	
	Yes it's – the quarry is still in close vicinity.	
	JUDGE AMBLER	
	Yes I realise it's in close vicinity but it's not actually quarrying Otutewehi Pā itself?	
	NIKORA BARRETT	
	No.	
	JUDGE AMBLER	
	No all right. And as far as Otutewehi Pā is concerned and the ahu whenua trust is concerned, that's protected by that trust.	
	NIKORA BARRETT	
	Well maybe Raukura ki –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Well can I ask it this way, the rest of the land is leased out but the lessees are not able to touch Otutewehi is that right? Raukura can you answer that?	
	NIKORA BARRETT	
	Everybody goes on top of there, but no one actually harvest it. Even though we own both sides of the Mangakahu River, Otamakahi here and Rangitoto-Tūhua 66A3C here. But it sits on a island and the island is no good to get in there.	
	JUDGE AMBLER	
	Yes.	
	NIKORA BARRETT	
	It's – that's one of the reasons why Otutewehi was there, because it's got boulders all around it.	
	JUDGE AMBLER	
	So it's naturally protected by its formation?	
	NIKORA BARRETT	
	Yeah.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Right.	
	NIKORA BARRETT	
	And kaitiakitanga from the hapū.	
	RAUKURA TANGIHAERE	
	That kaitiakitanga that he's talking about, it's us, it's the trust.	
	JUDGE AMBLER	
	Yes I realise that, yes.	
	RAUKURA TANGIHAERE	
	From up the top down, right down all the way to the river, and that's where Otutewehi is, so it is part of the trust.	
	JUDGE AMBLER	
	Just, just finishing off then, in terms of that middle piece of land, have you managed to obtain any of the minutes of the land board in terms of what discussion was had about the sale?	
	NIKORA BARRETT	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	No.	
	JUDGE AMBLER	
	Ka pai, kua mārama. Ngā mihi ki a koe. Mr Solomon anything arising?	
	MĀUI SOLOMON	
	No Sir nothing arising.	
	JUDGE AMBLER	
	Kia ora.	
	MĀUI SOLOMON	
	Kia ora, thank you Nikora. You can now return to your seat in the whare. Ka pai.	
	NIKORA BARRETT	
	Nō reira, i mua o tērā ka mihi – ka tika ka mihi ki a koutou katoa mō tēnei hōnore ki te whakaatu, ki te hoatu te kōrero o ngā mātua tūpuna a koro mā, kui mā i mua i te aroaro. Mēnā ka mihi au ki a matua Terry, nāna i poipoia tēnei mahi hei oranga mō te hapū o Ngāti Hari, o ngāi tātou te iwi Māori i tēnei rā. Nō reira, tūturu whakamaua kia tina, tina, hui eee, tāiki eee.	Before I take my seat, I'd like to thank all of you for this honour to present and offer our stories and our evidence of the elders in your presence. And I acknowledge Terry who nurtured and nourished us through this ordeal, we of Ngti Hari and for the benefit of Māori as a whole.

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
10:33:38	**MŌTEATEA**	
	Pakipaki tū i te kei ō; I mahua au i te tīkawe; Tukutuku ana i te ia ki Operiki; Ka kite au i te Kōpua kānapanapa ki Waihiku rā; E Hōri e rangimatua kaua te haere te Ngaoniroa ki Matahiwi; O Karāti arā ka takoto rā i te maru ino; Tō reiti rā ko te waka o Tainui; Hei whakawhitiki kai kōura; He aha ai i kau aku mata ki te wairama; Nā te Pēhi e tia eee; Me whakahoki mai te makau ki au; Ka eke nei ki Tongariro; Me whirinaki ki Koinaki; Ki a Tamatoha ki te mēra; I hoki mai i te kaupuke; Ko Rangihaoa te wahine o oma ana; Ki te hāpai pū ka tataki nei, ka wheo; Ko tahi te manu o te tau; He pīpīwharauroa;	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Kūī, kui, whitiwhiti ora.	
	NIKORA BARRETT	
	Nō reira, kia ea ai ngā kupu kōrero o rātou mā, ka piti hono, tātai hono. Ko rātou te hunga mate, haere atu ki a rātou te hunga mate. Ka piti hono, tātai hono, ko tātou nei te hunga ora ki a tātou. Tēnā koutou, tēnā koutou, tēnā koutou katoa.	... may we the living congregate amongst ourselves. Thank you all very much.
	DANIEL ORMSBY	
	Hey whānau, there is a green Mitsubishi Pajero with the lights on outside and –	
	TE KANI WILLIAMS	
	Kia ora Sir. I think I'm next cab off the rink. Sir I have filed some submissions on the record. They are documents #3.2.67. I have – sorry, #3.4.067. There are hard copies available if the Tribunal and all staff require. My friend Ms Peters will be handing those out before I commence at some stage.	
	JUDGE AMBLER	
	You commence and we will catch up.	
	TE KANI WILLIAMS	
	Yes, thank you Sir.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	READS OPENING SUBMISSIONS #3.4.067 "Sir these submissions are filed on behalf of the Wai 987 claim for and on behalf of Ngāti Hari, a second claim of Ngāti Hari and the claimants in this particular are Mr Tūwhāngai and Mr Wayne Haupapa, who you'll also hear from today. The evidence to be presented on behalf of this claim which we hope won't be lost in the conveyor belt of claims before you, focuses squarely upon the actions and inactions of the Crown that have caused this hapū loss, this hapū prejudice within this Inquiry District. The claimant's rohe involves the contested area between Maniapoto and Whanganui. Hence the evidence includes discussion about Te Horangapai –" And I interpolate here, which is in the Ōhura South Block and as Mr Boast realised yesterday, the significance of it in his evidence I mean, submissions yesterday. **CONTINUES READING OPENING SUBMISSIONS #3.4.067** "Then the evidence moves to the interests which are focussed generally around the south-eastern region of the inquiry district." In the balance of the submissions in paragraphs 4 to 24, I set out the key facets of the Ngāti Hari claim which I won't go through. It should be no surprise that the focus of these – this claim relates to the actions of the Crown or in orchestrating the alienation of these people from their lands,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	whether by virtue of the Native Land Court and its operations or by implementation of the Public Works Act and similar, the preceding legislation all through the operation of subordinate bodies such as local government, which has left the hapū financially destitute and disconnected from their lands. Those lands the Rangitoto 2, 7, 21, 52, 55, 56, and 74 blocks and that will be the focus of the evidence which you will hear today. Again I'm interpolating still here Sir. In that regard I note that the Crown have conceded various matters such as those such as those which I have noted at paragraph 11 of the submissions where they have conceded that its failure to protect tribal structures through the individualisation of Māori land tenure was a breach of the treat. And then at paragraph 15, where I note that the Crown have conceded that within the Rangitoto-Tūhua Block, hapū have had to give up unreasonably large amounts of land to pay for survey costs and that the Crown's failure to protect the hapū from this breach, has breached Te Tiriti and its principals.	
1040	I also say at paragraph 19 that the Crown have conceded that a number of owners in the Rangitoto-Tūhua Block never received compensation for land that the Crown took for the construction of the North Island Main Trunk Railway and that unless the land was gifted to the Crown the failure to pay compensation was a breach.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	However, it's clear that unless the claimants establish a direct causal link to their lost lands then there are – there is little – sorry, then those concessions are nothing more than a general concession which does little to address the specific claimants' loss. Therefore, it's my submission that this Tribunal must establish whether or not the evidence led by the claimants, by historians and by the Crown is sufficient to establish that there is a direct causal link between the Crown's actions and inactions that have caused loss to this hapū. If that does exist, then in my submission this Tribunal must make recommendations that the claimants can actually utilise and rely upon and not leave them to the vagaries of the negotiation process dominated and orchestrated by the Crown. Just on the jurisdictional issue, Sir, I note your discussion with Mr Boast yesterday.	
	JUDGE AMBLER	
	Yes sorry, where – I've lost you in the brief?	
	TE KANI WILLIAMS	
	That's because I'm interpolating all over the place.	
	JUDGE AMBLER	
	You're still interpolating?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	TE KANI WILLIAMS	
	Yes Sir.	
	JUDGE AMBLER	
	Right.	
	TE KANI WILLIAMS	
	I've probably departed completely from my written submission which I've filed with you Sir. So I'll continue. Just on the jurisdictional issue that you had discussed with Mr Boast yesterday and this focused on the issue of the boundaries. I submit that it's – in my view that the issues surrounding the boundaries should be take with some care. The reason for that is that within this inquiry district we need to have certainty about the specific region that any recommendations which you and this Tribunal might make would apply. It is only within that particular specific region that we are going to be able to rely on those recommendations for anything further by way of binding recommendation if that is sought. So that's a matter which I think some caution must be exercised. In that –	
	JUDGE AMBLER	
	What does that mean in the context of what I discussed with	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Professor Boast?	
	TE KANI WILLIAMS	
	Mr Boast was discussing the Ōhura South Block which is outside of this inquiry boundary and was concerned as to how that particular block might be addressed by this particular inquiry given that it was focused in the Whanganui inquiry district. My point is really Sir that if you make a recommendation it must be able to be relied upon with this inquiry district and must apply to this inquiry district. If a block such as Ōhura South is outside it then perhaps from a general principle if this Tribunal says the Compact applies within this inquiry district and also applies to this region if it involves the Ōhura South Block perhaps from a general perspective a recommendation could be made to say it also applies there, however, it is for that Tribunal to determine whether or not there should be remedy provided in respect of that issue. So, therefore Sir, I'm turning now back to the written submission and to paragraph 25. Ngāti Hari have one witness presenting evidence in support of their claim, this claim today and that is from Mr Tūwhāngai. I again have also filed a summary but I didn't get a document number for that summary. It was filed late on Friday. But his evidence will provide hapū connections to the land within the rohe; the impact of the Native Land Court and focusing particularly on the relevant blocks within the Rangitoto-Tūhua, Maraetaua, Upper	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Mōkau and Ōhura areas; the loss of land in particular for survey costs and liens and so called Public Works upon Ngāti Hari. He will also address the impact of the Crown and local authorities activities on the resources in Ngāti Hari's rohe. In terms of his presentation, he will not read every paragraph of his summary, but will be reducing the key paragraphs and leaving out others. There is also a PowerPoint presentation to accompany it and I will ask Mr Tūwhāngai to pause and address you where applicable. There is some overlap with the evidence that you heard earlier from the other Ngāti Hari claim and that in particular involves the Rangitoto-Tūhua No. 52A1 Block but we will try and manage any overlap so you don't hear duplicating evidence on those issues, Sir. So if you have any – don't have any further questions I'll ask Mr Tūwhāngai to now present his summary evidence.	
	JUDGE AMBLER	
	Ka pai. I just want to make sure we've got the summary document.	
	TE KANI WILLIAMS	
	Okay, I actually had brought copies, hard copies with me as well Sir, however, I only have, yes, I only have four because people started pinching them once I got them down here. So I'll provide those to you now Sir.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	So just to be clear, we don't have an electronic copy as yet?	
	TE KANI WILLIAMS	
	(no audible answer 10:45:39)	
	THOMAS (TAME) TŪWHĀNGAI	
	Tēnā koutou anō. May it please the Tribunal. **READS SUMMARY DOCUMENT #R020(c)**	
	"Ko Hikurangi te maunga Ko Taringamotu te awa Ko Tainui te waka Ko Ngāti Maniapoto te iwi Ko Ngāti Hari te hapū Ko Hiakaitupeka te marae A, tēnā koutou	Hikurangi is the mountain Taringamotu is the river Tainui is the waka Ngāti Maniapoto is the iwi Ngāti Hari is the hapū Hiakaitupeka is the marae I greet you.
	Mr Wayne Houpapa and I are the claimants in the Wai 987, a claim before this Tribunal, and I am presenting this evidence for and on behalf of our hapū of Ngāti Hari. I have previously provided evidence to this Tribunal today and historically, which I won't go through again or repeat. Ngāti Hari mana whenua, mana tangata and our links to the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	whenua here within the Rohe Pōtae Inquiry stem from Hikurangi te Maunga and Taringamotu te Awa, our whakapapa links through Maniapoto te Iwi, the importance of Te Horangapae te whenua and our ahi kā at Hiakaitupeka te marae."	
	TE KANI WILLIAMS	
	Could I just ask you to pause there Mr Tūwhāngai. There's a Google map which I'm hoping our – there it is. Mr Tūwhāngai would you just address that particular map please once we have the correct one. Kia ora.	
	THOMAS (TAME) TŪWHĀNGAI	
	And Sir, this is the area that we consider our rohe.	
	JUDGE AMBLER	
	Can we just – can that just be brought up showing the actual Rangitoto-Tūhua Block names?	
	THOMAS (TAME) TŪWHĀNGAI	
	If you want to I could name them.	
	JUDGE AMBLER	
	Do you have the pointer?	
	THOMAS (TAME) TŪWHĀNGAI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes. 55 Aouru Block. 52 Rangitoto-Tūhua 52 Hikurangi Block. The Crown portion which was taken for railway takings which was a survey block. Rangitoto-Tūhua 56, Rangitoto-Tūhua 74 Te Uranga Block and the Rangitoto-Tūhua number 7 Papa, what we call Papawaka of the Ngākaunui Block and the Pukuweka Block, the Rangitoto-Tūhua No. 8 Block which is called Papawaka and Rangitoto-Tūhua No.1 Orangitehi.	
	TE KANI WILLIAMS	
	Kia ora Mr Tūwhāngai, please continue.	
	CONTINUES READING #R020(c) FROM PARAGRAPH 4 "Today I will focus on just a few of the blocks of the key importance to Ngāti Hari. That is not to say that we do not maintain our customary interests to the other blocks within our rohe, merely that this evidence is designed to be focused on just a few of those by way the of example of the benefit of this Tribunal.	
1050	By way of background Hari was a descendent of Urunumia and his kinship group was Ngāti Urunumia of Ngāti Maniapoto. While Hari was considered a Ngāti Urunumia leader it is from him that Ngāti Hari descends. Hari was a warrior chief who was dedicated to the fighting arts of Tūmatauenga. He lived by the taiaha and died by the taiaha. He is also known to have participated in some significant conflicts which I set out in my main brief but	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	won't go through them at this time. Hari was eventually killed at Te Karekare, a pā on the west bank of the Whanganui River near Te Maire but peace was made at Horongopai in the early 1800's between Ngāti Hari/Urunumia and both Ngāti Hauā and Ngāti Rangatahi at Ōhura South, Taringamotu. Then followed a series of intermarriages which resulted in Hari's son, Korotā II marrying the daughter of Ngārara Moerua and being gifted Hikurangi maunga. In paragraphs 11 and 18 I will outline some of the pakanga our people had at Puketui, Maraetaua and at Papawaka and at Whakatimutimu." Can we please go to paragraph 18? **CONTINUES READING #R020(c)** "The point of this historical analysis building up to the year 1840 is to outline for the Tribunal our Ngāti Hari connections to the whenua. It shows that our connections stem from Maraetaua through the South Eastern Rangitoto Tūhua blocks, Horongopai (Ōhura South), Taringamotu, Upper Mōkau blocks and some of the neighbouring blocks to those mentioned. **Post 1840** In 1840 a copy of the Treaty was signed by the Ngāti Urunumia chief; Haupokia Te Pakaru on the 21st May and on the 15th of June 1840 Taonui Hīkaka chief of Ngāti Rora also signed	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	After the Treaty was signed a time of peace and prosperity prevailed over our people and intertribal war was a thing of the past. The land was producing all different kinds of items for consumption and for trade. With the influx of more produce, many orchards sprang up around Kāinga and the old fortified pā sites came into disuse. Around 1850-60 our people supported the Māori King movement in a sense. Our iwi considered that it was in the best interest of our people to promote the 3 founding principles (a) Unity amongst all the tribes of New Zealand. (b) Tō halt the alienation of land at a time of rapid population growth by European colonists. (c) Tō prevent fighting and bloodshed amongst the tribes. Around 1860-1870 and throughout the land wars our people of Ngāti Hari did the best as could be done to stay on their lands. Many refugees suffering from the Crowns purging like Tangāhoe of Taranaki came to these lands, sections of Ngāti Apakura, many Ngāti Urunumia came again and Te Kōti and his Te Whakarau who stayed at Papawaka pā which you visited on Sunday. It was around this time all of Ngāti Hari took on the teachings of the High Priests of Io matua kore which I spoke about yesterday and I won't go there again. Kia ora. Can I go to paragraph 26 please? The point is around the 20th Century the full impact of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Crown legislative power through its various acts and omissions ripped our rights away, our taonga, and any possible future developments or opportunities guaranteed under the Treaty. I think we have been treated poorly, not in the nature of a true partnership but as an obstruction for total institutionalized colonization. **Rohe Overview"** Map 1 please.	
	TE KANI WILLIAMS	
	It's from the PowerPoint presentation please.	
	THOMAS (TAME) TŪWHĀNGAI	
	CONTINUES TŌ READ BRIEF OF EVIDENCE #R020(c) We define our rohe as described by the physical features of Taringamotu and Ōngarue rivers and the Hikurangi and Tūhua maunga. Map 2 please. I also stressed that trade in the Lower Mōkau region for our hapū was crucial. Some of the most common commodities were fish and papa huahua. The important point is that many of our people still go to these areas and others such as Ariā Mokauiti to maintain the activities such as eeling, practised by our tūpuna.	
	TE KANI WILLIAMS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Mr Tūwhāngai, could I just get you to address the map that's up there at the moment please?	
	THOMAS (TAME) TŪWHĀNGAI	
	Just for the Tribunal's information I have marked out all mostly where Ngāti Urunumia and Ngāti Hari people, all the pā sites stretching right back to Te Arapae pā towards Piopio and to Tarawanui pā towards south of Te Kūiti. And this is an exercise which I have always been passionate about, about all of our pā sites which are all sacred, especially to our hapū's that belong to these pā sites. **CONTINUES TŌ READ BRIEF OF EVIDENCE #R020(c)** "In addition our people of Ngāti Hari, as ardent supporters of the Kīngitanga were actively involved in watching and protecting the aukati for intrusion by Europeans into the southern border line of the aukati line of Te Rohe Pōtae. However because of our support for the Kīngitanga, our people, at times boycotted the Native Land Court hearings. However, the Native Land Court and this had a direct and detrimental effect upon our people and our lands. Of key significance to us is our maunga Hikurangi which is in the Rangitoto-Tūhua No. 52 Block.	
	TE KANI WILLIAMS	
	Just pause there Mr Tūwhāngai, could we have map 2 from the PowerPoint presentation please.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	THOMAS (TAME) TŪWHĀNGAI	
	CONTINUES TŌ READ BRIEF OF EVIDENCE #R020(c) "Hikurangi forever looks back to the whānau, Te Kāhui Maunga. I am speaking about the Maunga itself which is situated on Rangitoto-Tūhua 52. However, this along with many of our other lands, were lost to the Crown. There has been a systematic dismantling of our people from their lands which has resulted in a separation of our kaitiaki role to our spiritual taonga Mt Hikurangi and its forests. **The Rangitoto Tūhua No.2 and No.7** The Rangitoto Tūhua No. 2 Block is commonly referred to as the Pukuweka Block and the Rangitoto-Tūhua No. 7 Block is known as the Ngakonui Block. In my view, it is important to repeat the evidence of people like Hakaiaha Tāwhiao which I have set out below and I won't repeat about it again.	
	TE KANI WILLIAMS	
	Sir I am mindful of the time, perhaps that might be a good place to stop?	
	JUDGE AMBLER	
	Ka pai, yes. We will return at 11:20. Kia ora.	
	THOMAS (TAME) TŪWHĀNGAI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Kia ora.	
	HEARING ADJOURNS: 11.00 AM	
	HEARING RESUMES: 11.22 AM	
	JUDGE AMBLER	
	A, kia ora tātou.	
	THOMAS (TAME) TŪWHĀNGAI	
	Ā kia ora Your Honour. Just with this map here and it's just showing some of our kāinga over here. We have Hawaiki, an old Hawaiki kāinga on the Rangitoto-Tūhua Pukuweka Block and Te Kōpani, an old whare which was built for the Kīngitanga. And even though it's not mapped here, Hiakaitupeka is on Ōhura South A Block, the marae which is situated about here. Kia ora. **CONTINUES READING BRIEF OF EVIDENCE #R020(c)** "There were key sites for our Ngāti Hari people within the Pukuweka Block such as Pakingahau Hill, which was situated close to the Ngakonui Stream and was known as a bird snaring area. It was here that the High Priestess, Hinekiore of the Tāhere Manu, would open the seasonal catch. This ceased upon the imposition of the Native Land Court process as the land was not held or controlled by our	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	people." And just to refer to Hinekiore, she was the mother of Puhiwahine. **CONTINUES READING BRIEF OF EVIDENCE #R020(c)** "Further, we lost our mahinga kai grounds and kāinga site, Hawaiki, and we suffered the total removal of our Kīngtitanga marae Te Kōpani which was dismantled in the 1900s. Hawaiki is situated approximately 200 metres before you arrive at the Te Kōpani Marae site which is beside the Taringamotu River. With the loss of these key areas, the impact was that our food sources became restricted and through deforestation there was a considerable prejudice to our environmental resources. The loss of our mahinga kai grounds and bird snaring areas was extremely detrimental to our people. If this wasn't enough, from 1895 we lost more of our Rangitoto-Tūhua No. 2 Block for survey liens." Could you please go to paragraph 43. **CONTINUES READING BRIEF OF EVIDENCE #R020(c)** "Within the Rangitoto-Tūhua No. 7 Block is Papawaka, where Ngāti Hari practised the tenets of Pai Mārire and Pao Mīere. Niu poles were erected and located at Papawaka adjacent to the Ngakonui Stream and it was here, it was there that our people provided refuge and protection to Te Kooti from the Crown. Te Kooti fought alongside Peita Kōtuku, formerly known as Kōtuku Aperahama, who was born beside the Taringamotu River in 1839. He is the eldest	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	son of Tupukaheke Te Naku of Ngāti Hari and they fought together at Ōrākau. It was also there that our people, under the direction of Haupokia Te Pakaru, constructed the Pā Tangata as a last bastion against a well armed Ngā Puhi army. However, with the Rangitoto-Tūhua No. 7 Block, Ngakonui, which is comprised 96 acres, in the period from 1848 to 1949, just under 75 of the 96 acre block had been alienated predominantly for survey charges to private ownership. Ultimately, we have become completely disconnected from these lands, our lands, and in particular alienated from our Kīngtitanga marae which was a rallying point for our people. We also suffered as a result of the loss of our lands the removal of our tūpāpaku from our urupā at Hiakaitupeka." Rangitoto-Tūhua No. 21, No.51, No. 52, No 55 and No. 56 Blocks, please Robert. **CONTINUES READING BRIEF OF EVIDENCE #R020(c)** "Within the Rangitoto-Tūhua No. 21 Block were two important sites for Ngāti Hari. The first is Tūhua maunga. Tūhua maunga is the unification of the human body with landscape features as rendered in magnificent form by the 19th Century Ngāti Tūwharetoa leader, Te Heuheu Mananui, who made the following statement when he rejected signing the 1840 Treaty of Waitangi." I set this out below. I won't read it over. Could you please go to paragraph 48?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	CONTINUES READING BRIEF OF EVIDENCE #R020(c) "The second is an old kāinga called Ngairo kāinga. It is an old name that comes from Kāwhia and relates to when the Tainui waka was exploring the West Coast and Hoturoa and Rakataura set up a number of tūāhu. The tohunga of Tainui waka was Rakataura and he set up a tūāhu called Ngairo between Raglan and Kāwhia and the name has stuck to this area. In 1908, when the Crown defined its interests in the block comprising 2,948 acres, that was the first and substantial alienation of our land from the Rangitoto-Tūhua No. 21 Block of 7,157 acres. The impacts on the block became more prejudicial when the Crown took the Rangitoto-Tūhua No. 51 Block for survey liens and some of our relations from Ngāti Huru were eventually pushed down into what was left of the Rangitoto-Tūhua No. 21 Block. These days, there is very little Māori land left within the Rangitoto-Tūhua No. 21 Block."	
	TE KANI WILLIAMS	
	Could you just address the map that is up there at the moment please Mr Tūwhāngai?	
	THOMAS (TAME) TŪWHĀNGAI	
	Just so you – this is the only one which has Māori administration upon it. The other three blocks which are all	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	landlocked have no administration but is still multiply owned by a lot of our whānau, and just to let you know, most of the land here is owned by the Fraser family. **CONTINUES READING BRIEF OF EVIDENCE #R020(c)** "In order to pay the survey charges on our lands, the Crown undertook a practice of cutting out sale blocks to pay those survey charges. This occurred in the Rangitoto-Tūhua No.21 Block where 3,000 acres was cut out of the Rangitoto-Tūhua No. 21 Block for sale. This was on top of the cutting out of a sale block from the original Rangitoto-Tūhua No. 56 Block of 2,000 acres from the 9,000 acre block."	
1130	Could you please go to paragraph 53? **CONTINUES READING BRIEF OF EVIDENCE #R020(c)** "There was also further alienation through the gazetting of land within the Rangitoto Tūhua No. 52 Block for roading and quarries. We are unaware of any compensation having been paid to our people of Ngāti Hari for these alienations. Our people have never received any compensation from the Crown for the lands that we have lost for the North Island Main Trunk Railway Line despite it cutting through our rohe, our whenua, our kāinga, our mahinga kai."	
	TE KANI WILLIAMS	
	Mr Tūwhāngai could you also just address the map which is up there too please?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	THOMAS (TAME) TŪWHĀNGAI	
	As you can see this is the Rangitoto-Tūhua 55 Block, which the railway runs through and also through here, the Rangitoto-Tūhua 52 which also where the railways goes to, and the piece that's missing in here was the Rangitoto-Tūhua 56, taken for survey liens for Rangitoto-Tūhua 52. **CONTINUES READING BRIEF OF EVIDENCE #R020(c)** "Finally, to add insult to injury, the Taumarunui County Council effectively confiscated the Rangitoto-Tūhua 52A1 Block which at that time was multiply owned Māori land. It was taken by the council pursuant to the Noxious Weeds Act 1950 as I understand that they needed some land to place a building on it for one of their supervisors to live in. This block of land is near Horangapai. In Appendix 2 to the Luiten report she identifies in relation to Rangitoto Tūhua 52A1 that the ground of the application to the Court is noted as "Unoccupied/Noxious Weeds" and the contemporary on the evidence – commentary on the evidence led to – in the Court is Andrew: looks like the fag end after partition. Land should be sold. Order made-unless any person interested has meeting called for purpose of sale. It is suggested that this land be sold."	
	TE KANI WILLIAMS	
	Could I just have the next picture up please?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	THOMAS (TAME) TŪWHĀNGAI	
	This is where the Taringamotu River comes around and then exists out to the Ōngarue River. This block here was taken by the Taumarunui County Council. A house was built there for a Mr Hunter, father of the hunter brothers of dragon, and they built the house there. This piece, little piece here, I am still in the thought that it's still under the Ruapehu District Council. This piece here is actually in private ownership now.	
	JUDGE AMBLER	
	And just to be clear, that's the road going through?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes that's right.	
	JUDGE AMBLER	
	And that's the bridge that crosses the river?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes, it's just over here.	
	JUDGE AMBLER	
	And just to the south is the monument to do with Tāwhiao?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	THOMAS (TAME) TŪWHĀNGAI	
	Yes over here, and this is the part we call – also call Orangapai and over here is the dump.	
	JUDGE AMBLER	
	Thank you.	
	THOMAS (TAME) TŪWHĀNGAI	
	CONTINUES READING BRIEF OF EVIDENCE #R020(c) "There is no real suggestion from this commentary that there are any noxious weed issues at all. " And I just like to reiterate, when I went down there in the early 1982, it was still filled up with blackberry and Himalayan what do you call , Himalayan – well it's a type of weed, but it was still filled there, and it's only been lately since the 1990s that it has been clean. **CONTINUES READING BRIEF OF EVIDENCE #R020(c)** "Then in or about May 1967, pursuant to section 35 of the Public Works Act 1928 the Minister of Works declared the land to be Crown Land. As a result, the Crown issued a gazette notice declaring the Rangitoto-Tūhua 52A1 Block (and others) to be Crown Land subject to the Land Act 1948 from the 10th of July 1967."	
	TE KANI WILLIAMS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
1135	Could I just have the last map up now please?	
	THOMAS (TAME) TŪWHĀNGAI	
	And as you can, the Taringamotu River comes here and out here and this is the bridge that flows into the Ōngarue. Like I said, this is probably still under Ruapehu District Council and as I said this whole area now is in private ownership. I would suspect – I'm just only – the top of my head, this is probably leased to the neighbouring property here. This piece here.	
	CONTINUES READING #R020(c) FROM PARAGRAPH 61 **"Te Uranga** The Rangitoto Tūhua No. 74 is also commonly known as Te Uranga Block. It is on Te Uranga Block that some of our people who perished at Rangiaowhia were buried at the urupā on this block." I just want to state there, there's people who actually came from Rangiaowhia. When they perished means that they perished there and were brought there, okay, and that is in terms of Ngāti Apakura, some of the refugees that came to this area. "Once again, in Te Uranga Block, the earliest alienation in 1906 was in favour of the Crown of some 1226 acres of land. Then in 1932, then 1938 the Crown took further land totalling 681 acres of land from this block. Now, according to Berghan, all that remains of Māori land is 1 acre 3 roods and 2 perches.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Conclusion There has been a substantial loss of land, resources and revenue for my tribe, Ngāti Maniapoto, particularly in Court costs covering roughly a period of 20 years. This is largely due in my view to the incompetence of the Native Land Court in handling the title investigations. What our people have seen is the Crown's deliberate breaking up of our tribal structures through the imposition of its Native Land Court process on our land and on our mountains, our gifted taonga from the Chief Ngarue and the effects that has had on our hapū, Ngāti Hari the guardians of our taonga. Ultimately this has meant that our people have suffered grievous harm as a result of land loss, loss of the exercise of our rangatiratanga and loss of the exercise of our kaitiakitanga over our resources and our lands. For example, Ngāti Hari are the kaitiaki of the whole of the Taringamotu valley. However, we have suffered the loss of our tribal taonga, the waters and aquatic life which sustained our tūpuna in their kāinga and the river bed which maintained an economic base supplying resources for sustenance and existence which were never sold or signed over to any local authorities or Crown agencies. The loss of the lake Ngarongohira, which was drained when the North Island main trunk line was constructed, all had a major and direct impact on our people," and just let me Lake Ngarongohira was the lake there we saw on submission but which is situated on the Ōhura South A Block. "The importance of Taringamotu is evident in the saying that	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Taringamotu are “the waters of my people of Ngāti Hari”. The point is that there been no protection of our hapū Ngāti Hari as we had expected from our Treaty partner. It is perhaps too idealistic to think that the Crown will return all of the lands that we have lost by virtue of their plundering in our lands, of our resources and of our people. What we do require is a real recognition of our kaitiakitanga, our rangatiratanga in respect of our land. That means full substantial representation on local body and local government departments. We also require full and direct engagement by the Crown with our hapū and not just through the wider iwi authorities, in order to receive and adhere to our advice regarding the kaitiakitanga of our resources. We require the provision of land upon which our people can return to our papakāinga lands to live, build and prosper as a community on our own lands. This does not have to be an extensive and full reinstatement of all lands lost but it must be a full and realistic opportunity for our people to survive on our own lands, and that will require not only the land but the waiving of rates in order for us to develop economically our land and the provision of economic resource either by money or suspensory loans in order to provide for an economic development future for our hapū. These are not unrealistic expectations. They are what was negotiated in te Tiriti and are what the Crown should be providing by way of a te Tiriti partner. The Wai 987 claimants’ main aim is for our people of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ngāti Hari to encompass a real partnership with the Crown especially with regard to our Hikurangi mountain." Kia ora.	
	TE KANI WILLIAMS	
	Kia ora Mr Tūwhāngai. Just before I hand you over to my friends for some questions, just a couple of further matters. You were here this morning and you heard the evidence of Mr Nikora Barrett presenting on behalf of the other Ngāti Hari claim, correct?	
	THOMAS (TAME) TŪWHĀNGAI	
	Correct.	
	TE KANI WILLIAMS	
	And you heard his evidence in relation to the Rangitoto-Tūhua 52A1 Block this morning?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes.	
	TE KANI WILLIAMS	
	And are the matters he expressed in his evidence consistent with your view about what occurred with the 52A1 Block?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	THOMAS (TAME) TŪWHĀNGAI	
	Totally.	
	TE KANI WILLIAMS	
	Kia ora. The second matter is in relation to Kōtuku Aperahama.	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes.	
	TE KANI WILLIAMS	
	You said his mother was from Te Urewera?	
	THOMAS (TAME) TŪWHĀNGAI	
	Tribunal.	
	TE KANI WILLIAMS	
	Can you tell me where from Te Urewera she was from?	
	THOMAS (TAME) TŪWHĀNGAI	
	All I know is that that's where she came from and that's where they actually returned to at that time and – but like our people, you know, from this way we – the people of Tūhoe not exactly but let me put this way; a lot of our people of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ngāti Hari are also shareholders over in the lands in lands like Te Manawa-o-Tūhoe. So many of our people in Ngāti Hari are Tūhoe.	
	TE KANI WILLIAMS	
	Okay, that would mean some of their people from Ngāti Apa, Patuheuheu also belong here?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes, yes they do.	
	TE KANI WILLIAMS	
	I'll let them know to register their claims. Kia ora. Thank you.	
	THOMAS (TAME) TŪWHĀNGAI	
	Thank you.	
	JUDGE AMBLER	
	Do you have an ulterior motive Mr Williams, Mr Melvin.	
	AMY WILLIAMS	
	Tēnā koe Mr Tūwhāngai. Ms Williams for the Crown.	
	THOMAS (TAME) TŪWHĀNGAI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Kia ora.	
	AMY WILLIAMS	
	Just have a question about the compensation that you say wasn't paid to Ngāti Hari for lands taken for roads and quarries. You talk about that at paragraph 53 of your summary.	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes.	
	AMY WILLIAMS	
	Which is over on page 11?	
	THOMAS (TAME) TŪWHĀNGAI	
	Mhm.	
	AMY WILLIAMS	
	Are you aware of whether compensation was requested by Ngāti Hari of the Crown?	
	THOMAS (TAME) TŪWHĀNGAI	
	Not that I know of, but if it was we would've actually all heard about it, but it's like anything else I think no one was notified. Our people, you know, they're just all people just quarrying	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	there and okay. So they've done another Act and taken it again and taken it upon themselves to help themselves.	
	AMY WILLIAMS	
	So Ngāti Hari weren't notified about the land being resumed?	
	THOMAS (TAME) TŪWHĀNGAI	
	No, probably the only thing is probably by gazetting by public notice.	
	AMY WILLIAMS	
	And was there any kind of protest by Ngāti Hari about the lack of compensation and the gazetting?	
	THOMAS (TAME) TŪWHĀNGAI	
	I couldn't, I, I couldn't say.	
	AMY WILLIAMS	
	And just with respect to paragraph 55 which is much the same thing really. You talk about the lack of compensation for lands taken for the northern – North Island main trunk. Are you aware of whether there were any requests for compensation when the land was –	
	THOMAS (TAME) TŪWHĀNGAI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
1145	We were promised, we were promised for compensation when the Main Trunk Railway Line came through, but as an earlier report and I heard this in Waimiha, that none of the tribes south of Puketutu were ever compensated.	
	AMY WILLIAMS	
	And was there any kind of protest along the same lines when the railway was put in and there was no compensation paid? Were there any steps taken in that regard?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes there was. One of them was to negate the railways by building a waka to try and negate it. It's something that our old people did. They tried to build a waka to negate the railways being built there, but remember it was many hapus that lived along that railway line and we were altogether really against what the railway was actually doing to our lands, and I think that summed up – there was a waiata which was done by Paretekōrae which suggested a protested against the railways and from Ngāti Raerae.	
	AMY WILLIAMS	
	Kia ora thank you for that Mr Tūwhāngai. We don't have any other questions for you.	
	THOMAS (TAME) TŪWHĀNGAI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Thank you.	
	JUDGE AMBLER	
	Counsel, no?	
	PROFESSOR POU TEMARA	
	Kia ora e Tame.	
	THOMAS (TAME) TŪWHĀNGAI	
	Kia ora.	
	PROFESSOR POU TEMARA	
	Look I've been bothering the Judge while you were talking and asking him. I just don't get a sense of where Horangapai is and you might show us on that map that you've got in front of us and I probably need to take another drive around the area.	
	THOMAS (TAME) TŪWHĀNGAI	
	Can you – is there any way of coming out a little bit, no? Mmm, okay. Just, just this whole – we call this whole area Horangapai. In the times of the peace-making between Ngāti Hauā and Ngāti Rangatahi and Ngāti Urunumia. The question was this land here, Ōhura South A. This is where the two tohunga	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	stood. No one was to be on that land because of the – of our atua that were placed there, Uenuku and Maru. On this bank over this side, is all the Whanganui warriors. And on this side was all Ngāti Urunumia warriors, so they all sat and watched the two tohunga on this side which the Judge has suggested was the monument is down below there, and that's where they actually – the actual tūāhu where they did the peace-making between the two tohunga. So we consider this whole area as Horangapai.	
	PROFESSOR POU TEMARA	
	Thank you very much. The other – I just want to make a commentary on Peita Kōtuku. We've been researching the, te rau takitahi to Ōrākau and we see him as coming with the rau takitahi o Tūhoe to Ōrākau. But it's good to note that he fought with his father.	
	THOMAS (TAME) TŪWHĀNGAI	
	That's right.	
	PROFESSOR POU TEMARA	
	At – so they might've met up there somewhere.	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes, they probably did and it's – many of our people of Ngāti Hari did fight up there. It might have been at Ōrākau but	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	there were other areas of battles that they actually fought at.	
	PROFESSOR POU TEMARA	
	And I mention that because one of his descendants, Manu Paul, keeps bothering me and telling me to not forget his tupuna Peita Kōtuku.	
	THOMAS (TAME) TŪWHĀNGAI	
	We would love to see him come back home.	
	PROFESSOR POU TEMARA	
	Kia ora. Tēnā koe.	
	THOMAS (TAME) TŪWHĀNGAI	
	Kia ora.	
	JUDGE AMBLER	
	Tēnā koe. You have clarified for me this is where the actually Te Horangapai peace ceremony took place, so that is very helpful. But elsewhere in your evidence, you speak of the whole of the Ōhura South area being known as Horangapai and then we do have other evidence from I think 1886, 1888 which I think Professor Boast was addressing yesterday, where there was this boundary and then Wahanui and others say, "Well in fact we have an interest south of that boundary," and there was a – there was talk of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	a 5000 acre area. So I guess I just want to be clear, that is the site of the actually ceremony, but is it the whole of the Ōhura South which also came to be known as Horangapai or part of it?	
	THOMAS (TAME) TŪWHĀNGAI	
	Ōhura South A Block was known originally as Horangapai. When the Native Land Courts put it through the Court, they renamed it Taringamotu and the name Horangapai actually became a little piece of a 100 acres which was given over to Ngāti Urunumia.	
	JUDGE AMBLER	
	So the Ōhura South A Block how big was that?	
	THOMAS (TAME) TŪWHĀNGAI	
	About 7000 acres I believe, around that mark.	
	JUDGE AMBLER	
	But that's not the whole of Ōhura South Block?	
	THOMAS (TAME) TŪWHĀNGAI	
	No, no, no. It's a partition – the A Block, B Block, C Block and so on and so on.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Okay that is helpful.	
	DR AROHA HARRIS	
	Kia ora. Thank you for evidence this morning. I was just – actually I will ask this question. I – while the Judge was talking I went and had – poked my nose in the Berghan Report and I see that some of the Rangitoto 74 Blocks were amalgamated at some point and called Taringamotu.	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes.	
	DR AROHA HARRIS	
	So there were – that means there were two sets of Taringamotu Blocks?	
	THOMAS (TAME) TŪWHĀNGAI	
	Taringamotu Block was probably given to a name of Otamakahi Trust which is now known as Taringamotu A Block. But I said between 74 and the 73 Block, yes. There was land which was reverted back to, to the owners from the 74 Block.	
	DR AROHA HARRIS	
	Okay.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	THOMAS (TAME) TŪWHĀNGAI	
	Mmm.	
	DR AROHA HARRIS	
	Okay thank you. Now I see from your brief that you done quite a bit of reading of the reports on the record. You got – you read Liuten and Berghan and Husbands and Mitchell and I think I saw Pātete in there. So I – you read for material specific to the blocks you're interested in. Is that what happened there?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes.	
	DR AROHA HARRIS	
	Is there any points of difference you think between what you've read in the report and how you see or understand what happened? Are there – were there any points that struck you as being not how you've been – understood the matter?	
	THOMAS (TAME) TŪWHĀNGAI	
	I would say that I really looked at things that aligned with, within the reports and that's how I would actually take things. Things that didn't align then I actually put that aside. But if	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	they all aligned and as anyone says that once the stars align, you take that direction.	
	DR AROHA HARRIS	
	Does that mean there were a couple of points that didn't line up between the reports?	
	THOMAS (TAME) TŪWHĀNGAI	
	Not that they didn't line up, probably they weren't more detailed.	
	DR AROHA HARRIS	
	Okay so there were a few gaps there?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yeah.	
	DR AROHA HARRIS	
	Yeah okay. You can't remember any off the top of your head? It's okay.	
	THOMAS (TAME) TŪWHĀNGAI	
	Like this?	
	DR AROHA HARRIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Now Te Kōpani the Kīngtitanga marae.	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes.	
	DR AROHA HARRIS	
	When you were talking about – I think you said something like, “It’s the marae we built for the Kīngtitanga.”	
	THOMAS (TAME) TŪWHĀNGAI	
	That’s right.	
	DR AROHA HARRIS	
	So, and by “we” you mean Ngāti Hari?	
	THOMAS (TAME) TŪWHĀNGAI	
	No this was under the directions of two tohunga. The tohungas were Te Rangihīroa Te Moana Pāpaku and Te Kere Ngata II, who are under the auspices of King Tāwhiao.	
	DR AROHA HARRIS	
	So, so this is a direct request they made?	
	THOMAS (TAME) TŪWHĀNGAI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes and –	
	DR AROHA HARRIS	
	And have you got a time period roughly when that happened?	
	THOMAS (TAME) TŪWHĀNGAI	
	I'd say the marae, well the house itself was built in 1895, and it was finished in 1899, and it was opened by Prince Te Wherowhero.	
	DR AROHA HARRIS	
	This, so this is the house we heard about on the site visit the other day?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes that's right.	
	DR AROHA HARRIS	
1155	Okay, I hadn't made that connection quite clear. And is there anything you can say about the decision locally to support the Kīngitanga in that way?	
	THOMAS (TAME) TŪWHĀNGAI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	We were all, all of us, and I think you've gone through a lot of the claimants who we all supporters of the Kīngitanga through there.	
	DR AROHA HARRIS	
	I guess by then it would have been a couple of decades of support?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes.	
	DR AROHA HARRIS	
	Yes.	
	THOMAS (TAME) TŪWHĀNGAI	
	Totally. Totally. It was probably only when, and this is just off the top of my head, is probably when the railways actually came through was when different opinions were sourced for the Kīngitanga support.	
	DR AROHA HARRIS	
	So given what happened to that marae, how do you express your support for the Kīngitanga these days?	
	THOMAS (TAME) TŪWHĀNGAI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Support of the Kīngitanga? Well, for once and I still support, let me put it this way, we want to put up a sign, a big large picture in the front at Taumarunui there of King Tāwhiao and what better way to show our support to the Kīngitanga and showing this place as one of the areas for all our tribes that we are all supporters of the Kīngitanga.	
	DR AROHA HARRIS	
	Kia ora. Now, you have got a little mention there of Te Kooti in your brief as well and I was wondering if there is anything else you can say about him and his time in the district?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes. When he came here my tupuna who was a refugee from Ngāti Apakura, Haunuku, he actually witnessed Te Kooti and his men, they were called down here to Napuwaiwaha because after they had been, well as you say, rustling a few cattle off Tōpuni Te Mamaku and my tupuna witnessed them being called down to Napuwaiwaha to be, how would you say, lambasted by all the hapū and that for making these troubles. Now as I said, coming off Ōhura South A, this place, that place there was made sacred, Horangapai, meaning no war parties or no actions of war were supposed to happen. So they actually called him off there to come down to Napuwaiwaha and face all the people. At that time, my tupuna watched at a place called, the kāinga was called Te Mangapakura and he watched them erect two poles; one was to represent Rewi Maniapoto,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the other was to represent Te Kooti. He told his warriors to fire at those poles, especially at the Rewi Maniapoto and it was only to see who had the most mana. All the bullets missed Rewi and when they fired at Te Kooti it blew apart. So all of his men travelled down here to Napuwaiwaha to listen to Rewi and Wahanui and actually to take them towards a place called Ngāruawāhia which is up towards Piopio, it was a known place and he was to stay there until he had audience with the King.	
	DR AROHA HARRIS	
	Kia ora. Thank you. I feel like I should just ask you if there is anything else?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes.	
	DR AROHA HARRIS	
	No I've got one – my last question is, when you outlined what you think the Crown might be able to assist with and you talk about some assistance to economically develop your land and I was wondering what your ideas are or if you have discussed this yet about what are your – how would you go about economically developing your land? What do you think you would get into?	
	THOMAS (TAME) TŪWHĀNGAI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	There's so many things that are, you know, being toted but that's something I think really our people need to actually all be onboard with. I've got hundreds and hundreds of ideas and so many other people but it's really – it's actually about all of us doing these things all together and moving forward together. And so, there are great things that we'd love to do but then again there is all that thing about resourcing and that which comes into play. So to me it's work in progress.	
	DR AROHA HARRIS	
	Okay. Kia ora. Thank you for your answers.	
	THOMAS (TAME) TŪWHĀNGAI	
	Kia ora.	
	JOHN BAIRD	
	Morning again Mr Tūwhāngai.	
	THOMAS (TAME) TŪWHĀNGAI	
	Kia ora.	
	JOHN BAIRD	
	I just wondered if you could help me with the relationships between Ngāti Urunumia and Ngāti Hari and I guess Ngāti Huru as well.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	THOMAS (TAME) TŪWHĀNGAI	
	Yes. Like I said, Ngāti Hari are descendent from Ngāti Urunumia. It is actually through our marriages through here to Ngāti Hauā why we sit on our lands. Ngāti Urunumia is more like our parent and many of them and as my nephew Nikora Barrett has said, a lot of them stayed in Ōtorohanga and that's when a lot of our Ngāti Urunumia relations are to this day, and especially at their marae at Kotahitanga. Is that helpful?	
	JOHN BAIRD	
	Yes it is. And Ngāti Hauā, how did that?	
	THOMAS (TAME) TŪWHĀNGAI	
	That was through intermarriages after Horangapai –	
	JOHN BAIRD	
	Right.	
	THOMAS (TAME) TŪWHĀNGAI	
	– and through that relationships, and it was to bind those borders. Well at that time our blood relationships between our tribes and that's why one of our names is Ngāti Hira which derives from Ngāti Hauā.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JOHN BAIRD	
	Right. Okay. Thanks very much.	
	JUDGE AMBLER	
	Tēnā anō koe e te rangatira.	
	THOMAS (TAME) TŪWHĀNGAI	
	Kia ora Your Honour.	
	JUDGE AMBLER	
	Veronica Canterbury in her brief of evidence speaks of the giving of the name of Ngāti Hari at the time of Rangawhenua. So, have you read her brief?	
	THOMAS (TAME) TŪWHĀNGAI	
	No, not a clue.	
	JUDGE AMBLER	
	All right. But does that accord with your understanding? I am just interested in the relationship with Urunumia and so forth.	
	THOMAS (TAME) TŪWHĀNGAI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And that's with the relationship of Rangawhenua and Ngāti Hari?	
	JUDGE AMBLER	
	Well there is reference to Rangawhenua's involvement in the name being given of Ngāti Hari. Was that – is that not a tradition you are familiar with?	
	THOMAS (TAME) TŪWHĀNGAI	
	Our tupuna, Hari, and it's a well known fact and through Ngāti Urunumia, our tupuna Hari was the youngest of his family line from Te Korae and his elder, his next brother up to him was Tāwhaki, which is the line of Rangawhenua, okay? But I don't like crossing my late, and she is my cousin, so her kōrero I'll leave with her.	
	JUDGE AMBLER	
	Yes no, I wasn't wanting you to do that. I just wondered how that sat with your understanding. I am always interested in the situation of the Māori land that remains and you have referred to the Taringamotu Block and I see the Trust or Taringamotu A Block the Trust is known as Taringamotu-o-Tamakahi Block.	
	THOMAS (TAME) TŪWHĀNGAI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	That's right.	
	JUDGE AMBLER	
	Trust, sorry, and about 1200 hectares. Now is this next to Otutewehi that Nikora was talking about?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes.	
	JUDGE AMBLER	
	All right. And it seemed to be farmed from the photographs. So, is that farmed?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes it is farmed.	
	JUDGE AMBLER	
	And I was just very curious about one of the trustee's name is Wayne Fraser, is that of the Fraser's that are the neighbours or not?	
	THOMAS (TAME) TŪWHĀNGAI	
	No. No. We'll clear that up. No, Wayne is a relation of ours –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	All right.	
	THOMAS (TAME) TŪWHĀNGAI	
	– but he may come from way back from the clan Fraser.	
	JUDGE AMBLER	
	But that is not the neighbours?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes, no.	
	JUDGE AMBLER	
	All right. That is good to tidy that away. I have – can I just come back to your main brief of evidence #R020 and we have clarified Te Horangapai and where it is and you talk about that being around 1800, 1805.	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes.	
	JUDGE AMBLER	
	And I think we heard from Monica Mātaamua about Te	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Pikikōtuku's involvement in that peace making, that is right?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes. Yes. I couldn't name him as one of the chiefs but yes I believe he probably was there –	
	JUDGE AMBLER	
	Yes.	
	THOMAS (TAME) TŪWHĀNGAI	
	– at the time.	
	JUDGE AMBLER	
	And what I am curious about is – so that was a peace essentially between Whanganui and Maniapoto hapū?	
	THOMAS (TAME) TŪWHĀNGAI	
	In a sense, yes it was but to me –	
	JUDGE AMBLER	
	Was that too simple?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes. It was – they say that peace between men is easily	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	broken but peace between two atua is not easily broken.	
1205	So hence the reason why Uenuku was placed there and Maru were placed side-by-side and let me say that Tāwhaki was the officiating high priest for Ngāti Urunumia who had Uenuku in his possession.	
	JUDGE AMBLER	
	Ka pai. I guess my question that I'm heading to, is that peace held, that's right?	
	THOMAS (TAME) TŪWHĀNGAI	
	On that block, yes.	
	JUDGE AMBLER	
	Yes, it's just that in terms of the history that you provide which is very helpful, you talk about the peacemaking then – but there are later battles that happen and I just wanted to know, were those battles seen as a breaking of that peace or were they actually between different groups?	
	THOMAS (TAME) TŪWHĀNGAI	
	Let me put it this way. Our people – all those battles raised around our people but they continued to stay on their land and why is because of their blood lines and they were left alone.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	And at paragraph 30 you refer to Whakatumutumu Pā, where is that?	
	THOMAS (TAME) TŪWHĀNGAI	
	Whakatumutumu is what we call amongst many of our people around Te Kūiti called “The eight mile”. The other name which if you go past the Eight mile has a cross on the top of the hill and some people call it Mount Zion.	
	JUDGE AMBLER	
	So this is up near Te Kūiti?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes it’s the turn off to Piopio or to New Plymouth.	
	JUDGE AMBLER	
	I see.	
	THOMAS (TAME) TŪWHĀNGAI	
	The main and – yes, actually it is marked by – you’ll see a cross on this hill which was an old missionary station which was – and that part of the missionary station was called Hiona or Zion.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Ka pai. Ngā mihi ki a koe. Anything arising Mr Williams?	
	TE KANI WILLIAMS	
	Just a couple of matters thank you Sir. Kia ora Mr Tūwhāngai. My friend for the Crown put some questions to you surrounding your summary in paragraph 53 and 55. She was asking whether there were any requests for compensation from the people of Ngāti Hari. Just to clarify, in your view should your people have had to ask for compensation for the loss of those lands?	
	THOMAS (TAME) TŪWHĀNGAI	
	No.	
	TE KANI WILLIAMS	
	No, and that would be the same answer in respect of the railway lands?	
	THOMAS (TAME) TŪWHĀNGAI	
	Exactly right.	
	TE KANI WILLIAMS	
	All right, and then also in some questions that you were receiving from Dr Harris around potential inconsistencies in	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	some of the reports if I think I've got that issue correct, in the Pātete report you provided Mr Pātete with information from a Ngāti Hari perspective, didn't you?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes I did.	
	TE KANI WILLIAMS	
	All right, so your view in this rohe would be better taken from the Pātete report as well?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes.	
	TE KANI WILLIAMS	
	All right, and you also fielded some questions about Te Kooti and also about Te Horongopai. You presented evidence in Whanganui?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes, that's right.	
	TE KANI WILLIAMS	
	And that evidence has been transferred into this inquiry?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	THOMAS (TAME) TŪWHĀNGAI	
	Yes I see some of it in there, yes.	
	TE KANI WILLIAMS	
	And that evidence dealt in depth with Te Kooti and Horongopai?	
	THOMAS (TAME) TŪWHĀNGAI	
	Yes it did.	
	TE KANI WILLIAMS	
	Okay and for the Tribunal's edification that document is #A044 on this Record of Inquiry. That's all I have Sir. Sir, thank you.	
	JUDGE AMBLER	
	Ka pai.	
	THOMAS (TAME) TŪWHĀNGAI	
	Kia ora.	
	WAIATA	
	Whakataurangai ake te here, I taku ate;	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Pupū ake nei te mauri o te aroha; Hei hononga ki te iwi; Kua whakangaro ki te pō; Te Pō uriuri, ki te pō I oti atu; Kei ngā whakaoati I herea ki te rangi; Hei huarahi atu; Tihei Mauri ora.	
	TE KANI WILLIAMS	
	Sir, I think Ms Rongo is up next and she might require a few minutes just to get orientated.	
	GLENN TOOTILL	
	Sir, Mr Tootill here. Perhaps while we're waiting for the witness to return, if I can just give a update on the cross-examination estimates. So we still have roughly four hours of cross-examination estimates but I do have a batting order if you wanted to hear that now. So obviously after the Crown Sir we have Mr Bennion leading the cross-examination for claimants.	
	JUDGE AMBLER	
	Perhaps if you can give me the counsel and their estimates.	
	GLENN TOOTILL	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Right, so yes so Crown had filed an estimate of 60 minutes although I understand from my friend that might be slightly longer now. I'm being told by Mr Bennion that he will be 40 minutes and then I understand either himself of Ms Whiley will be addressing questions for Ngāti Apakura and that estimate is 20 minutes. Sir, I will follow 10 minutes, Mr Hockly 15, Mr Williams 10, Ms Arapere 15. I've got estimates for Ms Tākitimu and Mr McGhie but they don't appear to be here, Sir, so Ms Tākitimu 10, Mr McGhie five and Mr Pou 15.	
	JUDGE AMBLER	
	Thank you and Ms Rongo, you're leading?	
	EVE RONGO	
	Yes Sir.	
	JUDGE AMBLER	
	All right.	
	EVE RONGO	
	I just wanted to explain how we'll be tackling the two technical reports we've got today. So I'll be leading #A029 which is Mr Sarich's *Political Engagement Report* between 1914 and 1939 and we'll take questions from the Crown claimant counsel and Tribunal and when he has concluded	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	we'll then turn to #A072 report which is from the period 1939 to '75 which will be led by my colleague Ms Emily Stretch. Now, Mr Sarich will be presenting from his summary which is #A029(c). Now in the interests of time he will read that summary and in accordance with the latest memo directions I'll take him past a few paragraphs just to achieve some efficiencies. Okay, Mr Sarich when you are ready you can start your summary.	
	JONATHAN SARICH	
1215	**READS BRIEF OF EVIDENCE #A029(c)** "My name is Jonathan Mark Sarich. I have a Masters in history with distinction from Victoria University of Wellington (2006)."	
	EVE RONGO	
	Could you move on to the section "Te Rohe Pōtae in the first World War?	
	JONATHAN SURICH	
	Certainly. **CONTINUES READING BRIEF OF EVIDENCE #A029(c)** **"Te Rohe Pōtae in the First World War** In August 1914, Britain and its empire declared war on	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Germany and her allies. In September 1914 after initial reluctance to allow indigenous subjects to fight, the British Imperial Government accepted a formal request from the New Zealand Government for the formation of a Māori Unit. The request had been made on behalf of the four Māori members of Parliament who soon formed a Native Contingent Committee in order to organise recruitment. Evidence suggests that between 1915 and mid-1917 Ngāti Maniapoto volunteered in some numbers during the initial rounds of Māori Contingent recruitment. From the outset, the Ngāti Maniapoto tribal leadership appeared to have had a policy allowing young men to decide whether to enlist or not. In addition, during late 1914 and early 1915, some active encouragement of this enlistment was evident by the tribal leadership. In this basic sense, Ngāti Maniapoto support of the Government was strong enough to sustain voluntary participation in the war. In contrast, although publicly declaring that they allowed their men to choose service, Waikato and Kīngitanga leaders appear to have actively discouraged service in the war from its outbreak. This opposition appeared to be based on outstanding historical grievances with the Government, most notably raupatu. In February 1916, as the lack of Waikato recruits emerged as a political issue, Ngāti Maniapoto and Waikato leaders held a large hui in Te Kūiti in an effort to reach a unified position regarding recruitment. The hui revealed tension	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	between those in support of military service and those that opposed it. At the hui an agreement was reported to have been reached to allow their young men to choose whether to serve or not. This agreement can be interpreted as a compromise to avoid unnecessary tension between those who thought that they should give their, and I quote, 'utmost possible assistance to the State' and those that believed Māori should not serve – both within Ngāti Maniapoto and between Ngāti Maniapoto and Waikato. Also, importantly, reports of the hui note that tribal leaders desired further dialogue with the Government in respect of recruitment. In April 1916, in the context of declining Māori and Pākehā recruitment, the Military Service Bill, which contained provision for conscription, was introduced to Parliament and became law in August 1916. During the parliamentary debate, Māui Pōmare and Āpirana Ngata successfully argued for the inclusion of separate provisions for Māori conscription under section 50 of the Act. Tension regarding the lack of Waikato recruitment continued to grow and it soon became apparent that Government conscription of Māori would be targeted at that region. In November 1916, a large hui attended by many North Island iwi, including Maniapoto, was held at Mercer. At this hui James Allen, the Minister of Defence, attempted to persuade Waikato to volunteer, implying that if they did not, compulsion would be used. Clearly aware of the obligations under a voluntary system, Tupu Taingākawa, the King Maker, replied that young Waikato men had the freedom to enlist, and that he had not and would not do anything to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	prevent them from doing so. In early 1917, the Government began preparations for Māori conscription. Allen and the Māori members decided that the Land Court Districts – to use the Land Court Districts as a basis for the planned conscription. In this way, Waikato Māori could be targeted by using the Waikato-Maniapoto Māori Land District. It was also decided at this time to use the dubious practice of compiling the register of those Māori men eligible for conscription from Māori Census data in order to overcome the expected low turnout for registration. On 26 June 1917, a gazette notice was issued that extended conscription to all Māori under section 50 of the Military Service Act 1916. Other iwi that had not sent volunteers immediately raised concerns regarding conscription, unaware that it was to be targeted at Waikato only. Allen responded with what became a standard reassurance that conscription was for the 'one tribe' who had not volunteered. Underlining that conscription would not just affect one tribe, Thames and Coromandel Māori, who were also within the Waikato Maniapoto Māori Land District, appealed on the basis that they too had volunteered. In Parliament in early 1918, the possibility of conscripting Taranaki Māori was put to Allen, who like Waikato, were also failing to volunteer in any number. However, Allen again emphasised that only one tribe was being conscripted. In March 1918, a series of police reports were gathered from around the North Island to assess what Māori reaction there would be to conscription. The reports from Te Kūiti and Ōtorohanga do not provide a clear indication of Maniapoto	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	position regarding conscription. The report from Ōtorohanga suggested that the Chiefs in that area were in 'favour' of registration whereas in Te Kūiti they were waiting for more information regarding conscription. In both cases, low turnout for registration was noted. Importantly, both reports emphasised the contribution already made by the Māori communities in their areas. Mōkau Māori also desired more information. Reports from Raglan and Kāwhia clearly indicate that Māori in those areas were awaiting the decision of King Te Rata. In April 1918, Colonel Porter, the Inspector of Recruiting Services, in a confidential report argued that 'the tribes of Waikato and Maniapoto' intended 'making a general appeal against conscription, not individually.' However, no clear statement from Maniapoto leadership regarding conscription has been located and it is therefore difficult to verify this statement. By early June, Princess Te Puea had assembled – assumed leadership of what became an organised Kīngitanga resistance to conscription. It was reported that 400 people were gathered at Mangatāwhiri under her leadership. The application of conscription in the Rohe Pōtae was a failure. On 6 May 1918, 209 men were balloted in the first draft. Only 68 reported for medical examination, while 141 failed to parade. Of the 69 called in Te Kūiti, 47 failed to report. In response, on 10 June 1918, the Government arrested seven defaulters at Mangatāwhiri, beginning a cycle of arrests following each draft. Low turnout for registration, medical examination and high levels of appeal in the main centres suggests that many Rohe Pōtae Māori refused to be conscripted. Kāwhia and Raglan Māori	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	appear to have openly supported the Kīngitanga's organised opposition to conscription. Furthermore, it appears that as drafts were called some balloted men from Maniapoto joined Te Puea's passive resistance to conscription. Tae Tāpara was one such person – a Maniapoto man who was imprisoned for his continued refusal to wear the uniform. Paul Baker, an historian of conscription in New Zealand during the First World War, concluded that the Government's conscription of the Waikato was lesser means of obtaining men or equalising sacrifice, than of exerting political control. Maniapoto's position appeared to be more complex. They had willingly contributed to the government's war effort, demonstrating a level of commitment or support for the state, yet the Government still applied conscription. There appears to have been an inherent inequality in the application of conscription, and as a result, the official justification of 'equality of sacrifice' was undermined. Conscription was imposed on Maniapoto, despite the fact that they had volunteered, while other tribes with low rates of volunteering were not conscripted at all. Maniapoto's voluntary service was not recognised during the war, rather or seemingly punished in a determined effort by the Government to force Waikato to serve. In addition, despite a clear desire by Ngāti Maniapoto leaders for further dialogue and information regarding conscription, the Government continued with its plans to coerce service.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
1225	**The Māori Health Councils** Between 1919 and 1939, the Māori Council system experienced a brief period of rejuvenation."	
	EVE RONGO	
	Mr Sarich, can I get you to move on to the next paragraph now.	
	JONATHAN SARICH	
	CONTINUES READING BRIEF OF EVIDENCE #A029(c) "In the Rohe Pōtae, the Maniapoto Māori Council administered much of the Inquiry District, with the exception of the area around Kāwhia Harbour stretching north to Raglan Harbour. These areas were part of the Waikato Maniapoto Māori Council District. This Waikato Council – the Waikato District had no functioning Māori Council throughout the period. Kīngitanga councils were operating in these areas. In the late 1930s, the Taumarunui Māori Council was established, which formed a new district out of parts of the existing Maniapoto, Whanganui and Tongariro Districts. The transfer to Health Department administration represented a shift away from the broad role in self-government originally intended for the councils toward health and social concerns. However, the new councils retained many functions of the earlier Māori Councils. The councils retained a two-tier system, operating on a regional	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	level, issuing bylaws to be administered by Komiti Marae in their local communities. The bylaws were established under Māori Councils Act 1900 and the Health Act 1920. Council membership was reduced from 12 to eight members, including one official member. Significantly, the new council members were appointed by the Governor-General rather than elected as they had under the Māori Councils Act 1900. Some historians have correctly interpreted this amendment as a weakening of the councils' independence. However, it seems evident in practice, at least in the Rohe Pōtae, that an unofficial process existed in which council members continued to be nominated by local Māori to the Health Department officials who then forwarded the nominees to the Governor-General for final approval. In effect, it appears members may not have been as representative as under previous legislation, but neither were they simply appointed by the Government. The Health Act 1920 set out the financial provisions for the councils. The Act provided that funds raised by councils for sanitary projects could be subsidised pound for pound out of monies appropriated for native purposes by the Civil List Act 1920. It also outlined provision for the subsidy of the Health Councils' administration costs out of monies appropriated by Parliament for the purpose. Although formally under Department of Health control, the Native Department still played a significant role in the administration of the council system. This seems to have been a result of the Health Department officials' lack of specialist knowledge of Māori affairs. For example, the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Native Department continued to play a role in the appointment of councillors and also in the formulation and amendment of additional bylaws for approval by the Governor-General. Also, requests for the amendment of council legislation by councillors and other Māori were still referred to the Native Department. Despite the new energy instilled in the system by Te Rangi Hīroa, the councils continued to be hindered by their original weaknesses. The most important of these weaknesses was the councils' inability to financially support themselves or to obtain adequate Government support. In 1919, the councils' power to collect the dog tax was abolished, which although controversial, had theoretically provided revenue. In the early 1920s, Te Rangi Hīroa advocated to have this power restored to the councils, recognising its significance to their effective functioning. However, the Native Department did not consider this an option, due to the difficulties councils had had collecting it prior to the First World War, and the tensions it had raised with farmers and local authorities who were also responsible for its collection. Without the dog tax, the only source of income available to the councils was fines collected from the breach of their bylaws. In 1936, the Director-General of Health noted that this was dubious financial foundation. The Maniapoto Māori Council had some success enforcing and collecting fines in the early 1930s. However, this was short lived and by 1935 the council was owed over £150 in outstanding fines. Around this time, several direct appeals were made to the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Native Minister from the Maniapoto Māori Council, requesting the increase of the powers available for fine collection. The chairman of the council believed that without increased powers his council would be nullified. The requests were not acted upon. In this context of financial struggle, Government assistance for the Māori Council system assumed critical importance. The Maniapoto Māori Council did receive subsidies for sanitation projects in the late 1920s and early 1930s. However, at no time was money received for the administration costs of the council or Taumarunui Māori Council. In the late 1930s, requests by Department of Health officials and councillors for financial assistance grew. In 1938, the chairman of the Taranaki Māori Council summarised the financial problems of most councils. His description clearly resembled the struggles of the Maniapoto Council. He noted the provisions for administration costs and asked rhetorically why they were not being implemented. By the mid-1930s, as a result of these financial restrictions, the Maniapoto Māori Council appeared to have ceased functioning as the chairman had predicted. The evidence examined demonstrates that the councils were not a high priority for the Native Department, which although not directly responsible for their administration, was needed to implement reform. Understanding the usefulness of the councils, Health Department officials often advocated for the council system, requesting reform to a range of functions. However, the Native Department was unwilling to consider such reform. Department officials were waiting for	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	such a time as the whole system could be overhauled. Examination of the Māori Health Council system in the Inquiry District demonstrates Rohe Pōtae hapū and iwi willingness to utilise Government structures established to facilitate Māori self-Government. The councils provided a forum where some dialogue was evident between councillors and Government officials, particularly in respect to formulating bylaws. However, much of the councillors' communication and energies were focused on attempts to reform the actual council system, hoping to bolster council authority and establish a viable financial platform from which to operate. These efforts often did not aim to create a more comprehensive body for self-Government, but simply to ensure the effective operation of the system within its existing parameters. The amount of energy expended in this way underlines the substantial problems facing the councils. The Native Department was unresponsive and essentially left the councils to collapse. The events of the Second World War eventually forced a Government response due to the advent of the Māori War Effort Organisation and ensuing debate over Māori self-government. The collapse of the council system before the Second World War represented the failure of Government support for even the very limited officially recognised Māori self-Government in the Rohe Pōtae. This stood in marked contrast to the rapid growth of the Pākehā dominated county and borough local government in the Rohe Pōtae from 1900.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Liquor in the Rohe Pōtae, 1914-1954 For the first half of the 20th Century, the liquor legislation of the Rohe Pōtae was a significant regional, and at times, national issue. The no-license proclamations of 1884 and 1887, had been made by the Government in an attempt to meet the requests of the Rohe Pōtae Māori to control the consumption of alcohol in the district. These requests were part of broader negotiations regarding the North Island Main Trunk and land legislation through which Rohe Pōtae leadership had hoped to retain control of land and community affairs in partnership with the Government. By 1914, when this report's period of analysis begins, many of the agreements reached in the 1880s had collapsed. The process had been facilitated by the rapid growth of Pākehā settlement in the district fuelled by Government and private Māori land purchase, the establishment of local government and native townships and the construction of the North Island Main Trunk. The no-license issue, proclamations and associated legislation were one of the few tangible aspects of the negotiations that remained by the start of the First World War.	
1235	At the same time, many Pākehā residents of the King Country Licensing Area, through their local government representatives, began to lobby Government for the amendment of the current legislation in order to introduce licenses. The residents argued that any agreements reached in the 1880s were not binding and that citizens of the King Country should be extended the voting rights that	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the rest of the country held in respect of liquor. Additionally, it was asserted that the prohibitive legislation was proving to be ineffective, which was to the detriment of both Māori and Pākehā in the district. In opposition to pro-license advocates, the New Zealand temperance movement became a powerful supporter of the no-license legislation in the Rohe Pōtae. From 1890s, the temperance movement emerged as a significant political power in New Zealand. Through their influence in Parliament, by 1918, a comprehensive range of legislation had been passed regarding liquor consumption and distribution. One result of this support was the strengthening of the prohibitive legislation relating to the King Country Licensing Area between 1900 and 1914. Various temperance and church groups from within the Rohe Pōtae, and around New Zealand, vigorously opposed any efforts to alter this legislation. Rohe Pōtae Māori, due to their role in establishing the no-license district, became an important part of the debate. Like Pākehā, they took various positions regarding the introduction of licenses throughout the period. Some considered the introduction of licenses as an opportunity to better control the consumption of alcohol within the Māori community. Others believed the introduction of licenses was inevitable and hoped to renegotiate a new agreement with the Government which ensured Māori control and benefit from the introduction of licenses. Still others believed that the agreement and consequent proclamations were sacred and should be kept and strengthened. Significantly, this	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	seems to have been the opinion of the majority of the Rohe Pōtae tribal leadership after 1914. However, despite the different positions in respect of licenses, all Māori who presented evidence to the various Government inquiries held during the period recognised that important agreements had been reached in the 1880s. Although describing them in different ways, all asserted that the Government and the Rohe Pōtae leadership had come to significant agreements regarding the future of the district. This can be seen in the evidence of John Ormsby before the first Hockly Committee in 1922, Tūwhakaririka Pātena at the Second Hockly Committee in 1924, through to Tita Wētere and Pei Te Hurinui Jones at the Royal Commission on Licensing in 1945. Most of this evidence also contended that these agreements had never been kept and that the Government still retained various degrees of obligation regarding them in the present. From the early 1920s, Rohe Pōtae leaders attempted to remind the Government of the agreements in relation to the regional issues of liquor and local government rates made in the 1880s. In their efforts to maintain the no-license legislation, this movement had the support of temperance groups and the Kīngitanga. Deputations and petitions were used to remind the Government of their perceived obligations in both cases. On several occasions the wheelbarrow used at the turning of the first sod of the North Island Main Trunk Railway was used. It was a potent symbol of their past negotiations with the Government. In 1928, Rohe Pōtae hapū and iwi attempted to renegotiate	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	with the Government a new agreement regarding rates owed on Māori land on the foundation of the agreements of the 1880s. As part of a broader proposal, they requested the establishment of a trust board, modelled on those recently established for Te Arawa and Tūwharetoa. In this case, Rohe Pōtae leaders believed the establishment of a board would be 'a token on the part of the Government for the agreement of our ancestors to allow the roads and railway to traverse within the King Country.' Native Minister Āpirana Ngata refused the rates proposal on the basis that he thought it unfair to local government. However, tribal efforts regarding the licensing issue successfully brought to the government's attention the significance with which many Rohe Pōtae Māori held the no-license legislation. The pressure applied by temperance groups was also important in Government consideration of the issue and seems to have been vital to the success Rohe Pōtae leadership achieved in maintaining the no-license district. Without the support of a powerful Pākehā interest group, efforts regarding the rating of Māori land were much less successful. Indeed, largely in fear of the potential political consequences of upsetting the considerable body of temperance voters, successive governments maintained the legislative status quo for much of the period under investigation. The illicit trade of alcohol reached a peak in the 1930s, and in response to the continued inaction of the Government, residents of the King Country took the issue into their own hands. Numerous clubs were established in the northern	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	King Country in the late 1930s and the early 1940s which served alcohol in bar-like settings using a legal loophole, particularly in Te Kūiti and Ōtorohanga. Police and other authorities turned a blind eye to these clubs. In doing so, the Government essentially failed to maintain the integrity of the no-license legislation, allowing surrogate licenses into the district. As a result of the emergence of the clubs, local authority pressure for the introduction of licenses eased. The clubs added further complexity to the debate surrounding no-license, as they often prohibited Māori from being served. During the late 1930s and early 1940s, significant change occurred which began to alter the parameters within which the no-license debate was conducted. From the election of the first Labour Government, the no-license and associated prohibitive legislation was increasingly debated in the context of 'equality' and 'democracy'. Some Māori began to consider the protective legislation surrounding Māori consumption of alcohol in New Zealand as a form of discrimination. In respect of the King Country, the lack of a poll on the issue was increasingly presented by advocates of licenses as discriminatory and undemocratic for both Māori and Pākehā. In addition, the club system's exclusion of Māori was also identified as an issue. Forming part of this debate was a tension between the authority of rangatira and kaumātua to speak and make decisions on behalf of their people, using hui and other methods of gaining consensus, and a European model based on the right of the individual to decide through the majority at the ballot box.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	In 1945, the Royal Commission on licensing the Commission was established to investigate the laws relating to the manufacture, importation and sale and supply of alcohol in New Zealand. This included the no-licence legislation and opera5ion in the King Country. In 1946 after hearing a substantial body of evidence from witnesses in the King Country, the Commission made a number of recommendations that were to prove the turning point in the struggle over the licensing issue. It recommended two referenda in the district, one for Māori and the other for the rest of the population. The Māori poll will be taken into consideration first. If it was in favour of licenses, then the non-Māori poll would be considered. Although placing the decision in the hands of Māori, this recommendation rejected the majority of evidence presented to them at the Commission by the Rohe Pōtae leadership, which had been firmly against referenda in any form. The Commission also recommended that if licenses were not introduced, charter should be issued for the clubs in the Rohe Pōtae. The rationale for the Commission's recommendations regarding referenda came primarily from a report written by Chairman Justice Smith that investigated the agreements of the 1880s.	
1245	Essentially, Smith rejected the idea that the liquor agreement was immutable or a 'sacred pact' as defined by Rohe Pōtae elders, as he did not see the no-license	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	agreement as a condition in a direct bargain or exchange for the permission to build the railway. According to Smith, the liquor agreement was only peripheral, and made prior to, the primary exchange which involved permission to build the railway on the condition that the Government pay for the land required. However, in seeming contradiction, he did acknowledge that the liquor proclamations were one of a number of concessions by the Government that had been important in attaining the final agreement. He went on to argue that the liquor agreement could be amended in the present with the consent of Rohe Pōtae Māori. Soon after the Commission made its recommendations, Māori complained that no opportunity was provided where their understanding and opinion of the evidence presented in Smith's report could be expressed. The report of the Commission provided very little discussion as to why a referendum was the desired method of attaining the opinion of Rohe Pōtae Māori. The most important reasoning appears to have been the assumption that an irreconcilable difference of opinion existed amongst Rohe Pōtae Māori best resolved by a majority vote. The Commission over-emphasised the diversity of opinion in the evidence presented to them, most notably the tension between Tita Wētere and Pei Te Hurinui Jones. Their evidence had affirmed the significance of the agreements made in the 1880s and their objection to referenda. Tita Wētere's evidence advocated the strengthening of existing legislation and Jones' complete prohibition. However, Jones had made the additional request that if licenses were introduced against the will of the tribal	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	leadership, then a tribal trust board should be established to ensure some benefit for Rohe Pōtae hapū and iwi (much like the attempt in regard to rates). This was conceived of by New Zealand Alliance counsel and Wētere as a pro-license compromise and part of what they considered a long legacy of Pākehā deception in relation to licensing. The Commission seems to have accepted this reasoning, despite the similarities of the evidence. In line with contemporary notions of equality and democracy, the Commission assumed that the fairest method of resolving this division was referenda. Furthermore, by ignoring the evidence of Jones and those he represented, the Commission's recommendations provided no possibility of significant Māori input into, or control of, the potential licensing system introduced if the referenda were in favour of their introduction. In 1948, the Labour Government implemented the recommendations regarding referenda. In a 1949 poll, just over 50 percent of Māori within the King Country licensing area voted in favour of licenses. However, a 60 percent majority was required for their introduction. Despite this narrow defeat of licenses, the ground had permanently shifted. The Pākehā referendum demonstrated a massive majority in favour of licenses. Charters were issued for several clubs in the district and tourist hotel licenses were issued at several locations, further weakening the no-license legislation. Moreover, the concept of a sacred and immutable agreement between the Government and Māori, the primary defence used by Rohe Pōtae leadership to prevent the introduction of licenses, had been fundamentally	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	undermined. And perhaps most importantly, by holding a Māori referendum the Government had shifted responsibility for the decision in respect of licenses away from the tribal leadership to the majority of Māori via the poll, thereby limiting their ability to make decisions for their people through customary institutions. As part of its 1951 election campaign, the National Party declared its intention to hold a joint referendum in the no-license area. National won the election, and in 1953 introduced legislation for a joint referendum to be held in 1954. In 1953, Government historian Dr A H McLintock was appointed to make an independent study of the pact question. This report categorically rejected the concept of a sacred pact and any Government obligation to Māori concerning licenses, further undermining resistance to the introduction of licenses. Finally in 1954, after 40 years of debate and agitation, Pākehā and Māori residents of the no-license area voted in favour of licenses. Control of the consumption of alcohol was a major regional issue over which Rohe Pōtae tribal leaders had attempted to engage and partner with the Government to secure benefit for their people. After being central to the creation of the no-license legislation, the Rohe Pōtae Māori were by 1914 only one group vying for Government attention regarding the issue. Rather than being able to discuss and amend the legislation with the Government as party to an agreement, engagement was essentially limited to protest, like other interest groups, through deputations, petitions and presenting evidence before Government inquiries. By the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	mid 1920s, the no-license legislation had become a rallying point and potent symbol for the tribal leadership of the district for what had been lost since the 1880s. This demonstrated that Rohe Pōtae Māori continued to place importance on the negotiations well into the twentieth century. Aided by the support of the temperance movement, Rohe Pōtae Māori leadership had success in maintaining the no-license legislation for 40 years. However, as the political landscape shifted away from temperance sentiment and successive inquiries undermined the defence of an immutable pact, influence over the issue was lost. The protracted struggle in many ways symbolised the gradual loss of Rohe Pōtae tribal leadership authority within the district following the negotiations of the 1880s. **The Sim Commission and the Waikato-Maniapoto Māori Claims Settlement Act 1946** Following the First World War, various tribes applied pressure on Parliament to investigate their long-held historical grievances. Some groups drew on their loyal service in the war to further support their claims. Equally, the reluctance of Taranaki and Waikato tribes to serve had demonstrated that their sense of injustice regarding the 19th century conflict and raupatu remained strong. In addition, Gordon Coates became Native Minister in 1921, a position he retained until 1928. Coates worked closely with Ngata and was generally sympathetic to Māori aspirations. In this context, during the 1920s, the Government pursued a policy of establishing commissions of inquiry as a means of investigating, with the hope of settling, these historical	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	grievances. In October 1926, the Royal Commission to Inquire into Confiscations of Native Lands and Other Grievances Alleged by the Natives was established to investigate grievances relating to confiscation in Taranaki, Waikato, Tauranga, Bay of Plenty, Hawkes Bay and North Auckland. The Commission was to be chaired by Justice William Sim and become known as the Sim Commission. The Sim Commission was established with limited parameters of investigation. First, the Commission's terms of reference stated that no regard would be given to contentions concerning the legality of the New Zealand Settlements Act and amendments. Second, only issues directly related to the taking of land, and to those Māori from which it was taken, were to be considered. In other words, only the method and extent of confiscation were to be examined; not the overall legality and justice of confiscation itself. Third, those deemed to have been in rebellion against the Crown were unable to claim the benefits of the Treaty of Waitangi. In addition, recommendations for redress could only be made in monetary terms, not the return of land. The scope of inquiry prevented any consideration of the broader impact of raupatu on areas outside the land and peoples directly affected by confiscation. Importantly in terms of this inquiry, this included the investigation of the social and economic effects of the influx of northern iwi south of the confiscation line or the emergence of the aukati and what became known as the Rohe Pōtae. Further, the investigation of five different districts and the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	limited time period for inquiry provided minimal scope for the detailed analysis of the issues of particular tribes.	
1255	Also, the Commission's examination of specific issues was guided by the petitions which had been referred to it. Hearings regarding the Waikato confiscation were held over three days at Ngahawahia [*sic*] Ngā…" … you know what I'm saying, **CONTINUES READING BRIEF OF EVIDENCE #A029(c)** "…in April 1927. Despite the limitations placed on the Commission, claimant counsel David Stanley Smith, successfully argued that the ultimate justice of confiscation needed to be examined. He did so by asserting that the petitions placed before the Commission asked questions regarding the justice of confiscation and the proviso's placed on the scope of inquiry did not apply to those petitions. During the hearing concerning the Waikato confiscations, claimants and counsel decided that due to the limited time available they would concentrate the claim on the overall justice of the war and raupatu, rather than the specific issues raised by various groups. In this way, Rohe Pōtae hapū and iwi involved in the Commission process only had their raupatu issues investigated in the broadest, in this broadest, although important, sense. However, before this decision was made, Ngāti Apakura had had the opportunity to present some specific concerns before the Commission. Significantly, the Sim Commission did not hear evidence from Maniapoto regarding their raupatu grievances and did	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	not sit in the inquiry district. In fact, Smith's evidence before the Commission represented Maniapoto as the primary aggressor in the wars of the 1860s, suggesting that it was them, not northern iwi, who should have had their land confiscated. In June 1927, as the Commission deliberated on its findings, a map was produced by the Department of Lands and Survey, in consultation with the Native Land Court, which depicted Maniapoto and Waikato tribal boundaries. This map appears to have been produced with no consultation with Māori. It depicted a clear boundary between Maniapoto and Waikato which coincided perfectly with the confiscation line. Consequently, the map confirmed for the Commission that Maniapoto held no interests in land that was confiscated. The Commission's final report concluded that there had been no justification for the Taranaki confiscations at all, as the Government had attacked the Taranaki Māori when they were not in rebellion against the Crown. In regard to the Waikato raupatu, it was found that the 'tribes' had been in a state of rebellion and therefore the confiscations were justified, however, those carried out were greatly in excess of what was fair. The Commission asserted that the Government of the day had provided good reason for the actions of the Kīngitanga to behave as it had. It stated that, "[Māori] had not, as a nation, sinned more against us than we, the superior and protecting power, had against them." Crucially, however, echoing the evidence of Smith, the Commission concluded that it was Maniapoto, under Rewi Maniapoto, and Ngāti Hauā of the southern Waikato who	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	were principally engaged in rebellion. Demonstrating the influence of the tribal boundaries produced for the Commission, the final report argued that Maniapoto had remained untouched by the confiscation. Thus the Commission concluded that those who had actually deserved confiscation had escaped without punishment, while those innocent had received a grievous blow, suffering an excessive amount of land confiscated. In August 1922, two petitions expressed Maniapoto concerns regarding the proceedings and findings of the Sim Commission. The petitioners asserted that Maniapoto held significant interests north of the Pūniu River and desired that the Commission hear their specific raupatu grievances. In September, the Native Department responded by stating that the Commission had ceased its investigations and that a sitting had been held at, in the 'Waikato-Maniapoto District.' The response suggested that it was believed that Maniapoto had been given the opportunity to be heard. Following the Commission, between 1935 and 1946, a period of negotiation began, aimed at reaching a settlement between the Government and representatives of Waikato iwi. Controversially concerning the Waikato dela – delegates – controversially regarding, concerning the Waikato delegates was evident from an early stage in this protracted period. Some Waikato Māori, particularly Ngāti Hauā, under the banner of the Kauhanganui, believed the delegates, led by Tūmate Mahuta, were not fully representative of those affected by confiscation. Many opponents also argued that	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the return of land was the only suitable form of compensation and opposed any negotiations regarding monetary compensation. This group appears to have had support from some Hikairo and Maniapoto. Other Maniapoto also continued to independently voice their concerns regarding their lack of inclusion in the official process of negotiation."	
	EVE RONGO	
	Mr Sarich, if I could get you to stop there. Sir, I am aware of the time. I'll leave it in your hands in whether we continue with the last two pages or stop for lunch.	
	JUDGE AMBLER	
	No, we will stop for lunch. We will return at 1.30. Kia ora.	
	HEARING ADJOURNS: 1.01 PM	
	HEARING RESUMES: 1.33 PM	
	JUDGE AMBLER	
1333	A kia ora tātou. Mr Sarich. I think you were on the last paragraph of page 16 I think.	
	JONATHAN SARICH	
	CONTINUES READING BRIEF OF EVIDENCE #A029(c)	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	"Evidence examined in this report suggests that no formal process for officially selecting the delegates or to ensure that they were sufficiently representative of those affected by confiscation appears to have been put in place by the Government. Te Puea and King Korokī's approval seems to have been the only measure in this regard. Compounding the sense of injustice held by those who wished to be involved in the negotiations process, the Government made very little effort to engage, discuss and understand their issues when they were raised. In April 1946, the tension peaked when an agreement was reached regarding settlement at a large hui in Ngāruawāhia. Documentation located regarding this hui is fragmentary and indicates a series of meetings lasting several days. Evidence suggests the decision to accept the settlement was certainly not unanimous and considerable tension between competing factions was apparent at the hui. The opposition was led by Ngāti Hauā representatives, however it difficult to determine the extent and size of this group. Signifying the continued Ngāti Maniapoto concern, on 20 April, a large hui with the Prime Minister – at a large hui with Prime Minister Fraser, Hōri Tana of Ngāti Maniapoto expressed concern regarding a hasty acceptance of the settlement as he believed it affected the whole of Waikato and Maniapoto. Significantly, the Government believed it had attained consent for the settlement from a majority at the hui, and, perhaps more importantly, the consequent official approval of those whom they considered the 'accredited'	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	representatives of King Korokī in the form of an official letter of acceptance. However, similar to the negotiations, no formal processes to ensure that the settlement had the approval of the majority of the tribal leaderships were – was in place. In fact, according to Pei Te Hurinui Jones' account of the hui, some important steps in the agreement process were conducted behind closed doors with Fraser. Out of this same controversial hui, the first members for the Tainui Māori Trust Board, the body to administer the settlement fund, were nominated by those that had approved the settlement. Not surprisingly, the controversy continued after the passing of the Waikato-Maniapoto Māori Claims Settlement Act 1946 and the establishment of the Tainui Trust Board. Protest focused on what was considered by the opposition to be the dubious method of appointment of the first board. Although technically following the provisions of the 1946 Act and apparently approved by the people, Pei Te Hurinui Jones, a proposed member of the new board, admitted in correspondence with Native Minister Mason that he thought that it was wise to exclude those leaders who had opposed the settlement in order to achieve stability in the first term of the board. Protest also surrounded the board's efforts to define which tribes and corresponding 'districts' would be the beneficiaries of the compensation fund. Throughout 1946, Ngāti Maniapoto protest continued – distinct from that of Ngāti Hauā – expressing concerns regarding the composition of the trust board and lack of Ngāti Maniapoto representation.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Under growing pressure from continuing deputations and petitions from those who opposed the settlement, the Government increased its efforts to reconcile the various groups. However, Fraser and other officials involved were determined that there would be no re-negotiation of the settlement, encouraging those opposed to it to participate in the opportunities presented by the board. In September 1947, after meeting a deputation of various leaders opposed to the settlement, it was decided by Fraser to call a meeting of all the beneficiaries of the Tainui Trust Board to discuss the tribal divisions and the possible re-election of the board. At the consequent [sic] hui, new tribal divisions were established which resulted in the inclusion of representation for Ngāti Hikairo and Ngāti Hauā, as a result, some – as well as some other changes. Significantly, some considered that an open discussion of the re-election did not occur at this meeting, which contributed to further ill feeling. However, soon after, elections were scheduled for late 1948 to reappoint members before the first term of office had expired. In the event, despite encouragement, only one of the leaders of those who had opposed the settlement took the opportunity to attain membership on the board. Instead, further petitions and efforts to gather support amongst Waikato were undertaken. These were unsuccessful and largely ignored by the Government, and organised opposition to the board seems to have faded from 1949. Although certain tribes of the Rohe Pōtae were represented on the Tainui Māori Trust Board it seems unlikely that the Rohe Pōtae Māori considered their raupatu grievances to be fully settled. Petitions following the 1946 settlement by Ngāti	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Apakura and Ngāti Puhiawe as well as Ngāti Ngutu and Ngāti Paretekawa demonstrate continued efforts to have specific grievances heard and compensated. In addition, Ngāti Maniapoto never received the comprehensive inquiry into their war and raupatu grievances that they had clearly desired.	
1340	**Conclusions** In the four important issues examined, Rohe Pōtae Māori struggled to achieve various political objectives through engaging with the Government. However, they were largely frustrated by the Government's responses. After loyally serving the country in the First World War during which Ngāti Maniapoto experienced the unjustified application of conscription – Rohe Pōtae Māori experienced several decades of political disappointments. Soon after the war, despite their eager adoption and use of the Māori Council system, Ngāti Maniapoto witnessed their requests to reform the system ignored until their council could no longer function. Simultaneously, Rohe Pōtae Māori influence on key regional issues such as liquor and rates further diminished in the face of expanding Pākehā settlement and power, despite their best efforts to bring the agreements of the 1880s to Government attention. Attempts to renegotiate new agreements with the Government on the foundation of those made in the 1880s were unsuccessful, including requests for the establishment of a regional trust board. This was compounded by the lack of consideration of Rohe Pōtae hapū and iwi war and raupatu grievances, particularly Ngāti Maniapoto, before the Sim Commission and their	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	partial representation on the Tainui Māori Trust Board. By the end of the period studied, demographic, economic and political change ensured that the Government had the power to engage with Rohe Pōtae Māori largely on its own terms. Any shared notion of a unique foundation for engagement on a regional level established through the negotiations of the 1880s seems to have been completely eroded by mid-century, if it had ever existed at all. Government responses to Rohe Pōtae efforts to protect or remind the Crown of these agreements indicate that Government representatives came to consider them at best irrelevant to the mid-20th century political relationship, and at worst, that they had never been made. Other Rohe Pōtae hapū and iwi initiatives such as seeking consideration of war and raupatu grievances and establishing a suitable form of local self-Government through the Māori Health Councils were also conducted on a timetable and within parameters largely set by the Government."	
	EVE RONGO	
	Thank you Mr Sarich. Now the Crown, claimant counsel and the Tribunal have some questions for you. So have a seat if you'll be more comfortable.	
	JUDGE AMBLER	
	Yes and counsel can remove their jackets. You can see everyone with the lectern there? Thank you.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	Tēnā koe Mr Sarich. Thank you for very much for your presentation and for the evidence you've produced for this inquiry.	
	JONATHAN SARICH	
	Thanks.	
	GEOFFREY MELVIN	
	You should have before you three documents for the purposes of my cross-examination. Those are your main report, your summary possibly and the Crown's bundle of documents which is #A029(e).	
	JONATHAN SARICH	
	Yes, I have them.	
	GEOFFREY MELVIN	
	Good. I'm going to move sequentially through your report chapter by chapter. First though really a question of clarification. At page 10 of your report you noted that Māori documents and health council files were still being translated when you filed your report and that you would consider the results of that work and that you might amend chapter 2 accordingly. What's the status of that work and is there an	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	intention to amend your chapter or what?	
	JONATHAN SARICH	
	I've viewed translations of those documents or ones that I considered might be important and I didn't – I came to the conclusion that I wouldn't amend my chapter.	
	GEOFFREY MELVIN	
	So dealing first with matters arising out of chapter 1~~,~~ "Te Rohe Pōtae and the First W~~w~~orld War." In that chapter you argue, that there is a reluctance amongst Ngāti Maniapoto to join the war effort and at page 23 of your report you discuss the telegram from Hari Wahanui to James Allen the Minister of Defence, of the telegram of the 14th of June 1915. But it's correct isn't it that resistance to recruitment at this time wasn't limited to Māori, was it?	
	JONATHAN SARICH	
	There were other conscientious ~~objectives~~ objectors and other people who also didn't want to serve in the First World War, yes.	
	GEOFFREY MELVIN	
	And it's correct isn't it that there was a general diminishing of enthusiasm for the war throughout the populous a~~A~~s people became aware of the brutal reality of war and as a result	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	less enthusiasm for sending young men off to die?	
	JONATHAN SARICH	
	Yes and that's why ultimately conscription was brought in for the population.	
	GEOFFREY MELVIN	
	So in other words reluctance to join the war effort wasn't a peculiarly Ngāti Maniapoto phenomenon or indeed it wasn't a phenomenon peculiar to Māori. It was a sentiment that New Zealanders, many New Zealanders increasingly felt. You'd accept that?	
	JONATHAN SARICH	
	Not entirely. My report actually argues that at first Maniapoto didn't have any resistance to serving in the – to World War I and then I think what develops later with the Kīngitanga is a unique form of political resistance from – based on historical grievance which makes it slightly different from the average objection from Pākehā population.	
	GEOFFREY MELVIN	
	But you'd agree with the general point that all sectors of society shared a growing reluctance to send men off to war as the war progressed?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Some sections of society were becoming less willing to volunteer, yes.	
	GEOFFREY MELVIN	
	At page 16 of your report you discuss the relationship between Ngāti Maniapoto and the Government and you suggest that the growing resistance to serve in the military was in your words, "Perhaps symptomatic of more fundamental and long-standing problems," and in particular you state there that, "The most obvious in this respect was the fact that the last military engagement in which many Rohe Pōtae Māori were involved was fought against the Government in the 1860s."	
	JONATHAN SARICH	
	Which paragraph are you referring to?	
	GEOFFREY MELVIN	
	It's in the first full paragraph on page 16 where you say, "Perhaps symptomatic of more fundamental and long-standing problems..."?	
	JONATHAN SARICH	
	Yes, and this paragraph is referring to the second – what's	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	like a second phase of this relationship during the war which is when conscription comes in and then there appears to be more resistance to serve from that time.	
	GEOFFREY MELVIN	
	So it specifically in relation to the latter period of the war and the introduction with conscription?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
1350	Because as you note and indeed have just said, initially Ngāti Maniapoto – there were willing Ngāti Maniapoto recruits, weren't there and tribal elders supported the war at the start, didn't they?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	What though of your statement which you make at page 15 that the relationship between Ngāti Maniapoto and the Government was strong enough for Ngāti Maniapoto to support the war effort on a voluntary basis? So is there not	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	some contradiction there?	
	JONATHAN SARICH	
	What I am saying is that obviously the relationship was strong enough to start with. There was enough health in the relationship, for want of a better word, at the start to support the war on a voluntary basis. So that means that the Maniapoto leaders clearly felt that individuals within Maniapoto could decide to go to the war if they wanted. Where it changed was when conscription was coming in, it became coerced. It seems that that was a step too far for the relationship and then, I say, that perhaps that is indicative of deeper problems with the relationship. So I don't see a contradiction there.	
	GEOFFREY MELVIN	
	So is your statement that the relationship was strong enough to support the war on a voluntary basis, again, linked to the earlier period?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	Turning to conscription then, that was introduced in 1916 through the Military Services Act?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	And it was aimed primarily at Waikato was it not?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	And that is because rightly or wrongly they were seen not to be contributing their share of recruits to go to war?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	And for the purposes of conscription the Government found it was expedient to use the existing Māori land districts as ~~and~~ the districts – as the native recruiting districts?	
	JONATHAN SARICH	
	Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	And those districts did not take into account tribal boundaries did they?	
	JONATHAN SARICH	
	No, yes. Yes, no they didn't.	
	GEOFFREY MELVIN	
	So as a result of this expediency, if you like, tribes other than Waikato were also caught up in the process?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	But you would agree would you not, that the Defence Minister made it clear that where men from tribes other than Waikato were called up, they could expect to be granted an exemption from conscription. That is correct is it not?	
	JONATHAN SARICH	
	Where is that in my report?	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Well, you have mentioned it in your summary but he was, he was very consistent with the message that people from other tribes, tribes other than Waikato could expect to be granted an exemption and perhaps –	
	JONATHAN SARICH	
	Yes, I do note that. But it seems clear that that wasn't what happened in practise because Maniapoto should have been one of those tribes.	
	GEOFFREY MELVIN	
	Well it would have – perhaps the difficulty was that people had to apply for the exemption, is that right?	
	JONATHAN SARICH	
	I presume so.	
	GEOFFREY MELVIN	
	But if we take the Minister's statements, they would apply to Ngāti Maniapoto as well wouldn't they?	
	JONATHAN SARICH	
	His statement that they would be exempt to be applied?	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	That – well, his statements that tribes other than Waikato would be granted an exemption, on its face that would apply to Ngāti Maniapoto as well would it not?	
	JONATHAN SARICH	
	Yes. Yes.	
	GEOFFREY MELVIN	
	And it would also have applied to Taitapara, if he had applied for an exemption, that is correct?	
	JONATHAN SARICH	
	Yes, but nobody seems to – there seems to have been no awareness of this or no way to actually apply for it.	
	GEOFFREY MELVIN	
	Well have – are there – have you looked into the system for applying for it? Is that something that you have – that has been a focus of your report?	
	JONATHAN SARICH	
	No, but it seems self evident that if there was such an exemption there for Maniapoto the Crown would have or the Government officials would have informed them about that, given that there was so much concern about being	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	conscripted. And also outside of this land district, for example, Taranaki, whenever they were brought to the Minister's attention he just was happy to ignore them and not apply conscription to them, even though they fell into the same category as Waikato.	
	GEOFFREY MELVIN	
	Where you say, he was happy to ignore them, are you suggesting there was not a formal process to apply for exemption, it was done on some kind of informal basis?	
	JONATHAN SARICH	
	No, that he wasn't – there were never any plans to conscript them even though they were in the same sort of broad category as Waikato.	
	GEOFFREY MELVIN	
	Well can you clarify what you mean by that, that they were in the same sort of broad category as Waikato?	
	JONATHAN SARICH	
	They were also another tribal group who was resisting serving in the First World War.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And that underlines the point that the Government aimed conscription at Waikato and not other tribes did it not?	
	JONATHAN SARICH	
	Yes, that there was inherent inequalities in it, in the process of conscription.	
	JUDGE AMBLER	
	Can I just be clear in relation to conscription? Was this 1916 Act the first time the Crown had deployed conscription in New Zealand?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	It is correct to say, it is the first and only time, is that?	
	JONATHAN SARICH	
	Yes, I don't, I don't think Māori were conscripted in the Second World War.	
	GEOFFREY MELVIN	
	Well turning more closely to the case of Taitapara, you cite his case at pages 49 to 50 of your report. So he was a Ngāti	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Maniapoto man who joined Te Puea's resistance movement and was imprisoned for that reason?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	That is right? And then you suggest at page 50 that other young men of the Rohe Pōtae are likely to have made the same decision, evidenced by the high level of defaulter's in Te Kūiti, Hamilton and Huntly?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	But there is a difference is there not, between electing not to turn up in response to a conscription notice and actively joining Te Puea's resistance movement?	
	JONATHAN SARICH	
	Yes, there is a difference and that is why I just – I say it's likely that some of those joined Te Puea.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	But what is the evidence that you base that statement on?	
	JONATHAN SARICH	
	Well the fact he's an example for one, but earlier – sorry I just have to find something.	
	GEOFFREY MELVIN	
	Sure.	
	JONATHAN SARICH	
	If you turn to page 46 and the bottom paragraph on page 46 I state that: *Te Puea recalled to Ramsden in July 1944, that around this time she sent a message to Taitapara and other Maniapoto who were hiding in the mountains at Marakopa.* So this – and the quote is: *You and others who are hiding are to come here. If we are to die, let us die together.*	
1400	*So Te Puea the leader of this resistance recalls that more than just one Maniapoto man came and that is some of my evidence for the later statement that it seems a fair assumption that more than one Maniapoto man joined this active resistance.*	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	But doesn't her message simply say to Taitapara – it's a call to Taitapara and other Ngāti Maniapoto to join her movement but as far as we know only Taitapara – the only evidence we have is that Taitapara joined the movement and not others. That's correct isn't it?	
	JONATHAN SARICH	
	I think I – I think there is sufficient evidence to suggest that more than Taitapara joined this resistance movement from those two bits of evidence.	
	GEOFFREY MELVIN	
	Well you set out his recollection of the – of those events at pages 49 to 50, there is a quotation there and given the importance of tribal identity it would be reasonable to expect wouldn't it that had there been other Ngāti Maniapoto who had gone to join Te Puea that Taitapara would have mentioned this in his recollection?	
	JONATHAN SARICH	
	I don't know – no I don't know if he necessarily would have mentioned them.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	But it's correct isn't it that he refers solely and specifically to himself?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	And it's correct isn't it that he differentiates himself both from the Ngāti Maniapoto men who had gone to fight and the Waikato to whose side he had gone.	
	JONATHAN SARICH	
	Yep, yes. There were clearly those within Maniapoto that also didn't have a problem with serving and I make that abundantly clear so – but I still think that it's a likely scenario that more than just Taitapara went and joined this resistance given the strength – the relationship of the two districts, Maniapoto's relationship with the Kīngitanga.	
	GEOFFREY MELVIN	
	At page 45 you set out a table – table 2 that shows 47 out of 69 were called up, who were called up in Te Kūiti failed to report for a medical examination?	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Can I just make one more point on the last thing? The quote is, “You are the others who are hiding are to come here” so she clearly was referring to more than one person.	
	GEOFFREY MELVIN	
	Yes I take that point but my point is that we only know that Taitapara went to join her movement, we don’t have firm evidence that others did.	
	JONATHAN SARICH	
	My point is that they were already hiding out in the mountains together, hiding from authorities it’s likely that they travelled as a party but yes I do agree that it’s not definitive evidence there that more than one joined the resistance.	
	GEOFFREY MELVIN	
	All right so the table at page 45 shows that 47 out of 69 called up in Te Kūiti failed to report for a medical examination?	
	JONATHAN SARICH	
1405	Yes.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And you say that this shows some insight into the resistance to conscription of those who were called to examination?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	But we, we do need to treat it with some caution, don't we? For example we'd need to know how many did not receive notice to report?	
	JONATHAN SARICH	
	Yes, that would be a factor.	
	GEOFFREY MELVIN	
	And you note there in your text at the bottom of page 45 that, you say, "A further nine were classified medically unfit," but that's, that's got nothing to do with resistance to conscription, has it?	
	JONATHAN SARICH	
	Well, it could do. You just need to know those individual cases. Like they might have gone, knowing that they wouldn't have to serve. So they could still be opposed but have just gone to get through the process knowing that they	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	wouldn't have to serve. They might have just turned up and got the unfit to serve and then gone home, but all the while thinking, "I never would have served, I'm against this process." Like I think you need to know like down to an individual like what they were thinking basically. You can't categorically rule them out as not resisting.	
	GEOFFREY MELVIN	
	But it's certainly not positive evidence of people who were resisting?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	Now if we move on to chapter 2 matters. This is your chapter on "Māori Health Councils" in the Rohe Pōtae, and you note that under the legislation of the councils were to be appointed by the Governor-General?	
	JONATHAN SARICH	
	Yes, that's correct.	
	GEOFFREY MELVIN	
	But in the Rohe Pōtae there was an informal process that was adopted whereby members were selected at the hui	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	held in the rohe and were then given official sanction by the Governor-General?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	Despite that, however, at page 105 you say, “Lack of formal process surrounding the Government appointment of council members sometimes exacerbated pre-existing divisions within the council district.”?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	And then at page 120 you say, “The informal process of nomination of members from Māori within the district place officials at an impasse, not knowing who to appoint. In this way, the system served to heighten the tension between Rātana and others in Ngāti Maniapoto.”?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	But in fact there is no evidence is there that the Government was responsible for fostering the division or fostering division among Māori?	
	JONATHAN SARICH	
	The lack of a system seems to have in some cases intensified division between different factions. So –	
	GEOFFREY MELVIN	
	But there was no, no Government intention to do that, was there?	
	JONATHAN SARICH	
	Not an intention, no.	
	GEOFFREY MELVIN	
	Had the Government taken upon itself to impose its own choices on Rohe Pōtae Māori with respect to membership of the council that would have attracted a lot of criticism, wouldn't it as undue interference?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
1410	So it seems that either way you, you seem to be damning the Government. It adopted a process by which Māori were able to nominate their representatives and you're critical of that, but you also accept that if it had nearly proceeded to a point, members itself without consultation, that would have attracted criticism as well?	
	JONATHAN SARICH	
	Yes. I'm just pointing out a weakness with that system. It had pros and cons. So the system, the informal system had the plus that it enabled the local communities to select their leaders but in the odd case the lack of clear process seemed to lead to squabbles.	
	GEOFFREY MELVIN	
	Well, sorry, most systems have their pros and cons but you'd accept that the pros of the system the Government did follow outweighed the cons?	
	JONATHAN SARICH	
	Yeah, I think that that system was better because it allowed the local people to select their representatives.	
	GEOFFREY MELVIN	
	In your conclusion on this chapter regarding Māori Health Councils, you say, and this is at, if you want to refer to it, it's	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	at page 117, you say as the primary attempt of the Government to provide some form of regional self-government to Māori of the inquiry district between 1914 and 1939, the Māori Health Council system was a failure. But, it's true, isn't it, that the Māori Health Councils had a limited focus and that was on health and welfare issues?	
	JONATHAN SARICH	
	No. They had an increased emphasis on that but they still retained the functions of the 1900 legislation. The original Councils Act.	
	GEOFFREY MELVIN	
	Well it didn't purport to afford a system of self-Government generally did it?	
	JONATHAN SARICH	
	It was the only form of self-Government in the district as limited as it was.	
	GEOFFREY MELVIN	
	So you accept it was limited?	
	JONATHAN SARICH	
	Yeah, it was a limited form of self-Government.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	And you do note don't you that the council did have some successes in some respects?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	Tō the extent that the council wasn't successful, then it wouldn't be unreasonable to apportion all the blame to the Government would it? There were external factors as well as an addition to decisions the Government made?	
	JONATHAN SARICH	
	I note in the chapter that the fundamental reason why the failed is ‘cos they couldn’t financially support themselves which was down to the Government legislation.	
	GEOFFREY MELVIN	
	Well this, the Māori Health Councils existed by and large in a period of considerable difficulty, didn't it, both nationally and internationally? The pervading circumstances were the Depression Years, and then the Second World War Years?	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes, they did exist through the Depression.	
	GEOFFREY MELVIN	
	And the Second World War?	
	JONATHAN SARICH	
	No, most – most of them had faulted before then because they couldn't financially support themselves.	
	GEOFFREY MELVIN	
	But, the Depression, for example was presented some extreme circumstances for the Government and for the country, didn't it, in terms of what could be afforded and demands on resources?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	So that's a factor that needs to be taken into account when looking at the factors that contributed to the success or otherwise of the system isn't it?	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	It is a factor.	
	GEOFFREY MELVIN	
	What would other factors be that, in your view?	
	JONATHAN SARICH	
	The, all the other reasons that I point out in the, in the report. So, just because there's not enough money available it doesn't mean that you can just ignore what the legislation says, and the legislation says that they would pay for administration costs. There's still some degree of obligation there that they would stump up the money even during that circum – or those circumstance. You can't – the overall argument is, you can't establish a system and expect it to work if you don't give it the financial support it needs to work, and it was established before the Depression started. So those faults were there before the Depression.	
	GEOFFREY MELVIN	
	Sorry, just looking for a note, but I don't think I can find it so I'll move on. You also conclude that the, the life and the decline of the Maniapoto Māori Health Council after a, after 1918 is a stark symbol of marginalisation of Te Rohe Pōtae hapū and iwi authority, but it's – and that's at page 67, but the, the Māori Health Council's represented a genuine attempt to enable Māori to work actively with the Government in promoting health and welfare issues, didn't	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	it?	
	JONATHAN SARICH	
	Yeah, they were, they were a body there to help facilitate a conversation about those issues, health and –	
	GEOFFREY MELVIN	
	And there wasn't a Government intention to marginalise Te Rohe Pōtae Māori, was there, through this system?	
	JONATHAN SARICH	
	The comment that you're referring to I draw the general contrast between the success of local government in the districts, so Pākehā local government or the regular local government of the district and these councils and I make that in the context of how, in the 1880s, attempts were made to ensure that Rohe Pōtae Māori would have a voice in this district and then when you hold it in that bigger light and you see the great success of local government with rates and all its powers, and then you see this meagre effort at maintaining Māori self-Government in the district through the health councils, it's a pretty big contrast and I'm just alluding to that contrast.	
	GEOFFREY MELVIN	
	Well coming back to the point that we, the point that we were discussing a moment ago about the, the period in	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	which this system operated and the difficult financial circumstances of the times, would it be fair to say that whilst you touch on those wider circumstances in your report, you haven't been able to look into them in any detailed way and examine their, the extent of their influence?	
	JONATHAN SARICH	
1420	Yeah, that's correct.	
	GEOFFREY MELVIN	
	I will move to your chapter on liquor in the King Country, chapter 3. And your focus here is on events between 1914 and 1954, that is correct?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	And you say in your introduction at page 122 at the bottom there: *Rohe Pōtae tribal leaderships continue to use the negotiations of the 1880s as a platform from which to engage with the Government in an attempt to influence important developments in their district.*	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	GEOFFREY MELVIN	
	So in analysing the developments in this period that you focus on, it is important, therefore, to have an accurate understanding of what occurred in the 1880s, you would accept that?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	Well, I guess, the point I am making is that if the 1880s set the platform we need to know what that platform is.	
	JONATHAN SARICH	
	Yes. Yes.	
	GEOFFREY MELVIN	
	And yet you have acknowledged in your report at page 193 that a comprehensive examination of the negotiations of the 1880s is beyond the scope of the report?	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I have but I have drawn on what was provisional research at the time by various authors about that time to give a general framework, plus my own research for the railways report on that time period. The main source I have used is Kathy Mars provisional research and I am also aware that she has conducted the most comprehensive analysis of that time and that her findings in her provisional reports have only been strengthened by her analysis of that time. So I draw on that to understand some of the broader dimensions of the 1880s, yes.	
	GEOFFREY MELVIN	
	So at the time of writing your report, evidence that the Crown has produced for this Inquiry in relation to the liquor issue in the Rohe Pōtae, that wasn't available to you?	
	JONATHAN SARICH	
	No.	
	GEOFFREY MELVIN	
	So the Rohe Pōtae became a non-licensed area as a result of a petition supported by 1,400 Rohe Pōtae Māori, that is correct?	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	GEOFFREY MELVIN	
	And the petition was presented to the Governor-General, Sir William Jervois in September 1884.	
	JONATHAN SARICH	
	Yes I believe that is correct.	
	GEOFFREY MELVIN	
	And on the 25th of September 1884 the Cabinet agreed the petition should be granted and it communicated that advice to the Governor-General, that is correct?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	Now the petition itself is set out in the Crown's bundle of documents so it is the first document. There is a cover page from the file that it is located in on page 1 and then the petition is on pages 2 and 3 of the bundle. So if we look at the petition itself, it acknowledged Parliament had made laws empowering the Governor-General to prohibit a publican's licence in native	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	districts on application of landowners.	
	JONATHAN SARICH	
1425	Yes.	
	GEOFFREY MELVIN	
	And it's correct isn't it that the petition sought one thing only and that was a proclamation under section 25 of the Licensing Act 1881 in respect of the area that was described in the petition?	
	JONATHAN SARICH	
	I believe that's the case.	
	GEOFFREY MELVIN	
	So the petition was seeking the exercise of a specific statutory power to prevent publicans' licences being granted in the Rohe Pōtae?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	And that proclamation that was sought was granted and it was gazetted on the 11th of December 1884, that's correct	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	isn't it?	
	JONATHAN SARICH	
	Sounds correct.	
	GEOFFREY MELVIN	
	So that was precisely what the petitioners had asked for, wasn't it?	
	JONATHAN SARICH	
	The petitioners had asked for that, yes.	
	GEOFFREY MELVIN	
	And there was nothing in the petition whereby Rohe Pōtae sought ongoing influence or input into policy regarding liquor control, was there?	
	JONATHAN SARICH	
	Not in this petition, no.	
	GEOFFREY MELVIN	
	Now turning to the Hockly Committee, which was a hearing held in the early 1920s, 1921 to 1922 and you deal with this around page 138 of your report and John Ormsby gave evidence to that committee?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	And at page 138 you say that Ormsby gave evidence that he considered a sacred pact had been reached between Rohe Pōtae leadership and the Government in the 1880s?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	That’s what you say?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	In fact though, Ormsby referred to a solemn pact, didn't he, not a sacred pact?	
	JONATHAN SARICH	
	Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	So your conclusion at page 140 that overall the evidence presented made it clear that Ormsby believed that a sacred pact had been entered between the Government and Rohe Pōtae Māori. That's not correct, is it?	
	JONATHAN SARICH	
	There's a difference in words there but my meaning is the same. He believed that sac – very, very important agreements had been reached at that time and that this is the, this is the crux of the issue really. I don't think the petition can just stand alone without the context of the rest of the negotiations in the 1880s and so when I'm looking at – most often in the report I use the words that the people I'm writing about I use their terminology for the thing, but I've – I had – I had made a mistake there and I haven't switched the words, but what I'm arguing throughout the report is that they're – the petition was part of a wider series of negotiations. It was just one thing that happened and their attempts to control the district. So you've got all the other events; the 1883 petition, the railway negotiations, all of those things and you can't divide them. You can't shear them apart and say that this happened totally separate to those events even though all the same characters were involved. You cannot separate it off and just make it stand-alone.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	And I take that point, but there is in – there is in fact a difference of some importance between the words "sacred" and "solemn" aren't there? "Sacred" has a connotation of something that is sacrosanct and inviolable, something that can't be changed and "solemn" doesn't carry that meaning does it?	
	JONATHAN SARICH	
	There's a difference in obligation there, yes, but my point is no matter what you call it. If you call it a "sacred" Compact, a "solemn" Compact or an agreement, it always come back to the same idea that there was an agreement reached between Rohe Pōtae and the Crown. I'm not – as my commission states, I wasn't obsessing about whether it was about liquor exactly. I was – I have looked at why I've used the understanding that Kathy reached that they were all connected and I say this in the report that they were all connected and together they were viewed as a Compact. So when I'm looking at Ormsby and these guys, I'm looking for different things that Dr Loveridge was. I'm saying that at this Hockly Committee that you can see that all of these guys were aware that there was wider dimensions to these negotiations. They weren't just about liquor. As Ormsby says in these quotes, "It was about land," and one of the reasons why they were concerned about liquor was because the impact that liquor might have in the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Land Court process if it was ever introduced into the district and what have you. So they – it was all tied together with these wider issues, all tied together with these negotiations in the 1880s.	
	GEOFFREY MELVIN	
	Yes, but one of the key points is whether the Crown breached its obligations in the 1950s by changing – by holding a referendum and facilitating the change in the liquor law or the no-licence regime in the King Country. So it is an important issue as to whether at the time in the 1880s the agreement or the obligations undertaken in respect of the no-licence regime was considered to be one that was forever or one that could with agreement of Rohe Pōtae Māori be changed. That's fair to say isn't it?	
	JONATHAN SARICH	
	Yes it is and I guess what I'm saying on top of that is that that wa – I don't make a call either way on that in this chapter. I just show at various points how Rohe Pōtae Māori at that time conceived of these agreements and yes one of the ways they conceived of it was as an unchangeable or sacred pact.	
	GEOFFREY MELVIN	
	You don't record in your report that the Hockly Committee specifically asked Ormsby if he thought the pact relating to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	alcohol was meant to last forever and ever, do you?	
	JONATHAN SARICH	
	No.	
	GEOFFREY MELVIN	
	And in answer to that, Ormsby said he couldn't answer, "I do not think that was in our mind. We were only concerned about the investigation of titles without the interference of liquor."	
	JONATHAN SARICH	
	I believe that's what he said, yes.	
	GEOFFREY MELVIN	
	Well if, if we – instead of putting to you a long series of questions about your treatment of various witnesses to the Hockly Committee and to the Royal – 1945 Royal Commission.	
1435	And so, if we cut to the chase the fact is when it mattered, the Crown did act on the basis that it was required to get the agreement of Rohe Pōtae Māori before the no licence regime and the King Country was changed, didn't it?	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Sorry, can you repeat that question?	
	GEOFFREY MELVIN	
	When it mattered, the Crown acted on the basis that it is required to get the agreement of Rohe Pōtae Māori before the no-–licence regime put in place in 1884 in the King Country was changed, didn't it?	
	JONATHAN SARICH	
	So when it mattered, the Crown did get Rohe Pōtae consent?	
	GEOFFREY MELVIN	
	Yes.	
	JONATHAN SARICH	
	So you're referring to the Royal Commission's recommendations and then –	
	GEOFFREY MELVIN	
	Well – **JONATHAN SARICH**	
	The first set of referendum?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	There was, yes. There was a referendum in 1946, was it, and then the second one in 1954.	
	JONATHAN SARICH	
	Was it ’49?	
	GEOFFREY MELVIN	
	They, yes, maybe I'm –	
	JONATHAN SARICH	
	The point is that there was a first set of referendum and the second set of referendum. In the first one they got Māori – Rohe Pōtae Māori consent through the referendum. That's what you’re asking me? They got Rohe Pōtae Māori consent through the referendum in 1949?	
	GEOFFREY MELVIN	
	Well it was 1954 wasn’t it?	
	JONATHAN SARICH	
	Not 19 –	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	No?	
	JONATHAN SARICH	
	They didn't ask for Rohe Pōtae Māori consent in, well they did a combined poll which is essentially not asking for Rohe Pōtae Māori consent.	
	GEOFFREY MELVIN	
	But the poll, well, Rohe Pōtae Māori were able to vote and the poll produced a no result didn't it?	
	JONATHAN SARICH	
	It did but if, the whole point was by combining the poll they knew what the result was gonna be because the Rohe Pōtae Māori population was so small, that it didn't matter which way they voted they – they, would, it would – licences would be issued, but in 1949 they made sure that there was just a referendum for Māori that they would consider first, before they considered the Pākehā's populations vote on the issue.	
	GEOFFREY MELVIN	
	You said 1949. Do you mean – is that what you meant?	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	So in 1954 they did a combined poll that was essentially not asking for Rohe Pōtae Māori consent ‘cos by that stage they’d decided they didn't need it but –	
	GEOFFREY MELVIN	
	I just thought you had put those dates the other way round, but maybe I mislead you.	
	JONATHAN SARICH	
	Okay.	
	JUDGE AMBLER	
	So just to be very clear, 1949 is the first referendum –	
	JONATHAN SARICH	
	After the Royal Commission of licences.	
	JUDGE AMBLER	
	Yes.	
	JONATHAN SARICH	
	Right.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	The first referendum is of Māori only in the Rohe Pōtae?	
	JONATHAN SARICH	
	Yeah.	
	JUDGE AMBLER	
	And then the second referendum in 1954 is of the combined population?	
	JONATHAN SARICH	
	Yes.	
	JUDGE AMBLER	
	How are you going Mr Melvin? We are just about up to an hour.	
	GEOFFREY MELVIN	
	Yes. I'm making better progress than I had thought. I'm coming to, approaching the last chapter, Sir. I'm not quite there, but nearly. The question would be wouldn't it, that whether it was reasonable or not for the Royal Commission to recommend, to make the recommendations that it did given all the evidence before it, and that's probably ultimately a matter for the legal submission, but you'd agree, wouldn't you, that the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Commission heard conflicting evidence and was aware of conflicting viewpoints that had existed over a long period of time?	
	JONATHAN SARICH	
	No, I say that it exaggerated that there was conflicting evidence in the district and – yeah.	
	GEOFFREY MELVIN	
	You do note though, that like Pākehā, Rohe Pōtae Māori took various positions regarding the introductions of licences throughout the period?	
	JONATHAN SARICH	
	Yes, but the evidence presented to the Royal Commission, there wasn't – that difference was overstated. Both Pei Te Hurinui, Jones and Wētere both said that they did not want referendums in the district and then they took that as saying that there was an irreconcilable difference of opinion, but both of them categorically say they did not want referendum in the district.	
	GEOFFREY MELVIN	
	You say that the 1945 Royal Commission on licensing gave very little discussion as to why a referendum as a desired method of testing Rohe Pōtae Māori opinion?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	But you, it seems to me, you fail to note and perhaps if you'd turn to page 17 of the Crown's bundle of documents, paragraph – you fail to note what's recorded there at the top in the top paragraph, paragraph 1238, and if – I'll read it out. It says, "On the whole we do not think it would be satisfactory to adopt any basis other than that for the election of a Māori Member of Parliament. This is adopted in section 46 of the Licensing Amendment Act 1910, which enables the Māori electors in a specifically proclaimed area to vote against the supply of liquor to natives in that area.	
	JONATHAN SARICH	
	Yeah, that's true. I wasn't aware of this passage.	
	GEOFFREY MELVIN	
	So that, it does add to the, to one's understanding of the rationale for a referendum doesn't it?	
	JONATHAN SARICH	
	Yeah, it does increase my understanding, our understanding.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	Also at paragraph 1213, which is on page 12 of the bundle, it says there, “The absence of the vote on the liquor question is contrary to the principles generally maintained by the New Zealand Alliance and by church organisations with respect to the liquor question.”	
	JONATHAN SARICH	
	Yeah, that's also true.	
	GEOFFREY MELVIN	
	Just missing a page. Sorry, Sir. I'm just missing a page. I’ll have to pull it up from on screen.	
	JUDGE AMBLER	
	From which document?	
	GEOFFREY MELVIN	
	From my own notes, Sir. Sorry.	
	JUDGE AMBLER	
1445	Well, just while you are doing that, Mr Sarich, is it right that the King Country was the only area that was still under a complete prohibition up until the 1950s change or were there	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	other districts?	
	JONATHAN SARICH	
	I'm not fully – I'm not sure 100% on this but I think there were other parts of New Zealand that operated as dry districts but not – they hadn't evolved with this unique background with the petition and what have you. So I think parts of Otago and stuff were – there were other dry districts down there and in other places.	
	JUDGE AMBLER	
	Completely dry districts?	
	JONATHAN SARICH	
	I better not go there.	
	JUDGE AMBLER	
	Okay.	
	GEOFFREY MELVIN	
	So Mr Sarich, turning to chapter 4. At page 239 where you discuss the formation of the group in 1933 to negotiate a settlement with the Crown, you say that: *There appears to have been no formal process for officially selecting representatives to negotiate with the*	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Government or to ensure that they were sufficiently representative of those affected by confiscation.	
	JONATHAN SARICH	
	I'm sorry, what page?	
	GEOFFREY MELVIN	
	Page 239. It's about –	
	JONATHAN SARICH	
	In the first paragraph?	
	GEOFFREY MELVIN	
	Yes it is about eight or nine lines down.	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	What do you mean by a formal process for officially selecting representatives?	
	JONATHAN SARICH	
	I don't know what it would look like but there was no formal	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	process.	
	GEOFFREY MELVIN	
	But are you suggesting the Government should have selected representatives as the official process?	
	JONATHAN SARICH	
	No, that there should have been some sort of process – hold on, can I just read it to myself for a sec? Yes, I am saying that there should have been – well, that there was no process for officially selecting representatives and to ensure that those representatives were the representatives of the communities. So of Waikato and Maniapoto, or Rohe Pōtae Māori.	
	GEOFFREY MELVIN	
	Are you suggesting the Government should have put in place a formal process to select representatives?	
	JONATHAN SARICH	
	I am just noting that there was none and that perhaps if there was one some of this – some of these tensions could have been headed off earlier.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	It is correct though is it not that the group of representatives had the sanction of King Korokī and Te Puea?	
	JONATHAN SARICH	
	Yes, and I note that that seems to be the basis from which the Government was – that seemed to have been enough for the Government, for them to believe that they were dealing with the accredited representatives.	
	GEOFFREY MELVIN	
	And the group had recognised leaders did it not? Pei Te Hurinui Jones and for example, Tūmate Mahuta. They were recognised leaders were they not?	
	JONATHAN SARICH	
	Yes they were. Yes.	
	GEOFFREY MELVIN	
	And the April hui at Tūrangawaewae in 1946, that is when a settlement was agreed, that is another example of the Crown dealing with tribal leaders and tribal representatives?	
	JONATHAN SARICH	
	Yes. Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	And if I understand you correctly you voice some criticisms or concerns about that –	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
1450	– but earlier in your report on the issue of liquor licensing you are critical of the Government for not dealing with tribal leaders so are you not being – well you are frowning, are you not? You getting my point?	
	JONATHAN SARICH	
	Yeah I'm not, I'm not following sorry.	
	GEOFFREY MELVIN	
	In – you are critical of the Government holding a referendum instead of it seems, turning to the tribal leadership to make the decision.	
	JONATHAN SARICH	
	Okay yeah.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	Here it's the other way round. You're critical of the Government dealing with the tribal leaders. So there seems to be some inconsistency in your approach?	
	JONATHAN SARICH	
	In the '46 hui, I'm not so much critical of the Crown for dealing with the tribal leadership. I just merely point out that if there were more systematic approach to appointing and dealing with leaders, there might not have been this – all these arguments.	
	GEOFFREY MELVIN	
	At page 243 of your report, you discuss the settlement negotiations that followed the release of the Sim Commission and a number of petitions and you state there, "The petitions reveal evidence that some Ngāti Maniapoto considered that they continued to be excluded from decision-making processes regarding the negotiation and any potential settlement."	
	JONATHAN SARICH	
	Sorry what page is that?	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Page 243.	
	JUDGE AMBLER	
	Where about on that page? Which paragraph sorry?	
	GEOFFREY MELVIN	
	Yes I'm just – I normally make it very clear to –	
14:52:02	**UNIDENTIFIED FEMALE SPEAKER**	
	It's the bottom of the first paragraph Sir.	
	GEOFFREY MELVIN	
	Yes, bottom of the first paragraph.	
	JONATHAN SARICH	
	Thank you. So the sentence beginning, combined.	
	GEOFFREY MELVIN	
	Yes, and it goes on, "Some Ngāti Maniapoto consider they continue to be excluded from decision-making processes." But we don't know the extent to which these petitions represented the views of a minority or a majority of Ngāti Maniapoto, do we?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Yeah and I note that difficulty a number of times through the chapter.	
	GEOFFREY MELVIN	
	And so it's clear Ngāti Maniapoto weren't once voice regarding the settlement and what followed were they?	
	JONATHAN SARICH	
	Sorry, I'm just thinking about that. It's difficult to know how many – exactly how many Maniapoto agreed with those petitions, but there's a consistent enough stream of these sorts of petitions through – that I detail through the chapter, to suggest that, that it was at least a sizeable group or at least something that needed to be listened to or – they're just a repetition of the protest seems enough to suggest that it was a sight – a reasonable group of people.	
	GEOFFREY MELVIN	
	Well isas repetition really a good gauge of size?	
	JONATHAN SARICH	
	Some of the petitions do note the number of people and I can't go back through now, but I believe one of them was as high as 200.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	And yet you do note that extent and size of opposition to the settlement is difficult to determine? You –	
	JONATHAN SARICH	
	Yeah I do and I'll acknowledge that, but I'm unwilling to concur that it was a negligible voice or too small to listen to or anything like that.	
	GEOFFREY MELVIN	
1455	That, yeah, that's not the point I'm putting to you. I'm just putting to you that, establishing the size of the opposition is difficult and can't be done on the evidence before us?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	Notwithstanding claimed problems with the Sim Commission and its finding that Ngāti Maniapoto did not lose any territory as a result of confiscation and with negotiations that followed the Sim Commission, the Ngāti Maniapoto hapū, Ngāti Ngutu and Ngāti Paretekawa received the same outcome as other hapū of the Tainui waka that had lost land in the Waikato district as a result of the raupatu, that's correct isn't	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	it?	
	JONATHAN SARICH	
	Yes, they were included in the, the ’46 settlement.	
	GEOFFREY MELVIN	
	And so they, through that settlement they became beneficiaries of the settlement which provided money – monetary compensation to an entity which was the Tainui Māori Trust Board?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	Established to receive and administer that compensation?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	Kia ora. Thank you Mr Sarich.	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Thank you.	
	GEOFFREY MELVIN	
	For your responses.	
	JUDGE AMBLER	
	Mr Bennion.	
	TOM BENNION	
	Yes, Sir. Thank you. Thanks for your report, Mr Sarich. Can I go to page 57 and you quote Mr Baker and his conclusion on the application for conscription on Waikato, and I'm looking at the last sentence. "The conscription of the Waikato was lesser means of obtaining men or equalising sacrifice, then of exerting political control, first, in terms of obtaining men, do we know what percentage – you've shown that conscription notices went out to some 200 people, men, in the Waikato District. Do we have any numbers about the, the percentage of conscription notices that went to Māori versus conscription notices to the, to non-Māori New Zealand? How significant was this number of Māori that they were seeking to conscript versus the general conscription?	
	JONATHAN SARICH	
	I don't think I'm understanding the question.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	TOM BENNION	
	Well the first point made in this paragraph Mr Baker, is conscription of Waikato was lesser means of obtaining men. Now conscription notices go out to about 200 individual –	
	JONATHAN SARICH	
	Okay, yeah.	
	TOM BENNION	
	– Individuals, yes?	
	JONATHAN SARICH	
	Yeah.	
	TOM BENNION	
	So how significant was the numbers they were seeking from conscription of Māori in terms of the overall war effort? Was it, was it a –	
	JONATHAN SARICH	
	Pretty negligible.	
	TOM BENNION	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And in terms of equalising sacrifice, is it Defence Minister Allan, talks about one tribe not doing its duty and he's talking about Waikato there isn't he?	
	JONATHAN SARICH	
	Yeah.	
	TOM BENNION	
	And on page 38, I think he talks about the possible exemptions that might come in from the Hauraki District. Do you see that?	
	JONATHAN SARICH	
	Yeah.	
	TOM BENNION	
	And do I take it from the quote there where he says, "When they are called in the ballot, however, they have the right to appeal for exemption on the form provided and if they do so I am sure that the Native Military Service Board, knowing that your hapūs have done their duty will extend every consideration to them." So he's indicating there, isn't he, how exemptions would be dealt with and that it would have a direct relationship to hapū who have done their duty versus those deemed not to have done their duty? Is that –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
1500	Yes.	
	THOMAS BENNION	
	Is that fair?	
	JONATHAN SARICH	
	Yes.	
	TOM BENNION	
	And, therefore, the expectation of a Waikato person seeking an exemption would be what under those circumstances? How might they be judged?	
	JONATHAN SARICH	
	Sorry, my mind drifted again. Can you just repeat that question? I was thinking about earlier comments I made.	
	TOM BENNION	
	Okay.	
	JONATHAN SARICH	
	And how I could have better answered them.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Do you have a view on how they would be judged?	
	THOMAS BENNION	
	Yes Sir, I'm just not – I'm conscious that the witness is not unfavourable to us and I don't want to lead too much. That's – but I'll put it to him.	
	JUDGE AMBLER	
	Put the proposition.	
	TOM BENNION	
	Okay. He's suggesting isn't he that if exemptions come in he's going – a test he is going to apply to hapū, has your hapū done its duty and he thinks certainly that Waikato hapū haven't done their duty. That's true isn't it?	
	JONATHAN SARICH	
	Yes.	
	TOM BENNION	
	So they're not going to fare well if they – a Waikato person saying, "I want an exemption," is may not –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Is not going to –	
	TOM BENNION	
	– come through that test very well.	
	JONATHAN SARICH	
	Yes.	
	TOM BENNION	
	Is that fair?	
	JONATHAN SARICH	
	Yes.	
	JUDGE AMBLER	
	Wē'll just pause there, Mr Bennion. We're going to have a break for –	
	TOM BENNION	
	Yes.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	– a cup of tea and return at 3.20. Kia ora.	
	HEARING ADJOURNS: 3.01 PM	
	HEARING RESUMES: 3.19 PM	
	JUDGE AMBLER	
1519	Kia ora anō tātou. Mr Bennion.	
	TOM BENNION	
	Thank you, Sir. Mr Sarich, I am going to go a little slower. I think I was moving too quickly. So page 57, I am looking at this quote from Mr Baker and the last sentence: *The conscription of the Waikato was less a means of obtaining men or equalising sacrifice than of exerting political control.* Now, in terms of equalising sacrifice, we have heard about this view that Waikato had not done their duty but you also make the point that other groups or other tribal areas like Taranaki were being exempted. Well, were being treated quite generously in terms of conscription in those areas. Is that right?	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes. I note in the report that Taranaki was a very similar area to Waikato in that they seemed to have large numbers of – well, very few volunteers for the war effort. Yes.	
	TOM BENNION	
	And they – sorry, and they weren't getting conscription applied to them at all?	
	JONATHAN SARICH	
	Yes.	
	TOM BENNION	
	Not even a lenient? Just not at all? So Mr Baker here is talking about conscription of the Waikato, but your report if I read it – if I am reading it right suggests that Maniapoto were pretty much lumped in with Waikato?	
	JONATHAN SARICH	
	Yes.	
	TOM BENNION	
	Yes. So the implication of this "in conclusion" is that Maniapoto men were conscripted and some were sent to war under the conscription scheme, yes?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Or none – no men actually ever left the country that were conscripted, Māori men, but yes they were conscripted and started training.	
	TOM BENNION	
	They never left the country because of the timing, the conscription –	
	JONATHAN SARICH	
	Yes, the war ended.	
	TOM BENNION	
	– coming so late.	
	JONATHAN SARICH	
	Yes, and it was, since it was such a nightmare trying to actually get any of these people into the armed forces, none of them actually ever ended up leaving the country.	
	TOM BENNION	
	But the conclusion here would be that the Government had them in training preparing to send them to –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Yes.	
	TOM BENNION	
	– theatres of war –	
	JONATHAN SARICH	
	Yes	
	TOM BENNION	
	– less as a means of needing those people for the war effort or equalising sacrifice and really more as an exertion of political control over Waikato/Maniapoto. That is what is being concluded there?	
	JONATHAN SARICH	
	I am concluding in terms of Waikato, that's the case and then over the next page I say that the Maniapoto situation is slightly more complicated because they had volunteered. But yes, it is the same general conclusion. They got tied up in this Government effort to force Waikato to serve.	
	TOM BENNION	
	All right.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	And that was more about – yes, that was about asserting authority more than needing the men for the war.	
	TOM BENNION	
	And in terms of the general approach to Māori conscription, it seems to very quickly even almost immediately become a discussion about tribes doing their duty and hapū doing their duty, that is groups of Māori, traditional groups. Who starts conceiving it in that way? I mean, does it come from the Crown side, the Māori side, or are they both basically that is just the way they see it immediately?	
	JONATHAN SARICH	
	I mean, I guess it's for a number of reasons, but I guess one of the main reasons would be is that the Native Committee made up of the MPs were divided up into their electorates and they were to raise troops in those areas. And then so and really rapidly, I guess, in some ways that – what am I saying? Yes, that reinforced that sort of tribal –	
	TOM BENNION	
	Right.	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	– emphasis.	
	TOM BENNION	
	Okay. And, I mean – and Mr Allen certainly from in terms of the Defence, the Defence Department is talking about tribes doing their duty and quite happy to see it in those terms? There is no uncomfortableness about that. He is happy to conceive it in those terms and approach it in that way?	
	JONATHAN SARICH	
	Yes.	
	TOM BENNION	
	Okay. In terms of the reluctance that develops, I think Mr Melvin, my friend Mr Melvin put it to you that, you know, of course people were becoming concerned about the war. I just wondered, you mentioned that there was a national registration that was occurring around in 1915?	
	JONATHAN SARICH	
	Yes, that was for the rest of the population excluding Māori men.	
	TOM BENNION	
	Okay.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Yes.	
	TOM BENNION	
	Do you know – you do not know whether that started to get people a bit worried, in the Māori community about what might happen?	
	JONATHAN SARICH	
	No I don't think I can comment on that. The reason why they ended up using the censor starter for the Māori registration or register is because they knew it was going to be really hard because nobody was going to show up.	
	TOM BENNION	
	Yes. Page 27 you have got: *We cannot get the Waikato tribe to encourage their young men to enlist. The King's own son Tonga Mahuta has refused to turn up to territorial parades and we have summons him and he has been fined.* So there was – this is, I think, pre-conscription formerly. There was some law operating at that time that allowed	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	people to be required to turn up to parades and be fined, is that your suggestion?	
	JONATHAN SARICH	
	Yes, there was sort of like, yes, territorial training that had become compulsory and already Waikato were resisting that with these high profile figures.	
	TOM BENNION	
	Right. And that is where – on page 27 that raises that issue of the mana of Mahuta or the mana of the Government which prevails. Is that the – well, what is the precise moment that you can identify when somebody from Waikato says, "Our reluctance has something to do with raupatu and war of the 1860s." Do you know, is there a moment or a statement –	
	JONATHAN SARICH	
	The clearest comment on that would be – sorry, I've just got to find it. It's when Allen goes to that big hui and the King Maker replies, "We're not doing it because of 1863. 1864 and 1865." So it's categorically said then. Oh he says, "We have a grievance in that respect." Sorry, I better find it. It's on page 32 and it's quite a large quote at the top of the page.	
	TOM BENNION	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes, but –	
	JONATHAN SARICH	
	That's probably the clearest comment.	
	TOM BENNION	
	All right. I noticed that in that quote he say, on the third sentence, "All the world has heard of the visit paid by myself and another recently to Great Britain." So was it a particular visit at that time about –	
	JONATHAN SARICH	
	He's referring to the 1914 visit about raupatu.	
	TOM BENNION	
	Right.	
	JONATHAN SARICH	
	The Kīngitanga visit to England.	
	TOM BENNION	
	In 1914?	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I think it's 1914, yes.	
	TOM BENNION	
	Okay. On page 31 you quote a conscription hui of November 1916 and an argument there that says: *The trouble arises from a clause in the Treaty of Waitangi which states that no Māori shall be required to bear arms for service outside the dominion. The Waikato chiefs are making this clause the basis of their argument against recruiting, practically accusing the Government of a breach of the Treaty.* Have you seen anything or do you – which clause do you think they are referring to, or have you seen anything further on that?	
	JONATHAN SARICH	
	I really didn't understand that, what they were getting at there. I thought that was probably a misunderstanding by the Settler Press possibly, or there could have been misunderstanding confusing Tāwhiao's words to put down arms and conflating that with the Treaty.	
	TOM BENNION	
	Page 55, you have got the Religious Objector Advisory Boards.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Sorry, what page?	
	TOM BENNION	
	Page 55.	
	JONATHAN SARICH	
	Hold on, just let me turn to it.	
	TOM BENNION	
	All right	
	JONATHAN SARICH	
	Okay.	
	TOM BENNION	
	And you have got a quote, an argument being made on – based on the Treaty there as well: *The Treaty of Waitangi we signed to make peace and they put a Bible in our hands. They have now taken the Bible away and put a sword in our hands and wish to make us fight.* Is that, do you know if that was a view being expressed by a	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	number of people or just turned up on that one occasion?	
	JONATHAN SARICH	
	Those are the two incidents and I recorded them both.	
	TOM BENNION	
	Okay.	
	JONATHAN SARICH	
	But as I note there, it's really unfortunate that there's not more detail about that argument. There is just simply that quote so I really don't know what the basis of that is.	
	TOM BENNION	
1530	All right. Want to come to the Māori Health Council's next, and just a clarification really. At page 73, figure 2, I think you record in the Māori Districts – Map of the Māori districts there.	
	JONATHAN SARICH	
	Yes.	
	TOM BENNION	
	Is the northern – is that northern Maniapoto boundary the confiscation line or is something slightly different?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Sorry I don't	
	TOM BENNION	
	Just going back a couple of pages to page 67, and you got a paragraph there, the second main paragraph, last sentence, "Mr O'Malley has noted that the committee rapidly declined after 1890 due to commencement of Government purchase of individual interests." Now you done background reading you say about committee systems and what Mr O'Malley said about local government in the district. Do you – you agree with his – from your reading, you agree with his conclusion that there's a link between Government purchase of land in the district and a decline in the, I don't know, the power or authority of committees?	
	JONATHAN SARICH	
	I am merely summarising his point there about them. I couldn't answer on that.	
	TOM BENNION	
	Okay. Then I want to come to page 79, and you set out some bylaws.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Yes.	
	TOM BENNION	
	And bylaws 10 and 11.	
	JONATHAN SARICH	
	Yeah.	
	TOM BENNION	
	I'm correct in saying that these actually regulate the supply of mentholated spirits through licenses?	
	JONATHAN SARICH	
	I'll just have to take a moment to read them. Yes, there's some – seems to be a permit that needs to be issued by the committee, I mean council.	
	TOM BENNION	
	So do we understand from this, that the community was in such a state at this point that they're not even banning through bylaws, sales of meths to people to drink, but actually just regulate it. That's what they seem to be doing isn't it?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	I'm not sure I understand your point.	
	TOM BENNION	
	Well mentholated spirits is a particularly dangerous form of alcohol isn't it? It's one that you associate with poverty –	
	JONATHAN SARICH	
	Yeah.	
	TOM BENNION	
	– for people really can't afford anything better.	
	JONATHAN SARICH	
	Yeah, and I note in the report that these two are the ones – these two bylaws are the ones that this council in particular, the Maniapoto Council in particular wanted, and my understanding of it is that they would need a permit to sell. I don't know if it's – is it – a permit to sell to anybody. So yeah, it's showing that at least the council had a great concern about their people drinking mentholated spirits at that time.	
	TOM BENNION	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes but my point is they're not even passing a bylaw to say, "It can be confiscated," or "we want to stop it." They're actually only just regulating it, a quite dangerous form of alcohol?	
	JUDGE AMBLER	
	Isn't the point Mr Bennion, that it has other uses?	
	JONATHAN SARICH	
	Yeah.	
	TOM BENNION	
	Well let's come to page 83. You see the quote there you got on, "The director of Māori hygiene, Allison."	
	JONATHAN SARICH	A
	Yeah.	
	TOM BENNION	
	And he's concerned about trying to regularise signatures of natives, drawing money from the Post Office and Māori land boards. It's also concerned about something's going to be done placing restrictions for the sale of meths to natives and Pākehās. This form of drinking is growing in the King Country. And feels something in the way of legislation be	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	brought forwarded early to combat this evil.	
	JONATHAN SARICH	
	Yeah.	
	TOM BENNION	
	Again, doesn't it – it suggests it's been drunk and it suggests – just this, this paragraph suggests people are drawing money from Post Office, land board accounts that might be using it to purchase alcohol – to purchase meths. It's a picture of the state community's in, at that time isn't it?	
	JONATHAN SARICH	
	Yeah it is, and it was a definite concern of the Māori counsel, the Maniapoto Council.	
	TOM BENNION	
	And I think you say in your report that in fact the fees that are obtained from these bylaws are some of the few fees that are collected to support the council at the time.	
	JONATHAN SARICH	
	Yes.	
	TOM BENNION	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	So the picture is of a health council that's regularly – that's obtaining its funding through regulating the sale of mentholated spirits to the people it's meant to be looking after?	
	JONATHAN SARICH	
	I don't – I think the bylaws are trying to stop Pākehā sellers from selling it to Māori drinkers. That's how I read the bylaws. So they need the official member to sign off on them.	
	TOM BENNION	
	Yes.	
	JONATHAN SARICH	
	And it's to try and stop that process of Māori people going into general stores or whatever and buying mentholated spirits to drink.	
	TOM BENNION	
	Yes, but in terms of – your chapter is talking about the local governance that's operating in this district, and I'm suggesting to you that it's not a very strong form of local governance which consists of an underfunded health council that is obtaining some of its funding through organised or through regulating the sale of mentholated spirits to the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	people that it's trying to health of?	
	JONATHAN SARICH	
	Yeah I agree.	
	TOM BENNION	
	A pretty sad situation isn't it?	
	JONATHAN SARICH	
	Yeah I agree that, and I say at numerous points in the report that the bylaws were a really dubious way of funding the councils.	
	TOM BENNION	
	Okay. Can I come to page 82, and this is about funding the councils. And you say you got a quote there the Government official saying, "Logically the Natives should themselves contribute the money from their special local government. The council has power to impose tenement tax. The native's pain is relieved of local rates." So – and you refer to section 24 of the original 1900 Act and I looked through the report for that. So what was the – what was the proposition that was being made there?	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	This is a really interesting demonstration of how little people seem to be aware of what – not what people, the Native Department seem to be aware of what was going on with the councils, and it's a reference to section 24 of the original Act which contemplated like a rate like – a rates-like system for the Māori councils, but it was a dead letter from the very moment it was written. There was never any – it never obviously happened, this tem – yeah the rates, yeah.	
	TOM BENNION	
	Do you know why it didn't happen?	
	JONATHAN SARICH	
	That's outside of my period.	
	TOM BENNION	
	Okay.	
	JONATHAN SARICH	
1540	That would be in Helen Robinson's report on the earlier period, but essentially I think I note there, "Councils had been officially discouraged from using this provision, and no statutory machinery for its implementation had ever been established."	
	TOM BENNION	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Right, and that's –	
	JONATHAN SARICH	
	It's footnoted to Lang–	
	TOM BENNION	
	Okay and I now want to move on to the liquor issue. You record in this chapter on liquor a number of occasions when people express for the Hockly Commission and the Royal Commission their view about the origin of the liquor ban and it's fair to say isn't it that they do all consistently link the liquor issue with the railway and land and events in the 1880s? I think that's true on just about every comment that every person who reflects on it. Would that be right?	
	JONATHAN SARICH	
	Not every person but there's certainly enough in there where people do link it together; Wētere, Ormsby, not so much Pei Te Hurinui Jones but he must have been somewhat aware because he was involved with the rates issue and he – so, yes he – it's likely that he had that awareness, yes.	
	TOM BENNION	
	Early in your report you said you've read the work of Marr, Cathy Marr on the Compact and I think you even quote a report I think you were involved with which also backgrounds	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	those Compact matters of the 1880s. Have you got a reflection on this discussion that happens through the liquor licensing period and how it reflects on your view of what happened in the 1880s? Are you, are you – does it confirm your view about a Compact involving land and series of agreements that add up to a Compact?	
	JONATHAN SARICH	
	I guess my comment on that is like what I said to Mr Melvin. I don't think – it confirms to me that what happened with the petition was all involved – it was part of this ongoing series of negotiations with the Government that included the 1883 petition that included the negotiations with Ballance over the railway that included the turning of the first sod ceremony. My reflection on that, and it's what I say fairly much in the report, is that you can't separate them out. They can't be separated out, which is what Smith does and what McLintock does, tries to split them up and make them all unrelated so that they can be one by one dismissed.	
	TOM BENNION	
	Can I take you to page 161 and your last paragraph on that page and you talk about Pātena presenting the wheelbarrow before the Hockly Committee and Coates and you say, "However for understandable reasons, no connection between the two issues seems to have formed at Government level at this time."	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I just wanted to take you to the Crown bundle and page 4 of that bundle and do you see that that's a Māori deputation from Te Kūiti re: rating matters. Māui Pōmare is there, Balneavis.	
	JONATHAN SARICH	
	Yes.	
	TOM BENNION	
	Thomas Hetet and others, Barton. If you have a look under the "Request for exemption from rates" and you'll see Mr Barton speaks and then Mr Hetet speaks and then Mr Barton says, "Prime Minister and Native Minister, this is the wheelbarrow which contains some very nice things on the occasion referred to in 1884, but today the same wheelbarrow brings before you things that are not so nice. This wheelbarrow was used on another occasion in connection with the liquor question in the King Country. That matter of course has gone on all fours with the matter that we bring before you today."	
	JONATHAN SARICH	
	Yes and I quote this in the report as well.	
	TOM BENNION	
	So I'm interested in your comment, "But for understandable reasons no connection between the two issues seem to be	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	formed," but Rohe Pōtae Māori were definitely drawing the Government's attention to the connection, weren't they?	
	JONATHAN SARICH	
	Yes, and I think what I say is that the reason why there was no connections is because Coates had already basic – there was going to be no change to the liquor issue at that stage so there was no need for them to was no need for them to draw a connection between the two because that agreement was going to carry on as far as Coates was concerned. Does that make sense?	
	TOM BENNION	
	I see, so he's simply saying I'm going to – I'm with you on the liquor question. So I put that out of my mind and we deal with the rates as a separate thing. Is that sort of the way you're drawing it?	
	JONATHAN SARICH	
	Yes and because this petition that's – or this deputation is about rates, he would've just been thinking about that because as far as he was – sorry, as far as Coates was concerned the liquor issue was currently dealt with as such. There wasn't going to be a change imminently.	
	TOM BENNION	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	In terms of that comment from Barton, "That matter of course has gone on all fours with the matter that we bring before you today," do you, do you – you – do you understand that the Government certainly knew the liquor – must have known the liquor question, the rates question all had a common historical genesis in the 1880s, the Wahanui arrangements?	
	JONATHAN SARICH	
	Yes well I think Coates says that – I'm just trying to find it sorry. I think he says somewhere in here or in this document here that he understands that there may have been agreements made at that time.	
	TOM BENNION	
	Yes.	
	JONATHAN SARICH	
	And it sounds as though he's referring to both.	
	TOM BENNION	
	Well okay. Yes, just if you go to the next page, is this a – is this what you're looking at. If I see Mr Barton on the third paragraph says, "We who are present before you today, and those we have left behind us, maintain and stick closely to the statements and agreements arrived at in the days of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Whānui and we implore you to adhere to the Compact made by them in their time," and then Coates third paragraph – fourth paragraph says, "One thing I think I can promise you and that is that whatever definite understanding was made in those days as far as one can stick to the spirit of the arrangement then I look upon it as my duty to do that." Pretty explicit isn't it?	
	JONATHAN SARICH	
	Yes, he says that the Government will attempt to honour those. But then he does in Coates – further to that he does go on to say, however, that the situation's changed and we need to think about the reality today. So he does caveat, Coates does caveat that point.	
	TOM BENNION	
	Well have a look two paragraphs down in the bottom. He says, "In nearly all of these cases the movement or the incentive to the movement has come from the Maoris themselves. It has not been brought about by a system of pressure or compulsion without their agreement. It has been either by arrangement or at the volition of the people concerned." He's – is he right or wrong about that in terms of pre-emption and the failure of the arrangements in this – in the –	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Sorry, where was that?	
	TOM BENNION	
	So it's one, two, three, four, five, the sixth paragraph down.	
	JONATHAN SARICH	
	On –	
	TOM BENNION	
	The last –	
	JONATHAN SARICH	
	– 338?	
	TOM BENNION	
1550	The last two sentences. Yes, on the Crown's page 5, 1338. "In nearly all these cases the movement or the incentive to the movement has come from Māori themselves. It has not been brought about by a system of pressure or compulsion without their agreement." He's just wrong isn't he?	
	JONATHAN SARICH	
	I can't – I can't find it, sorry.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	TOM BENNION	
	Okay. Do you see the paragraph beginning, “And undoubtedly in many parts of New Zealand?”	
	JONATHAN SARICH	
	Oh, yeah.	
	TOM BENNION	
	So do you see the sentence I'm talking about?	
	JONATHAN SARICH	
	Which one was it?	
	TOM BENNION	
	The last two sentences of that paragraph, “But in nearly all these cases the movement or the incentive to the movement has come from Māori themselves. It has not been brought about by a system of pressure or compulsion without their agreement.”	
	JONATHAN SARICH	
	What are you saying about it?	
	TOM BENNION	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Well, he's wrong isn't he in terms of your, of what you say about the arrangements of the 1840s falling apart, pre-emption being imposed and the agreements around the North Island Main Trunk Railway not being on it.	
	JONATHAN SARICH	
	Is he talking it – I'm don't – I'm not sure what he's talking about, those agreements. Isn't he talking about the Treaty of Waitangi?	
	TOM BENNION	
	Well is your view? You think he's just talking about the Treaty? He's not reflecting on the comment above from Barton, about the Compact in his statement that he's –	
	JONATHAN SARICH	
	I, I have to take quick – I have to read the document as a whole and think about it. I can't, I can't comment on that right now.	
	TOM BENNION	
	Okay.	
	JONATHAN SARICH	
	Okay.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	TOM BENNION	
	Just a couple more matters. Yes, I just have one more matter then and that was on the chapter dealing with the Sim Commission. It's just a general question. So you say that the Sim Commission comes to a conclusion that Maniapoto were responsible for a lot of the hostilities and they escaped any confiscation? Isn't that what you say? That's what Sim concludes.	
	JONATHAN SARICH	
	Sorry, daydreaming again.	
	TOM BENNION	
	Right.	
	JONATHAN SARICH	
	Can you just repeat that question? I'm really sorry. Thinking about the last question still. Okay.	
	TOM BENNION	
	So the Sim – the Sim, we're switching topics. It's the last topic. This is the last thing I'll ever ask. Well, there's two – I'll ask you it in two parts. First is, you say that the Sim Commission comes to a conclusion that Maniapoto were aggressive, they were responsible for a lot of the hostilities	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	of the 1860s and they don't suffer any confiscation because of that. That's what the Sim -	
	JONATHAN SARICH	
	Yeah, that's what the Sim Commission –	
	TOM BENNION	
	Yeah.	
	JONATHAN SARICH	
	- concludes. And it wasn't something that I appreciated but, I'm looking at page 273 of the report, of your report and there's a discussion about, this is when the Government is discussing a settlement of Waikato grievances, and you have this comment from Fraser in the second paragraph, “Following this official address in what almost appears to be an after word, Pāhi Moke raised the general point that he would like the Minister to consider the inclusion of whole of Ngāti Maniapoto. Fraser’s reply was brief and blunt. “The Maniapoto did not have their lands confiscated.”	
	JONATHAN SARICH	
	Yeah.	
	TOM BENNION	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	So, should we take the general point that part of an important part of the background to the settlement discussions in this period was the Sim Commission conclusions about Maniapoto's involvement in the war and, and them not suffering confiscation?	
	JONATHAN SARICH	
	Yeah, yes.	
	TOM BENNION	
	And that informed the Crown's approach to how it was engaging and who it was settling with and who it thought it should settle with and the boundaries of that settlement?	
	JONATHAN SARICH	
	Yeah.	
	TOM BENNION	
	All right. I said it was the last and it is. Thank you.	
	JUDGE AMBLER	
	Thank you, Mr Bennion. Who was next counsel?	
	EMMA WHILEY	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Mr Sarich. My name's Emma Whiley and I'm with Morrison Kent. I'll just remain seated. You can see me fine there. So the questions I have for you today are on behalf of our Ngāti Apakura clients and they are in relation to the Sim Commission chapter of your report. I'll be referring to that chapter and our bundle of documents. These are document number #A29(d).	
	JONATHAN SARICH	
	Okay, I have that.	
	EMMA WHILEY	
	You've got that there. So if we could turn to page 232 of your main report and you mentioned this comment also in the summary and that's the second paragraph that begins, "Although the narrow terms of the reference had been circumvented by the Smith – by Smith, the Commission would still decide to whom the benefits the Treaty of Waitangi would be extended, and those deemed as rebels by the Commission would not be protected by the Treaty." Now this arbitrary distinction between loyal and rebel Māori, this was quite prevalent before the Sim Commission in the 1920s, is that correct?	
	JONATHAN SARICH	
	Yeah.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	EMMA WHILEY	
	Are you familiar with the Compensation Court that sat in relation to the Waikato Military Settlements Block in 1867?	
	JONATHAN SARICH	
	No.	
	EMMA WHILEY	
	Okay. So this, so the Compensation Court in this instance could only return land to Māori had found to be loyal during the wars of the 1860s. So a big part of the Compensation Court's function was to distinguish whether Māori were loyal or rebel. So would you agree then, that the Sim Commission was in a way similar? So it used, at the forefront of its inquiry was this distinction between loyal and rebel Māori?	
	JONATHAN SARICH	
	I don't, I don't think I can comment conclusively on that. I don't know enough about the proceedings of the Sim Commission. I – I don't think they were ever deciding whether people were loyal or not to the same extent, but I, I know that, and I note elsewhere that, yeah, in the two petitions that were issued after the settlement about Apakura that again that issue of loyalty comes up again. So it was clearly an issue for Apakura.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	EMMA WHILEY	
	And it's still an issue in the 1920s, 1947 when the petition is heard before the Judge Beechey.	
	JONATHAN SARICH	
	Well, yeah. It comes up with those petitions, yeah.	
	EMMA WHILEY	
	So moving into the negotiations and settlements that resulted in the, the 1946 Act, on page 241 of your report, you note, this is in the second paragraph, sort of three-quarters of the way down, "King notes Marae Erueti's leadership of a large section of Waikato who still demanded as the land was taken, so the land should be returned.	
	JONATHAN SARICH	
	Yes.	
	EMMA WHILEY	
	So there's a significant amount of descent to the '46 settlement and negotiations on the basis that, on the policy of land for land?	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	As I've noted earlier, it's hard to quantify this opposition but there certainly was opposition that demanded the return of the land rather than monetary compensation.	
	EMMA WHILEY	
1600	And there was also opposition on the basis that the real issue that the Crown should be engaging with was the adequate recognition of the Kīngitanga?	
	JONATHAN SARICH	
	Sorry, repeat that question?	
	EMMA WHILEY	
	So there was also concern around the negotiation and settlement process that the real issue that the Crown should be dealing with was the recognition of the Kīngitanga? So on page 246, I will give you an example of this.	
	JONATHAN SARICH	
	Yes, at the April '46 hui Wētere makes a proposal that there be – that the Kīngitanga be recognised in legislation.	
	EMMA WHILEY	
	And also in international forums such as the United Nations, that is on page 426?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Yes.	
	EMMA WHILEY	
	So there was as significant issue here as well? The significant issue is the successive failure of the New Zealand Government to recognise officially and meaningfully the Kīngitanga?	
	JONATHAN SARICH	
	It was an issue that Wētere raised. And again, it's hard for me to know how much support there was behind that, because clearly later on Pei Te Hurinui Jones had particular issue with this opinion and it was struck off. They tried to get it struck off the agenda but Wētere did it anyway. So I can't say how many people supported that view. But it was clearly raised at this meeting, the '46 meeting.	
	EMMA WHILEY	
	Would you agree that the 1946 settlement had the effect of sidelining those who held this view?	
	JONATHAN SARICH	
	Well yes, because they eventually lost out. Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	EMMA WHILEY	
	So it was sidelining those who were seeking more than nominal compensation for these historical grievances?	
	JONATHAN SARICH	
	Yes, it sidelined those opposition who held those various views. It's like I keep saying, it's just hard to know how many there were of them.	
	EMMA WHILEY	
	Would you agree that this is an example of how settlements can actually work to undermine the interests of groups that hold different views as to what the Government is engaging with?	
	JONATHAN SARICH	
	I guess. Yes, I guess it is.	
	EMMA WHILEY	
	So now turning to page 8 of our bundle of documents, that is #A029(d). So this is some Apakura testimony before the Sim Commission in April 1927 and down the bottom of page 8, this is the testimony of Maraea Edwards. The second paragraph from the bottom. In answer to a question that was posed to him, "Do you know why they did not come	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	back?" Can you see that paragraph there?	
	JONATHAN SARICH	
	Yes.	
	EMMA WHILEY	
	So this is in relation to why Apakura did not come back north of the confiscation line following the war and Maraea Edwards says, "Because about that time a boundary line was drawn between the two races. The natives were not to cross the boundary line from one side and the Europeans couldn't cross it from the other. They did not go the Compensation Court." Now, turning to page 9 of the bundle and this is still the testimony of Maraea Edwards and the third paragraph from the bottom there. He has asked the question, "What was there to prevent the members of your tribe from coming to the Compensation Court?"	
	JONATHAN SARICH	
	Yes.	
	EMMA WHILEY	
	And there he says: They were afraid of being punished for crossing the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	line.	
	JONATHAN SARICH	
	Yes.	
	EMMA WHILEY	
	Would you agree that that is in reference to the confiscation line?	
	JONATHAN SARICH	
	I thought it was the aukati but it could be the confiscation line, I'm not sure.	
	EMMA WHILEY	
	Yes, okay. Now, if we turn to – I am referring to petition number 29 of 1947 of Kirina Tāmaki and others and you comment on this at page 279 of your report. So if I can take you there. Now, Kirina Tāmaki brought the petition number 29 of 1947 and that was on behalf of 57 others of Ngāti Apakura and Ngāti Puhiaue.	
	JONATHAN SARICH	
	Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	EMMA WHILEY	
	And in Beechey's final report, so this is the Judge who presided over the hearing of that petition and he says that on the case of the petition: *Based on Crown evidence that Ngāti Apakura had been eligible for the return of land but had received none during their failure to take advantage of the opportunities that were offered by the Government to both friendly and rebel natives to have land restored to them, apparently from their own apathy and feeling of bitterness and distrust that they held towards the Government.* So there is clearly some stark contrast here between the evidence that Apakura brought before the Sim Commission and what Judge Beechey is saying here in terms of why they didn't go to the Compensation Court. Would you agree?	
	JONATHAN SARICH	
	Yes.	
	EMMA WHILEY	
	Now in this chapter you also discussed how Pei Te Hurinui Jones was a key driver of the Tainui Trust Board and formed an integral part to the negotiations that led to the '46 settlement.	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	EMMA WHILEY	
	On page 277 of your report, you also note that it was Pei Te Hurinui who actually represented Apakura and Puhiaue before Judge Beechey in 1947.	
	JONATHAN SARICH	
	Yes.	
	EMMA WHILEY	
	And on page 279, sorry – yes, 279 in Pei Te Hurinui's closings you note that, "He maintained that the evidence still clearly showed 'that the Ngāti Apakura's were the worst sufferers' in confiscation, despite subsequent efforts 'to ameliorate their condition. On this foundation, he argued that Ngāti Apakura were eligible for separate compensation to that which had been made available through the Tainui Trust Board. He stated that Ngāti Apakura themselves did not want to take 'relief' at the 'expense of the other sections of Waikato' as the settlement was already small enough." So would you agree that here we have Pei Te Hurinui acknowledging that even he himself had further aspirations for Apakura and Puhiaue outside of the Tainui Trust Board and the '46 settlement?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Yes, clearly.	
	EMMA WHILEY	
	And on top of this, Apakura and Puhiaue, the petitioner's did not want to progress what were significant grievances to the detriment of those who were able to receive benefits under the '46 settlement?	
	JONATHAN SARICH	
	Yes, they didn't want to lessen what had already been given to others.	
	EMMA WHILEY	
	That's right.	
	JONATHAN SARICH	
	Yes.	
	EMMA WHILEY	
	Thank you, Mr Sarich. Those are all of my questions, Sir.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ka pai. Mr Tootill.	
	GLENN TOOTILL	
	Tēnā koe Mr - thank you, Sir. Tēnā koe Mr Sarich, Mr Tootill here. I have just got a few very short questions. So I am here today representing our Te Hau-a-uru claimants and in particular I want to ask you a few questions about the prohibition of liquor in Te Rohe Pōtae, and in particular in light of Te Ōhākī Tapu. So I am just going to be referring to your summary as well as the evidence of Mr Tom Roa. He gave that evidence in hearing week 2. That is document #I004. Have you got a copy of that?	
	JONATHAN SARICH	
	I do, it's somewhere. Yes I have both of those.	
	GLENN TOOTILL	
1610	All right. So in his evidence, Mr Roa, when he refers to the Ōhākī Tapu or in his words, the Kī Tapu, states at paragraph 16 that, "The tangata whenua expectation was explicit. They would retain the mana, the rangatiratanga, the whakahaere," in other words the autonomous authority and management of their lands, do you see that?	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yeah.	
	GLENN TOOTILL	
	So you would defer wouldn't you to Mr Roa in terms of the tangata whenua perspective of Te Ōhākī Tapu?	
	JONATHAN SARICH	
	Yes.	
	GLENN TOOTILL	
	And in your evidence, you've noted that evidence given by Māori to various inquiries contended that these agreements had never been kept and that the Government still retained various degrees of obligation regarding them in the present. Is that right?	
	JONATHAN SARICH	
	Sorry where is that in my – is that my summary?	
	GLENN TOOTILL	
	It's on your summary at page 10, the top of the page.	
	JONATHAN SARICH	
	Yeah I am saying there that Māori at the time had that view,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	not me personally.	
	GLENN TOOTILL	
	Yeah right. And you've also referred there in the next paragraph to the wheelbarrow used at the turning of the first sod and you've gone on to refer to it as a potent symbol of their past negotiations with the Government. You see that?	
	JONATHAN SARICH	
	Yeah.	
	GLENN TOOTILL	
	Were you aware that that same wheelbarrow was shown before this Tribunal during hearing week 8 at Te Kotahitanga Marae?	
	JONATHAN SARICH	
	I was aware that it was still in existence. I didn't know that it had been shown.	
	GLENN TOOTILL	
	And in Mr Roa's evidence at paragraph 22, he describes the prohibition on liquor within Te Rohe Pōtae as the last bastion of the Ki Tapu agreements. The only elements of the Ki Tapu that was alive by the middle of the 20th century and all that was left to hang on to is something that	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	represented the Kī Tapu agreements of the past. You would accept Mr Roa's descriptions of the prohibition on liquor in respect of Te Ōhākī Tapu wouldn't you?	
	JONATHAN SARICH	
	I didn't use those exact words, but I used very similar words, saying that I believe that it seem as though the liquor agreements became a focal point for this memory of the 1880 agreement for this wider series of agreements.	
	GLENN TOOTILL	
	And Mr Roa's right isn't he, when he describes the Ki Tapu agreements is effectively coming to an end by the end of the 1950s when he's says, and I'm quoting here from his paragraph 25. He says, "From dreams of prosperity, hope and the protection of the autonomy during the late 1880s to a mere prohibition on alcohol is the last bastion of their Tapu Compact with the Crown." You would agree wouldn't you?	
	JONATHAN SARICH	
	I agree that many of the hopes and dreams that were embodied by the 1880 agreements were lost by mid – by the mid 19 – mid-20th century, so 1950 or after the referenda.	
	GLENN TOOTILL	
	Tēnā koe Mr Sarich, thank you for your report.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	CAMERON HOCKLY	
	Kia ora Mr Sarich, Cameron Hockly here. I'll just be peering through my colleague's heads here and I think you should be able to get a view of me that way. I just want to pick up a couple of things that the Crown was asking you about regarding the – first of all, regarding the Māori councils and the health boards. There was a line of questioning around the impact of the depression, the availability of funds, and how that might have limited what the Government could do. But what I would have – what I would like to ask you, sort of following from that, is that this – that the failings of those councils, their ability to do more than maybe what they ended up doing, this was – this was a really critical diversion of limited time and energy from the people in the area wasn't it? Those people who were on those councils?	
	JONATHAN SARICH	
	Well I mean, I guess when they were functioning moderately well, wasn't a complete waste of time, but I guess by the time that they were – had no money, the bank balance was in negative and they were falling over. Yeah by then they were a waste of time.	
	CAMERON HOCKLY	
	And in terms of them contributing to a Māori attempt to find	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	self-determination and some self-governance, that, that lack of resource and that lack of continuity is a huge drain on that community isn't it? They could've been putting that elsewhere	
	JONATHAN SARICH	
	Yeah I guess they – if they were pouring their life into this organisation and then it collapsed in 1937, that would've been really, really disappointing.	
	CAMERON HOCKLY	
	That –	
	JONATHAN SARICH	
	I should just add something else to that. I do note in the report that many of these characters that were involved in the councils were involved in many of the other issues throughout the chapters, so they were clearly not just putting only their energy into the council.	
	CAMERON HOCKLY	
	Okay, thank you. The Crown asked you the question specifically that this was a genuine attempt by the Government to give Māori power to run their own systems. Now in terms genuine attempts, I can't find leave or definition of that. But in terms of put your money where your mouth is, if the Government is saying, "We want you to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	achieve this," did they put their money where their mouth is?	
	JONATHAN SARICH	
	My report argues that the councils suffered and collapsed due to lack of Government support.	
	CAMERON HOCKLY	
	And I understand the difficulties of the depression, and I think that is an important context, but the other – the flipside of that is that the depression is period where there is even greater need amongst small rural Māori communities for the kind of services that the council would've been trying to provide. That be correct wouldn't it?	
	JONATHAN SARICH	
	Yeah, if suffering was greater then maybe yeah, there needed to be money into health and sanitary conditions.	
	CAMERON HOCKLY	
	Thank you. I'm going to move now onto the conscription matter. I just want to look at the involvement of the Māori MPs and how they contributed to the development of this policy. Now in your report at page 28, you note that it was the Māori MPs that suggested conscription for Māori. That's right isn't it?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Yes they did.	
	CAMERON HOCKLY	
	And from what you've been able to see, was this on a basis of requests from iwi leaders, Māori leaders throughout the motu?	
	JONATHAN SARICH	
	No I think – well I'm not sure. There may have been but I think the reason was they really thought that through this loyal service they would reap benefits from it by, yeah by serving loyally. That may be after the war, there would be some more political leeway, leverage.	
	CAMERON HOCKLY	
	That brings – I was just about to bring up that quote. Now, it's later on at page 227 that you sort of – that you summed that up really nicely, and I'll quote it because it sort of explains the political mindset here. It says, "Māori politicians such as Ngata and Pōmare had actively supported and organised the Māori war effort, hoping that a loyal response would help advance their political objectives, and enhance perceptions of their people in New Zealand and abroad." And then the following sentence says, "This belief had brought them into tension with those tribes who did not wish	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	to serve during the war." Now regardless of the efficacy of that strategy, that sounds like a move by a politician doesn't it? That's a strategy that a politician would employ? This isn't a Treaty-based duty. That's the other of putting this to you.	
	JONATHAN SARICH	
1620	I'm sorry, I don't really understand your point.	
	CAMERON HOCKLY	
	This is the way the Māori MPs have decided to approach this. They're thinking you know if we do this we will demonstrate that we are finally able to get the recognition we deserve. You contrast that with the position of Rohe Pōtae Māori, Ngāti Maniapoto what they're saying is that, "We don't have to demonstrate our loyalty. We have the Treaty." So there's a really huge gulf between those views of their position in the national landscape.	
	JONATHAN SARICH	
	Yes, I – if you're asking me if those MPs were politicians, yes they were politicians and they had their political goals in mind and further to that I note that there's a gap there between Waikato's position, not so much Maniapoto because they did serve and these MPs. Is that what you're getting at?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	CAMERON HOCKLY	
	That is – I'm getting at that –	
	JONATHAN SARICH	
	Yes.	
	CAMERON HOCKLY	
	– that really broad gulf between those positions. One further point on that matter is that it's very unlikely that a conscripted soldier is likely to be seen as a loyal member of the community as in loyal to the Crown, are they? They've been forced to serve.	
	JONATHAN SARICH	
	A Māori conscripted person is never going to be seen to be as loyal to the Crown or any conscripted persons.	
	CAMERON HOCKLY	
	By very definition, yes. That's what I'm suggesting.	
	JONATHAN SARICH	
	Well this particular case in Waikato I guess no because they were people that were already in Alan's mind proving their disloyalty. So if they had to be conscripted they weren't	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	being loyal.	
	CAMERON HOCKLY	
	That definition of loyal might be something for submissions perhaps. I'll move down to later in your report regarding the Sim Commission. On a – if I could take you to your map. You provide the map of the Commission used. Now is that – sorry, that's page 235 it's called, "Figure 5," is that the only map that the Commission utilised?	
	JONATHAN SARICH	
	That's the only map I found. There were other maps – sorry, just got to jog my memory after a few years. But yes there were other maps that marked wāhi tapu sites and they were all – I think they were all – this is just from a vague memory I think they're all in that same file location. But this was the map that they used to establish Maniapoto and Waikato's tribal boundaries.	
	CAMERON HOCKLY	
	My clients are Ngāti Te Wehi. They're out at Aotea Harbour and if we look at that map what we see is they're sitting in that big gulf between – along the West Coast between Whangaroa and Kāwhia. Now judging from that location there they're not sitting amongst Waikato definition, they're not sitting amongst the Ngāti Maniapoto definition either, their defined areas?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Yes, the map only has Waikato and Maniapoto defined.	
	CAMERON HOCKLY	
	And even though the Raupatu area isn't marked on that map it's clear that they would fall outside of that?	
	JONATHAN SARICH	
	From top of my head I'm not – I can't quite remember the Aukati boundary, sorry.	
	CAMERON HOCKLY	
	The table 9 page 102 and page 252, this was the first proposed districts and members for Tainui Trust Board and there's no inclusion of Aotea Harbour or Ngāti Te Wehi there, is there?	
	JONATHAN SARICH	
	I'll take your word for it. I haven't read it.	
	CAMERON HOCKLY	
	But what I note here too in these districts, we've got representatives for Tāmaki, for Mānuka or Man – is that supposed to be Mānuka, I'm not sure. But – well let me go on, but also Pukekohe. These are all ostensibly outside of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the raupatu district.	
	JUDGE AMBLER	
	No they're inside it. So you don't need to take us through the list. Is your point that Ngāti Te Wehi is not there?	
	CAMERON HOCKLY	
	That's my point, thank you Sir. I'll move on. The next table, table 10 page 262 Ngāti Te Wehi are still not there and then at table 11 when they start talking about tribal divisions and this is the critical one here. That's where they appear. Is that –	
	JONATHAN SARICH	
	Is that 266?	
	CAMERON HOCKLY	
	266. This representative system seems to be something of a moving feast, doesn't it?	
	JONATHAN SARICH	
	Yes, this is, this is what they negotiated step-by-step.	
	CAMERON HOCKLY	
	Now in terms of this representative system, there was no	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	opt-out process was there?	
	JONATHAN SARICH	
	What do you mean “opt out process.”	
	CAMERON HOCKLY	
	Say a group such as Ngāti Te Wehi saying, “We are our own iwi. We weren’t affected by the raupatu. We support the Kīngitanga but we are not a part of Tainui.” There was no process for them to say, “Don’t include us.”?	
	JONATHAN SARICH	
	There was no explicit process but they could’ve – if they were at all these meetings, they definitely could’ve raised it.	
	CAMERON HOCKLY	
	In terms of that process and given other evidence we’ve heard around the tikanga of consensus decision-making, all it would take is –	
	JUDGE AMBLER	
	Mr Hockly, can I just ask – I didn’t understand that Ngāti Te Wehi were bringing a claim to do with raupatu.	
	CAMERON HOCKLY	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	No we're not Sir. This is a part of the background into how Ngāti Te Wehi became included in the 1996 settlement and it sets some of that background there of this evolution of iwi and down to hapū status and becoming a part of another iwi and my point here, Sir, is simply that from the outset they weren't included but then someone decided they should be and that was the long and short of it.	
	JUDGE AMBLER	
	Yes, but if you're not bringing a raupatu claim and you acknowledge that you're covered by the Waikato-Tainui settlement, what exactly is the relevance of this line of questioning?	
	CAMERON HOCKLY	
	Sorry Sir. I was – I thought I stated my case there. This is part of the background to their status being considered now as being a hapū of Tainui whereas they maintain that they are an independent iwi in their own right.	
	JUDGE AMBLER	
	So not strictly in the context of the Waikato raupatu but in a broader context?	
	CAMERON HOCKLY	
	In a broader context Sir, yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Okay.	
	CAMERON HOCKLY	
	Thank you. I'll wrap up very quickly thank you Mr Sarich. I don't know if I have any further questions. I'll finish on that line. I just had one more question back on the conscription and I'll jump – so I'll jump back one kaupapa. You don't need to go anywhere in terms of your report. I was just going to say this discussion about the distribution of the sacrifice that each community had to give its share, did the Government take any care to ensure that the various towns and cities in New Zealand, the various Pākehā communities were contributing fairly?	
	JONATHAN SARICH	
	Well that's why conscription was ultimately put in place because the voluntary system, it was becoming unfair because there was so much pressure on even worthy – I forget the term but people that were worthy of not going, like had genuine reasons for not going, really unfair pressure was being applied on them. So the whole system was becoming unfair so they realised that they needed conscription to make it fair.	
	CAMERON HOCKLY	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Thank you very much Mr Sarich. Thank you Sir.	
	JUDGE AMBLER	
	Mr Hockly I was happy for you to ask the question because I'm just interested in what the question actually is.	
	CAMERON HOCKLY	
	Well I think with this witness, Sir, I'd come very close to the end of what I could draw out from him and I had made the points that I wanted to.	
	JUDGE AMBLER	
1630	All right. Thank you.	
	CAMERON HOCKLY	
	Thank you, Sir.	
	JUDGE AMBLER	
	Next counsel.	
	TE KANI WILLIAMS	
	Yes Sir, it is Mr Williams. I will stand seeing as I am at the back of the room. Afternoon, Mr Sarich. I represent two groupings of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	claimants, Ngāti Urunumia and Ngāti Hari. The questions I am going to be asking you involve my Ngāti Urunumia clients and it will focus on your main report. If I could ask you to turn to page 173 of your main report. And the Ngāti Urunumia brief of evidence I will be referring to is that of Hinehine Rei which is document #Q007. I will get to that in a minute Mr Sarich. At page 173, you refer there to a petition by Hurakia Tāwhaki Mātenga, do you have that? It is at the top of your – towards the top of the page there?	
	JONATHAN SARICH	
	On 173?	
	TE KANI WILLIAMS	
	173, yes. It was drafted by Pei Te Hurinui Jones but it was a petition in April 1936 that Broadfort submitted.	
	JONATHAN SARICH	
	Yes.	
	TE KANI WILLIAMS	
	You have that?	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	TE KANI WILLIAMS	
	Have you actually seen that petition? Just wanting to check.	
	JONATHAN SARICH	
	It says that it's page 1399 to 1402 in my supporting documents –	
	TE KANI WILLIAMS	
	Okay, all right.	
	JONATHAN SARICH	
	– so I assume it's there.	
	TE KANI WILLIAMS	
	So you have looked at it then?	
	JONATHAN SARICH	
	My footnotes say so.	
	TE KANI WILLIAMS	
	Yes, excellent. Now, Hurakia Tāwhaki Mātenga, it was the Koro of Ms Hinehine Rei. I am assuming you did not – you	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	were not aware of that?	
	JONATHAN SARICH	
	No.	
	TE KANI WILLIAMS	
	Okay, that is fine. In her evidence at paragraph 69, she refers to the fact that this petition that we have just discussed was submitted by her Koro and she says, “It [was] interesting to [her] that my Koro was still holding fast to the Rohe Pōtae Compact and all that it meant including that there would be a prohibition on alcohol in Te Rohe Pōtae.”	
	JUDGE AMBLER	
	Sorry, that there would be a prohibition?	
	TE KANI WILLIAMS	
	No prohibition – sorry, yes, would be a prohibition. Sorry, yes a faux pas. So, would you accept then that the base position of that petition was to maintain that prohibition position?	
	JONATHAN SARICH	
	This was a very controversial petition and it was often seen	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	by people that opposed Mātenga as a compromise.	
	TE KANI WILLIAMS	
	Yes I will get to that particular point a bit later on in my questioning. And I suppose all I am asking you to confirm I suppose is, one of the first propositions of it was that the prohibition was to be maintained. Do you accept that?	
	JONATHAN SARICH	
	I can't confirm that without seeing it but I was going –	
	TE KANI WILLIAMS	
	Okay, well –	
	JONATHAN SARICH	
	– to add that Pei Te Hurinui Jones, his submissions to the RCL were essentially this petition –	
	TE KANI WILLIAMS	
	Yes.	
	JONATHAN SARICH	
	– with even more. But with more emphasis on that, they did not want any referendums or alcohol allowed into the district.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	TE KANI WILLIAMS	
	Okay. So, yes. So that maintained the prohibition position?	
	JONATHAN SARICH	
	Yes.	
	TE KANI WILLIAMS	
	Thank you. All right. But part of that position, if you recall, is that there was an alternative and you certainly refer to it at page 173 of about creating a board with a fund of $500 –	
	JONATHAN SARICH	
	Yes.	
	TE KANI WILLIAMS	
	– as an annual fee.	
	JONATHAN SARICH	
	Yes.	
	TE KANI WILLIAMS	
	Yes, all right. But that position was proffered as an alternative and as a result of what was seen to be an inevitable outcome given the population change. Would you	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	accept that?	
	JONATHAN SARICH	
	Yes.	
	TE KANI WILLIAMS	
	All right. At page 175 of your same report, you have referred here, to – well, sorry, you have identified references to the assertion that this particular petition was made as an attempt to break down the covenant and seen as a possible bribe to Māori. Is that what you are referring to earlier as being part of the contentious issue about it?	
	JONATHAN SARICH	
	Yes, opposition.	
	TE KANI WILLIAMS	
	Yes.	
	JONATHAN SARICH	
	In this case, the New Zealand Alliance leader thought that it was part of a continuous stream of Pākehā trying to deceive Māori.	
	TE KANI WILLIAMS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes. But even, and on this same page, even the Under Secretary for Native Affairs identified in the second to last line you have that it was – there was an inevitable outcome which was coming forth. So you have noted that haven't you?	
	JONATHAN SARICH	
	That's what the petition was arguing, yes, that it was inevitable.	
	TE KANI WILLIAMS	
	Yes. Yes. And the Under Secretary of Native Affairs seemed to be accepting that position, doesn't he?	
	JONATHAN SARICH	
	I'm saying that he placed it in a context of this constant attempt by Pākehā to deceive Māori. That's what the Native Minister put that petition in the context of.	
	TE KANI WILLIAMS	
	You don't think it is the added context that because of the increase in population Māori versus – sorry, European versus Māori, that one of the inevitable outcomes was that there was going to be a change in the position?	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I don't know of the Native Minister saying that.	
	TE KANI WILLIAMS	
	Sorry, the Under Secretary –	
	JONATHAN SARICH	
	He is saying that's what the petition says.	
	TE KANI WILLIAMS	
	All right. Okay, I accept that. But at page 177, you do refer to that fact that in terms of the trade of our alcohol at that time, inevitably it seems reached its highest levels around the early 1930s. That is accurate isn't it?	
	JONATHAN SARICH	
	I argue in the report that sly-grogging reaches a peak in the 1930s.	
	TE KANI WILLIAMS	
	Yes. And with that increase in alcohol usage, there is also an increase in crime at that period? I think the table that you have got over page, somewhere, seems to indicate that?	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	It does ring a bell but I don't –	
	TE KANI WILLIAMS	
	Well the last line on page 177 says,"The following table of criminal convictions supports such a view."	
	JONATHAN SARICH	
	Yes, so that's how they ascertained that sly grogging was getting worse.	
	TE KANI WILLIAMS	
	Yes.	
	JONATHAN SARICH	
	Through a west for drunkenness selling liquor and supplying liquor to natives.	
	TE KANI WILLIAMS	
	Yes.	
	JONATHAN SARICH	
	So there was an increase in liquor related crime.	
	TE KANI WILLIAMS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	All right. And then in 1945 Pei Te Hurinui Jones also submitted a document which was then considered by the RCL. You had a discussion earlier with my friend about this, do you recall that?	
	JONATHAN SARICH	
	Yes.	
	TE KANI WILLIAMS	
	All right. And wasn't the view that that petition was effectively similar or very similar to that of Mātenga's in 1946?	
	JONATHAN SARICH	
	Yes, Pei Te Hurinui had a role in drafting that petition and he more or less repeated the same petition to the RCL.	
	TE KANI WILLIAMS	
	Yes.	
	JONATHAN SARICH	
	But with more of an emphasis that it was a last resort.	
	TE KANI WILLIAMS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes, exactly.	
	JONATHAN SARICH	
	That only if licences were introduced then set up a Trust Board. But his initial position was, we don't referendum and we don't want to change, we want prohibition.	
	TE KANI WILLIAMS	
	Yes. And so the point really is is that, if that was the position by Pei Te Hurinui Jones before the RCL, which mirrored that of the petition of Mātenga, the philosophy would have been the same, the prohibition should be first and the alternative was only a last resort option. Correct?	
	JONATHAN SARICH	
	Well I think what happened was is that, because there was such a negative response to the first petition, Pei Te Hurinui Jones made sure that that reaction couldn't happen again. Well he hoped that reaction wouldn't happen again by being even more firm about the prohibition at the start.	
	TE KANI WILLIAMS	
	Yes.	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	So yes, I agree that they were of the same spirit.	
	TE KANI WILLIAMS	
	Yes. That is really –	
	JONATHAN SARICH	
	But he sharpened the petition by the second time around.	
	TE KANI WILLIAMS	
	Yes, with the benefit of hindsight and benefit of more experience.	
	JONATHAN SARICH	
	Yes.	
	TE KANI WILLIAMS	
	All right. And so where you say at page 182 at the bottom paragraph: *The refined resolutions made it clear that the primary desire of the Rohe Pōtae Māori represented by Jones was the strengthening of the existing legislation to the extent that they desired total prohibition. The creation of a Māori Trust Board was only a secondary consideration or final resort.* That is consistent with what you have just said a second ago	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	isn't it?	
	JONATHAN SARICH	
1640	Yeah and that's what I wrote.	
	TE KANI WILLIAMS	
	Yes. So the point really is that from Ngāti Urunumia's perspective, what Mātenga was trying to buffer was a pragmatic resolution to a situation which was going to occur anyway. Would you accept that?	
	JONATHAN SARICH	
	Yeah this – you could call this whole camp like a more pragmatic camp yes.	
	TE KANI WILLIAMS	
	Yes. But none of that got implemented by the Crown did it?	
	JONATHAN SARICH	
	No because Pei Te Hurinui Jones' petition got wrapped up in that whole argument where Wētere and the counsel for the alliance believed that again it was part of this tradition of Pākehā trying to deceive Māori about licences.	
	TE KANI WILLIAMS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yeah.	
	JONATHAN SARICH	
	So there was an artificial distinction made.	
	TE KANI WILLIAMS	
	Yes all right. Thank you I have nothing further Sir.	
	JUDGE AMBLER	
	Yes, can I just follow-up on that because those two petitions, the Mātenga one is 1936 and we have Pei Te Hurinui Jones' hand firmly in that, that's right? And then we the 1945 petition. When I read that document that Mr Williams has taken us to, there's a sense that the people are seeing some inevitability in the prohibition going, that's right?	
	JONATHAN SARICH	
	Yeah.	
	JUDGE AMBLER	
	And the sense I get is that they are trying to renegotiate the Compact –	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	JUDGE AMBLER	
	– in a respect.	
	JONATHAN SARICH	
	Yeah and that's what I say – that seems to be Pei Te Hurinui Jones' mission.	
	JUDGE AMBLER	
	Yes.	
	JONATHAN SARICH	
	He tried to do it with rates, didn't work. Tried to do it with liquor, didn't work. It finally worked – well we finally got on to a board with some Commission in the 46 settlement.	
	JUDGE AMBLER	
	Yes but you painted it as something of a last resort but it does seem that these rangatira are endeavouring to say to the Crown, "If you're going to change what was set in place in 1884, we want something out of this."	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yeah. But he just – he did make sure that his first request to remain consistent with his people was that they didn't want any change and they wanted the legislation strengthened. But he said, "If it is going to happen anyway though, let's renegotiate a deal," and that's what people took iss – well other Māori took issue with, with his position. Does that make sense?	
	JUDGE AMBLER	
	Yeah, well what, because it was seen as compromising –	
	JONATHAN SARICH	
	Yeah they thought it was a compromise on something that was meant to be unchangeable.	
	JUDGE AMBLER	
	That is helpful thank you. Next counsel.	
	BERNADETTE ARAPERE	
	That'll be me Sir. Tēnā koe Mr Sarich. My name is Bernadette Arapere. I'm asking you questions today for my Ngāti Hikairo ki Kāwhia clients, so Ngāti Hikairo on the coast. Not the Ngāti Hikairo down here.	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Okay.	
	BERNADETTE ARAPERE	
	I just like to take you to your report, beginning on page 59 through to 65, where you list the names of the various Rohe Pōtae volunteers to the Māori contingent.	
	JONATHAN SARICH	
	Yes.	
	BERNADETTE ARAPERE	
	My Ngāti Hikairo clients have gone through that list and you'll be able to see it as well, but there are several young men from Kāwhia and from Ngāti Hikairo who went away. For instance, Thomas Pōnui of Kāwhia, William Barlow of Kāwhia, Thomas French. You aware of that?	
	JONATHAN SARICH	
	I wasn't aware of that. Well, I mean I was aware that there were some located in Kāwhia but not the specifics –	
	BERNADETTE ARAPERE	
	Right.	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	– obviously.	
	BERNADETTE ARAPERE	
	My instructions from my – they number 10 in your tables here, people of Ngāti Hikairo who were part of those volunteer contingents and my instructions are that there were a further five Ngāti Hikairo young men who went away, but there aren't in these lists because they weren't in the Māori contingent, and there was another French, a Samuel French was another brother of one who was in the Māori contingent. All these young men were born and raised in Kāwhia, were my instructions. In your research did you come to a conclusion on the effect on communities such as Kāwhia or Ngāti Hikairo, when a large percentage of their young men went away to war?	
	JONATHAN SARICH	
	No.	
	BERNADETTE ARAPERE	
	But from your research in this inquiry, and presumably your study of New Zealand history, would you have a view that there would've been an impact on a small iwi community if a large group of young men were leaving to go away and fight?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Seems like a logical conclusion, yeah that and those men went away it would have an impact on the home community.	
	BERNADETTE ARAPERE	
	And it's likely then that there would've been some social and financial pressures experienced by those communities?	
	JONATHAN SARICH	
	Yes.	
	BERNADETTE ARAPERE	
	All right. In the case of Ngāti Hikairo, my instructions are that the soldiers tended to be siblings or closely related. So their departure would've brought an effect on the whānau, hapū and iwi of that community. Did you uncover any research on that?	
	JONATHAN SARICH	
	No.	
	BERNADETTE ARAPERE	
	All right then, I'll leave that there. I just want to ask you a few questions about the tribal committees, and there was a Kāwhia District Committee you'll be aware from your	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	research?	
	JONATHAN SARICH	
	I – you may be referring to my –	
	BERNADETTE ARAPERE	
	Kāwhia District Council.	
	JONATHAN SARICH	
	Oh okay yeah. No I think – yeah I think you're getting into my second report with Andrew Francis.	
	BERNADETTE ARAPERE	
	Oh, oh I'll save that, tomorrow then.	
	JONATHAN SARICH	
	Yeah.	
	BERNADETTE ARAPERE	
	All right then.	
	JONATHAN SARICH	
	I think that was in the yeah later period.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	BERNADETTE ARAPERE	
	Okay. I also want to ask you a couple of questions about prohibition, and you deal with representations from men or rangatira like Marae Erueti and Tito Wētere throughout your chapter on prohibition. Are you aware of the iwi affiliations of those men?	
	JONATHAN SARICH	
	I do believe I note that he's from the coast, when I first introduce him.	
	BERNADETTE ARAPERE	
	Yes.	
	JONATHAN SARICH	
	That's Wētere.	
	BERNADETTE ARAPERE	
	Yes.	
	JONATHAN SARICH	
	Yeah.	
	BERNADETTE ARAPERE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And in page 189 of your report you state that Marae Erueti is of Ngāti Hikairo?	
	JONATHAN SARICH	
	Yeah.	
	BERNADETTE ARAPERE	
	In your view are the leadership roles and the stances taken by those rangatira in relation to prohibition, strictly representative of Waikato and the Kīngtitanga or were they also – they would have been – represented Ngāti Hikairo's view do you think?	
	JONATHAN SARICH	
	Sorry whose views?	
	BERNADETTE ARAPERE	
	Marae Erueti and Tito Wētere.	
	JONATHAN SARICH	
	Well they appear to be in opposition to Waikato views in both of the cases and so they were opposed to the – they were opposed to the Tainui Trust Board Settlement and they – although with the liquor case, they – it seemed to be more consistent like a whole view there. But there seemed to be	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	some tension between the Kīngtitanga or some of the Kīngtitanga and Tito, Wētere and the case of the Sim Commission and the 46 Settlement.	
	BERNADETTE ARAPERE	
	Right but –	
	JONATHAN SARICH	
	Sorry that – I hope that was clear.	
	BERNADETTE ARAPERE	
	Chrystal. It's been a long day, all right. My last question is, but they would've been – in your view do you think their stance was such on the prohibition that they were holding fast still to Te Ōhākī Tapu or Te Petihana as it was known to Ngāti Hikairo?	
	JONATHAN SARICH	
	They expressed one view on those negotiations of the 1880s and that was a more – a view that represented especially in terms of liquor as an unchanging thing. It's something that couldn't be changed.	
	BERNADETTE ARAPERE	
	Thank you very much. Thank you for your report.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Thanks.	
	BERNADETTE ARAPERE	
	Those are my questions Sir.	
	MARK McGHIE	
	Mr Sarich, I'm in the back row but I was going to stay sitting down. I want to read off the computer screen. I just have a few questions about the 1946 Royal Commission, at page 195. They are discussing Chairman Smith's appendix C. So Smith argued that, "Due to the fact that the no-licence agreement was not a condition and direct bargain or exchange for the railway, it was not a Sacred Pact."	
	JONATHAN SARICH	
1650	Yes that's what Smith condemned, condemned it.	
	MARK McGHIE	
	Would you agree that that was a major factor in Smith's decision that there was no sacred pact, that he could not find a bargain?	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes, there was no – in his logic there was no – no, in his logic it wasn't – the main agreement wasn't to do with liquor. It was to do for payment for the railway. So he thought the bargain was that Rohe Pōtae Māori would let the railway through as long as they were compensated for the railway and he notes that the Government probably had – well did have obligation to pay for that compensation still. Smith, in that report says that.	
	MARK McGHIE	
	Didn't Smith turn a blind eye towards the gifting of land for the railway? In the #A020 report, Tūrongo, there's a lot of evidence about the gifting. There's telegrams, there's I think Balance telegraphs back saying, "I thank you for the gift."?	
	JONATHAN SARICH	
	Yes, I can't go into – that's a whole separate report. I don't want to go back to talking about the gifting.	
	MARK McGHIE	
	It just seems Smith relies on the fact that the Māori required payment for the railway to exclude the bargain.	
	JONATHAN SARICH	
	That was Smith's conclusion, yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	MARK McGHIE	
	Did McLintock take the same approach a few years later?	
	JONATHAN SARICH	
	No McLintock's position was more extreme than Smith. Smith still saw the connectedness of the – well saw more connection between the various agreements whereas McLintock separated them out still further and then basically categorically said there were no agreements at all, there was no bargain for the railway, there was no exchanges.	
	MARK McGHIE	
	So Smith acknowledged that there was a concession by the Crown and prohibition was imposed but it wasn't a bargain for the railway?	
	JONATHAN SARICH	
	Can I just read what I wrote?	
	MARK McGHIE	
	Yes.	
	JONATHAN SARICH	
	"Smith's investigation acknowledged the broader dimensions of the negotiations of the 1880s, recognising that a number	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	of concessions had been made in order for the Government to achieve its goal of opening the district to settlement. These included agreements concerning the survey of the external boundaries and related survey fees, the prohibition of prospecting of gold, additional powers for the Māori committees and that their land should go through the Native Land Court only when they wished. However, he saw the central agreement or the heart of the negotiations as permission to build the railway on the basis that the lands required would be paid for the Government." So rather than seeing the bargain as liquor – about liquor, he saw the bargain as about payment for the railway. So, therefore, at this time in this Commission he believed that they could change the agreement with the consent of the Māori population through a referendum.	
	MARK McGHIE	
	Okay, thank you that's on page 195 too isn't it?	
	JONATHAN SARICH	
	Yes.	
	MARK McGHIE	
	Thank you.	
	EVE RONGO	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Sir, I note the time and note that the witness has been going for two sessions and I request that we close for the day.	
	JUDGE AMBLER	
	Mr Pou's going to be very short I'm sure.	
	JASON POU	
	You're absolutely right, Sir. I might have to re-think my approach because the Crown have asked most of my questions.	
	JONATHAN SARICH	
	I really want to go toilet.	
	JUDGE AMBLER	
	All right, well you re-think it down.	
	JASON POU	
	There's only one issue I want to talk to you about and I know that you're busting to go to the toilet so I'll keep this really, really quick. It's the discussion that you had with the Crown about the provision of Māori committees and land boards as a form of an exercise of local authority and it seemed to me that the Crown was putting to you that those committees and those land boards were not a mechanism to affect an	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	exercise of local authority by Māori. Is that your view as well? I just want clarity on that issue.	
	JONATHAN SARICH	
	What I say in my report and it's outside of my period and also what I was examining. I don't examine the land boards at all.	
	JASON POU	
	I say in the introduction to my chapter on the health boards that the original 1900 Act both for the land boards and for the councils were a genuine attempt at self-govern, a more genuine attempt than what happened after 1905 when the land boards changed and then certainly by the health councils it was becoming less about self-Government and more about health and other issues.	
	JASON POU	
	So it's not about the provision of authority. It's about getting these institutions to carry out particular functions that the Crown wanted to see achieved?	
	JONATHAN SARICH	
	Yes, you can – especially – well I can't talk about land boards, but –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JASON POU	
	Do the health boards. Talk about the health boards.	
	JONATHAN SARICH	
	I think Richard Hill argues that, yes, that you can easily see these things as more about achieving Crown policy than Māori self-Government and actually with the health councils they were just generally so ineffective they didn't achieve anything. They didn't achieve anything for the Crown and they didn't achieve anything for Māori. So they were basically just really defunct.	
	JASON POU	
	So I put it to you that those health boards and those boards that you've studied in this period are about – they are about creating mechanisms to achieve a Crown function as opposed to – and they cannot be said to be trying to achieve the protection of tino rangatiratanga that's encapsulated within the Treaty?	
	JONATHAN SARICH	
	No, that's what Richard Hill has argued and I'm aware of his argument, but my chapter itself does go into that territory. I can't actually confirm that.	
	JASON POU	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Thank you very much. I'll release you so that you can release.	
	JUDGE AMBLER	
	Kia ora. That's all counsel. We will conclude. We are due to begin at 8.30 again tomorrow and the Tribunal will have some questions for you. Is Mr Solomon still here? Perhaps other counsel might be able to take up this issue. Just bear with me a moment. I'm just interested if some counsel, Mr Tootill, if you could speak to Mr Solomon. It concerns the photograph that Wayne Herbert brought before us on Monday and I just wondered if that could be brought back tomorrow morning in terms of the five gentlemen that are there. I think one of them was Gabriel Elliott who is mentioned in Mr Sarich's report. Yes George Turner and at page 175 of Mr Sarich's report he refers to a group; "Whare Hotu, Hōri Tana, Wetene Hotu, Tūkorehu Āpihi," according to this and "Gabriel Elliott". The photo's still here, all right. Well we don't need to – as long as the photo's here then we can put that to Mr Sarich tomorrow.	
	Ka pai. Ka nui a tātou nei mahi i tēnei rā. Ngā mihi ki a koe Mr Sarich.	Excellent work today, ladies and gentlemen. Thank you Mr Sarich.
	You're not quite let loose.	
	Ngā mihi hoki ki a koutou kua hoki mai i Ōrākau, koutou mā. Pai te kite i a koutou. Nō reira ka tuku atu te rākau ki a koe e te Matua.	And also commendations to those who returned from Ōrākau. Good to see you all back and I will hand back over to you sir to close our day.

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	KAUMĀTUA	
	E te Māngai e ngā anahera pono e te tokotoru tapu, tēnei rā ka whakahoki atu te reo whakamoemiti whakakororia ki mua i tō koutou aroaro mō ngā manaakitanga i whiwhi nei mātou mai o ngā rā ki muri tae noa mai ki tēnei wā. Nō reira kei te inoi atu kia whakaūngia mai tō koutou arohanoa ki runga ki a mātou katoa mō ngā katoa. Homai i tēnei rā piki te kaha, piki te ora, piki te māramatanga me te rangimārie ki runga ki a mātou katoa, ki ērā o mātou kei **(Māori 17:00:08)** kei roto i ngā hōhipera, kei roto i ngā whare wairangi. Ki ō mātou kaumātua kuia ngā mokopuna hoki me ō mātou tamariki mokopuna katoa, **(Māori 17:00:18)**. Tiakinatia mai mātou mo te roa i tenei ra, me mātou e haere i ngā huarahi **(Māori 17:00:26)** a te ahiahi nei a te pō nei kia tae ora ai, kia tae ai, kia tutuki ai i a rātau. **(Māori 17:00:36 to 17:00:45)** Ihoā tō mātou piringa **(Māori 17:00:47)** matua, tama, wairua tapu me ngā anahera pono me te māngai hei tautoko mai. Āianei ake nei āe. Tō tātou waiata, Tama Ngākau.	The Māngai and holy angels to support the holy trinity. (Translating stops)
	HĪMENE	
	Tama ngākau mārie Tama a te Atua; Tēnei tonu mātou; Arohaina mai; Murua rā ngā hara;	 Wash away our sins;

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Wetekina mai; Ēnei herekino; Whakararu nei; Tama ngākau mārie; Tama a te Atua; Tēnei tonu mātou; Arohaina mai; Āmine.	Take them away; These evil binds; That trouble and vex us; Oh child of a peaceful disposition; Son of God; Here we wait upon you; Bestow thy love upon us; Amen.
	E te Māngai e ngā anahera pono e te Tokotoru Tapu, whakaungia mai tō koutou arohanoa ki runga ki a mātou katoa. Kia paiheretia mātou ki tō koutou rangimārie i ngā wā katoa. Kei roto te māngai hei tautoko mai, āianei, ake nei āe.	Te Māngai and the holy angels and the Holy Trinity support ...(translating stopped)
	HEARING ADJOURNS: 5.03 PM	

BEFORE THE WAITANGI TRIBUNAL

WAI-898

IN THE TE ROHE PŌTAE DISTRICT INQUIRY (WAI 898)

HEARING WEEK 11

WHARAUROA MARAE, TAUMARUNUI

Hui Commenced: Monday 31 March 2014 to Friday 4 April 2014

Tribunal: Judge D J Ambler
Professor Pou Temara
Dr Aroha Harris
John Baird

Crown Counsel: Geoffrey Melvin

Lead Counsel:	Alex Hope Cameron Hockly Clare Savali Emily Stretch Eve Rongo Ihipera Peters Jason Pou Jerome Burgess Justine Pātea Yashveen Singh
Witnesses:	Dr Andrew Francis Jonathan Sarich Patricia Matthews Robert Jonathan Rosita Dixon

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	HEARING RESUMES ON THURSDAY 3 APRIL 2014 AT 8.26 AM	
	KAUMĀTUA	
	Kati anō rā, te (inaudible 08:27:000) ko tuwhera mai te rā nei kei mua i a tāto. Kia maia, te huihuitanga o mātou me ngā taonga (inaudible 08:27:10).	
	Ā heoi anō hei tīmatatanga mō tātou e hoki anō rā ki tō tātou Atua. E moe, moe, moe te tīmatanga ko te kawe kawenata ko te **(Māori inaudible 08:27:23)** o Io Matua Kore, ā Io Matua Kore **(Māori inaudible 08:27:26)**. Ko te rawea ko te pō, te pō nui, te pō kerekere, te pō tiwhatiwha te pōtiki **(Māori inaudible 08:27:31)** ki te taiao. Ko pō tahunu ki te taio, ko te weu, ko te pū, ko te mare, , ko te aka, ko te **(Māori inaudible 08:27:39)** ko te hinengaro. Ka ū ka tau i te ira tangata ki te whai ao ki te ao mārama Rongowhakaari i mua rawa tūturu whakamaua kia tinā.	
	ALL PRESENT	
	Tīna.	
	KAUMĀTUA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Hui eee.	
	ALL PRESENT	
	Tāiki eee.	
	KARAKIA	
	Ka heke rā ki a koe e te matua. E te matua **(Māori inaudible 08:27:58)**. Tēnei rā te **(Māori inaudible 08:28:02)** atu ki a koe, te inoi atu ki a koe.	
	Haramai rā ngā hao ki roto i a mātou engari anō rā te mimititānga o te rā (inaudible 08:28:11) mātou tūpuna (inaudible 08:28:16). Nā reira i whakawatia ai i taua wā, nō reira i tēnei wā me whaka (inaudible 08:28:22). Nā reira ki a koutou rā ngā **(Māori inaudible 08:28:26)** tēnei te mihi atu.	Here we are oh Io coming amongst us in our wānanga.
0828	Ki ngā kuia, koroua, tēnei rā te mihi atu. Ki ngā mate rā, tēnei rā te mihi atu. Tēnā te mihi atu ki a koutou i (inaudible 08:28:36).	Acknowledgements to the elders, those who have passed on.
	Nō reira, kāre e tino roa te kōrero (inaudible 08:28:43) hui eee –	So I will not be too long.
	ALL PRESENT	
	Tāiki eee.	
	KAUMĀTUA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Kia ora tātou.	
	WAIATA	
	He hōnore; He kororia; Maungārongo ki te whenua; Whakaaro pai e; Ki ngā tāngata katoa; Ake ake, ake ake; Āmine; Te Atua, te piringa; Tōku oranga; Tōku oranga.	
	KARAKIA	
	Ki te Māngai, e ngā anahera, Tokotoru Tapu, whakaurungia mai tō koutou aroha noa ki runga i a mātou katoa. Kia paiheretia mātou ki tō koutou rangimārie i ngā wā katoa. Kei roto te māngai hei tautoko mai, āianei, ake nei, āe.	Oh Lord, may you infuse us all with your spirit, and may the Māngai support now and forever, āe.
	ALL PRESENT	
	Āmine.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Tēnā koe e te matua me te reo tuatahi o te rā.	
	Koutou katoa kua hui anō ki te whakarongo i ngā kōrero a ngā kairangahau a te rā nei, me ngā kaikōrero a te ahiahi nei. Nō reira tēnā tātou.	We are here to listen to the researchers this morning, historians and to the witnesses, (inaudible 08:30:51).
	Mr Sarich we're back with you, and questions from the panel. Dr Harris.	
	DR AROHA HARRIS	
	Mōrena Mr Sarich. Got a few questions. I'll start with a couple of questions, just about sources. So your report was finished ahead of the Robinson Christoffel Report which included their chapter on liquor laws from 86 to 1913.	
	JONATHAN SARICH	
	Yes.	
	DR AROHA HARRIS	
	Did you – have you read that since you finished your report?	
	JONATHAN SARICH	
	I've read bits and pieces. I haven't read it in its entirety.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	Have you got any comment to make at all – does your, what you've written, fit in nicely with theirs, flow from theirs or –	
	JONATHAN SARICH	
	I think the – there's a different perspective there on liquor than I have. Again, I think Paul Christoffel who wrote that chapter was entirely focussed on this idea of a Sacred Pact about liquor, and as I said yesterday, I took a wider perspective of what the Compact means, all the agreements together from the 1880s and that would be probably the key difference there.	
	DR AROHA HARRIS	
	Thank you. And are there any other limitations perhaps on sources that you'd like to bring to the panel's attention, and I know you've addressed the question of some of the reo Māori sources that you found. But are there any other comments that you think are worth making here?	
	JONATHAN SARICH	
	With the World War I, staff it was particularly difficult to make conclusions about what tribal groups were being talked about 'cos I note in the chapter that the government most often just used this blanket term of Waikato's.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	Yeah.	
	JONATHAN SARICH	
	And so it was really difficult to ascertain exactly who they were talking about, whether that included Maniapoto or not, and so I had to make – I had to assume on geographic location who they were talking about so it was Te Kūiti or something. I assume that it was Maniapoto.	
	DR AROHA HARRIS	
	Okay.	
	JONATHAN SARICH	
	So I had to make sort of bigger generalisations like that about exactly who they were talking about 'cos the records were very vague.	
	DR AROHA HARRIS	
	Do you think the officials who created those records knew what they were talking about or do you? Is it just a –	
	JONATHAN SARICH	
	I don’t think the military authorities and probably Allan, had a	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	great knowledge of tribal make-up.	
	DR AROHA HARRIS	
	Okay thank you. Now on page 50 you used Ramsden's draft of the Te Puea biography for the quote – you got that long quote that starts on page 49 from Tai Tāpara?	
	JONATHAN SARICH	
	Yes.	
	DR AROHA HARRIS	
	And I noticed that you used the Ramsden's draft, and I was just wondering what the state of his source starter is. Does it exist? Are there – is it just the draft or has he got notes from interviews that he did or?	
	JONATHAN SARICH	
	I can't remember sorry.	
	DR AROHA HARRIS	
	Okay.	Q
	JONATHAN SARICH	
	It's been years since I looked at those files. It could – it is – I think I have, yeah it's in my supporting papers, so my	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	document back –	
	DR AROHA HARRIS	
	Has the whole document for –	
	JONATHAN SARICH	
0835	Perhaps not the whole document. It might be most of the chapter though that's relevant.	
	DR AROHA HARRIS	
	Okay. No, I was curious because I was wondering if the original would have been in Maori and someone has translated this?	
	JONATHAN SARICH	
	I didn't pick that up but that could be the case.	
	DR AROHA HARRIS	
	Okay. Okay, I am going to ask a few questions about your chapter on World War I. They are fairly specific questions so we should be able to whip through them fairly quickly. So you make the point on page 30 about the Waikato Maniapoto being targeted for conscription?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Sorry, what page?	
	DR AROHA HARRIS	
	I have got it down as page 30.	
	JONATHAN SARICH	
	Okay. What comment is that?	
	DR AROHA HARRIS	
	The comment that the Waikato's, which I have interpreted as Waikato-Maniapoto, the Waikato's were the primary target for conscription, the Government's primary target for conscription. So they were targeted for conscription?	
	JONATHAN SARICH	
	I don't know if – I think it's just Waikato not Maniapoto. I think they were sort of caught up in it. I think the Government thought they were talking about north of the Puniu, yes.	
	DR AROHA HARRIS	
	Okay. But you're unequivocal that it was targeted?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Yes.	
	DR AROHA HARRIS	
	Unequivocal about that? And what is your brief explanation for why they were targeted?	
	JONATHAN SARICH	
	Well, I think we touched on it with that conclusion from Baker that Allen really couldn't stand what he saw as basically being disobedient and so he really got fixated on what he kept calling the one tribe that was sort of not doing their share. So it was about authority essentially.	
	DR AROHA HARRIS	
	But why does he target the Waikato's and not other groups of people who also weren't willing to sign up?	
	JONATHAN SARICH	
	Because he saw the Kīngitanga as being quite deliberately opposed.	
	DR AROHA HARRIS	
	Okay. So it is specifically at the Kīngitanga?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Yes.	
	DR AROHA HARRIS	
	As who are different to other groups who are opposing the –	
	JONATHAN SARICH	
	Well, yes. I mean, I don't know exactly why he thought Taranaki was different but he seems to have really got it in his mind about the Waikato and seeing the Kīngitanga.	
	DR AROHA HARRIS	
	Okay. Let us move to – now on page 42 you have one of these – excuse me – reports and I think you do mention others about recruiting. This is the one from Colonel Porter.	
	JONATHAN SARICH	
	Yes.	
	DR AROHA HARRIS	
	And he talks about being advised about a couple of people posing as missionaries, it says, in advising Māori not to enlist. On those reports, in general, were people being	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	spied on? It kind of – when I was reading some of it, it sounded slightly like spying to me but I was wondering if that is a fair way of characterising what happened?	
	JONATHAN SARICH	
	I think I say as much because he was. Yes, when I talk about that afterwards I say: ***The inspector was attempting to ascertain the prevailing attitude of Māori while keeping his identity hidden, essentially spying within the district.*** So yes, he was there. Nobody knew who he was and he was looking out to see what –	
	DR AROHA HARRIS	
	Okay.	
	JONATHAN SARICH	
	– sort of attitude there was in the district. So –	
	DR AROHA HARRIS	
	And is –	
	JONATHAN SARICH	
	– I guess you could call that spying.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	And do you think it was spying, in general, because there are other reports coming in as well?	
	JONATHAN SARICH	
	Well this is the one case that seems closest to spying. I don't know if there are others. I don't know if there were other people doing the same thing.	
	DR AROHA HARRIS	
	Okay. Well there are certainly other reports about recruitment.	
	JONATHAN SARICH	
	Yes but those, they asked the police officer's of each district to ascertain what they said, thought, was happening in the district but I don't know if they were open about that. So they could have just gone to the leaders and said, "What do you think is going on? How do you feel about conscription?"	
	DR AROHA HARRIS	
	And you could have asked other people besides the police?	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	DR AROHA HARRIS	
	Yes, okay. Sorry, I missed a question back on page 21 where you have got one of your tables. I have done something to my ipad, sorry.	
	JUDGE AMBLER	
	Sorry, we have a technology problem. Just pause.	
	DR AROHA HARRIS	
	Yes. Sorry, I know what the question was, I will see if I can – I will ask the question. I cannot remember what the table is, can you remind me what it is on page 30? I think it is enlistments?	
	JONATHAN SARICH	
	It's – yes, it's the best I could do in terms of making numbers out of how many people from the Rohe Pōtae went with each contingent.	
	DR AROHA HARRIS	
	And I am still trying to fish my document out, but the column	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	that I am interested in is the proportion column.	
	JONATHAN SARICH	
	The Rohe Pōtae percentage?	
	DR AROHA HARRIS	
	The percentage column, yes.	
	JONATHAN SARICH	
	Yes.	
	DR AROHA HARRIS	
	And I was just – I wanted to know what we can make of that column because don't we need some other information to give it meaning?	
	JONATHAN SARICH	
	I think it's just the percentage. So you've got three columns, you've got the Rohe Pōtae volunteers and the total number. So it's just the percentage of the total number of each contingent that went.	
	DR AROHA HARRIS	
	The percentage of the total number of each contingent?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	It's the percentage of Rohe Pōtae volunteers. So, for example, with the first Māori contingent there were 19 volunteers out of 518 in total and that has a percentage of 3.6 of that contingent.	
	DR AROHA HARRIS	
	But don't we need some other information about the rest of the contingent or some information about the total? It just occurred to me that, it would have been useful to have turned that into may be a per capita figure, or to be able to compare median percentages with other –	
	JONATHAN SARICH	
	Yes.	
	DR AROHA HARRIS	
	– or these median percentages?	
	JONATHAN SARICH	
	And I just note, I note that a proportional analysis, you know, so a comparison between different groups was just beyond what I could achieve.	
	DR AROHA HARRIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	What – how much work would it take to – like how did you manipulate the data that you have got there or have you lifted it off that source?	
	JONATHAN SARICH	
	You will see in the footnote –	
	DR AROHA HARRIS	
	Yes, it is out of, yes.	
	JONATHAN SARICH	
	– that – no, not that footnote. I think I explained in a footnote exactly how I went about this. But essentially, I just looked at the nominal roles and the problem with them is that they don't have any tribal data, they only have location. So the list would have the person's name and then where there next of kin was to contact. And so I just went by the location –	
	DR AROHA HARRIS	
	Okay.	
	JONATHAN SARICH	
	– to assume that they were Rohe Pōtae.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	Okay.	
	JONATHAN SARICH	
	And so it would be a matter of – it would be quite a, it would be quite a big job to go through every single person on the role and establish where they were from and then make a – yes, you would just have to carry on that process for every single part of New Zealand.	
	DR AROHA HARRIS	
	Okay.	
	JONATHAN SARICH	
	Yes.	
	DR AROHA HARRIS	
	Okay. Well let's move on to, I want to talk about the issue of using the census data on page 57. So you described the practise of using the census data to identify people for conscription as dubious and you used it again in your summary. But my question is this, because I do think it is dubious in current day circumstances because we have so many guidelines around the ethics of private information now, and my	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	question is, what, how well understood were the ethics of confidential information back then, 100 years ago?	
	JONATHAN SARICH	
0845	Well – where is it – I called it dubious because that people that were doing that wanted to keep it a secret from – they didn't want – they made sure that the police didn't say that they were using the census, started to help compile the register. So I've got some quotes. I've just got to find them sorry that back that up.	
	DR AROHA HARRIS	
	It's okay. I wasn't really – the question wasn't really about the use of – your use was dubious. I was about how people understood the ethics at the time.	
	JONATHAN SARICH	
	Yeah well, they were aware that it was not desirable.	
	DR AROHA HARRIS	
	Okay.	
	JONATHAN SARICH	
	And they tried to keep the – the reason why I think it's dubious is 'cos they were trying to keep it hidden from the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Māori that they were using that information against.	
	DR AROHA HARRIS	
	Okay, so –	
	JONATHAN SARICH	
	Does that make sense?	
	DR AROHA HARRIS	
	Yes that makes sense.	
	JONATHAN SARICH	
	Yeah.	
	DR AROHA HARRIS	
	So secrecy seems to be a part of the whole process, secrecy around the reporting on recruitment and so forth and secrecy around use of census data.	
	JONATHAN SARICH	
	Yeah so there was secrecy around that and then the other thing I note that they – I call – I think I use the same word again "dubious" was that they, they didn't register the letters that they sent out to notify. So they should have on the back of them saying that they're from his majesty's service or	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	whatever, but they left that off 'cos they didn't want them to know that it was going to be a letter to call them to register, which is against the statutory requirements I think. So I mean that's pretty dodgy.	
	DR AROHA HARRIS	
	Okay. Let's go on to the health council. I've just got a couple of specific questions and then I want to have a – try and tackle this self-government issue. So around page 84, you start talking about some of the –	
	JONATHAN SARICH	
	Collection of bylaw.	
	DR AROHA HARRIS	
	Yeah some of the collection of –	
	JONATHAN SARICH	
	Fines.	
	DR AROHA HARRIS	
	– fines and enforcement of law. So you come at this topic from the enforcement side, and I was wondering if you had any comment to make on compliance because I figure if people are – if they're able to collect fines, then people must	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	be paying them. So, so I wonder if anything that you read had – enables you to comment on compliance from the point of view of people who have been (inaudible 08:48:11).	
	JONATHAN SARICH	
	I think I note somewhere, maybe in the introduction that I found it really difficult to find any evidence of what other Māori in the district actually thought of these councils. And I just note in regard to these bylaws that maybe they didn't like them very much 'cos they were just – one of the things that they did was did was just fine their community for certain infringements. So that's probably as far as I can go. I don't – in this case clearly people were heading the authority and paying the fines.	
	DR AROHA HARRIS	
	Which might be a measure of – by measuring support or agreement, paying – are paying the fine?	
	JONATHAN SARICH	
	Yeah, potentially. I think this might've been during a time where the official member of the committee was – the council was very active, and he might've been helping, so he's a local constable.	
	DR AROHA HARRIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Okay.	
	JONATHAN SARICH	
	Yeah.	
	DR AROHA HARRIS	
	So it might be – which is more enforcement than compliance I think. I'm just trying to find out what the balance is between enforcement and compliance.	
	JONATHAN SARICH	
	Yeah, yeah. I can't comment too much on that.	
	DR AROHA HARRIS	
	Okay. And my other specific question on the health council is you talk about on page, near the bottom of page 89, you talk about the council's lacking bureaucratic resources as well as financial resources, and I think elsewhere you've used the term administrative resources. So I was just wondering what you meant? Oh, actually you've got that from Lange, from (inaudible 08:50:00) Lange.	
	JONATHAN SARICH	
	Where about is it on page 89 sorry?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	It's the second to last, to the last sentence, second to last line "Bureaucratic and financial resources".	
	JONATHAN SARICH	
	I guess what I mean by that is just like manpower and yeah just sort of infrastructure there to help them actually implement the Act, and yeah that particular part is from Lang, whose – who, yeah sort of points to the same problem.	
	DR AROHA HARRIS	
0851	Okay. Now my general questions are about the focus on health and this question of self-government. You have used Hill's argument that the focus on health was about tightening social control, so that is on page 67. I could not really tell if you agreed with Hill or not?	
	JONATHAN SARICH	
	No, yes that was just more of a statement of another historian.	
	DR AROHA HARRIS	
	So do you think it was about tightening social control? Or, do you think it was –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Well it's definitely a possible – it's definitely a possibility and I guess with the later report that even becomes more apparent with the later sort of system of, yes, just being very focussed on how Māori are living and like the Government trying to improve that. Basically you could interpret that as controlling the way – attempting to control the way Māori live.	
	DR AROHA HARRIS	
	What do you think was driving that view? Like, why in the 1920s did Government officials think Māori needed some king of social control?	
	JONATHAN SARICH	
	Probably just the bigger ideas about assimilation and amalgamation. Just that idea of that it's best to live the Pākehā way. Does that answer your question?	
	DR AROHA HARRIS	
	In part because you could have done it by education. You could, you know –	
	JONATHAN SARICH	
	Well I think –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	So it does answer the question but not the specifics of going to health	
	JONATHAN SARICH	
	Well I think this would just – that was just one of their initiatives in that regard.	
	DR AROHA HARRIS	
	Okay. And now this question of self-government, so I see, where did you pick the term up from? Did you get this from Lang self-government? And in particular, the idea that the Health Councils were an attempt at self-government?	
	JONATHAN SARICH	
	Well it comes from several places. I mean, yes, Lang definitely views them as part of a self-government programme and it is self-government because it's giving Māori self-government over health and sanitary issues. So it's a narrower focus but it's still an aspect of self-government. But it also comes from the fact that the 1900 Act, the original Council Act was definitely a self-government initiative and these Health Councils retained a lot of those features or powers.	
	DR AROHA HARRIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Did Māori at the time view it as self-government or what is the language that Māori at the time are using?	
	JONATHAN SARICH	
	Certainly for the 1900 Act, yes, they definitely thought it was an initiative in self-government.	
	DR AROHA HARRIS	
	And are they repeating those kinds of sentiments in the 1920s?	
	JONATHAN SARICH	
	Probably not so much. But there is a 1929 conference where all the councillors meet together nationwide and – I've just got to find where it is, sorry. I am just thinking this 1929 forum might be the closest to what you're looking for in terms of Māori viewing it as a form of self-government. But –	
	DR AROHA HARRIS	
	So what page are you on?	
	JONATHAN SARICH	
	81 and it goes over to 82. And I'm just thinking perhaps if you look in the supporting papers at the full –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	Okay	
	JONATHAN SARICH	
	– thing there might be some more in there about that view that it is a body of self-government.	
	DR AROHA HARRIS	
	But they are still not really using that language are they themselves?	
	JONATHAN SARICH	
	Well they're talking about extension of power a lot –	
	DR AROHA HARRIS	
	Yes, yes and authority. That is okay, we will leave it there.	
	JONATHAN SARICH	
	It was also noted that and I quote, "The power and authority to conduct our maraes as a privilege which a large majority of the Maoris throughout the dominion are jealous of." So there is that sort of language of power and authority going on and I'm just saying that may be if you look at the full document there might be some more on that.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	Okay. Okay, thank you. I have only got one question on the liquor chapter but actually it is about the rates compromise rather than a liquor question. So on page 161 and you are discussing the Ngāti Maniapoto proposal about the rates, about the payment of rates and in the middle paragraph you have got this brief discussion of Ngata actually rejecting their motion and describing it as too demanding and unreasonable. I was just curious to know if you had anything else to say about that little exchange.	
	JONATHAN SARICH	
	About what in particular?	
	DR AROHA HARRIS	
	In terms of Ngata's thinking and also the meetings eventual agreement to his proposal?	
	JONATHAN SARICH	
	Well I think essentially Ngata believed that this was a really good deal as it was, being able to come up with a compromise where the Government was going to write off some of the owed rates. So as far as his thinking was concerned, this was the best that – this was the best deal available and he thought – he thought Maniapoto were	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	asking for too much, essentially.	
	DR AROHA HARRIS	
	So you think he was being pragmatic, taking the pragmatic approach?	
	JONATHAN SARICH	
	Yes. I think he probably thought that consolidations and these compromises were actually going to be the best fix available, yes.	
	DR AROHA HARRIS	
	Okay. And you used the minutes of the meeting, is that the extent of the sources for that, do you think?	
	JONATHAN SARICH	
	I think that, yes, that would be the best source.	
	DR AROHA HARRIS	
	Okay	
	JONATHAN SARICH	
	There may be also local newspaper accounts of the meeting.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	Okay. And just a couple of questions on Sim. I had not ever seen the map that you have got on page 235. This is the tribal boundaries map that the Sim Commission uses.	
	JONATHAN SARICH	
	Yes.	
	DR AROHA HARRIS	
	I was just wondering if you had any other – if you had any information about how it was drawn up or who helped to draw it up, or if there is any background information that exists with the map? Particularly, if Māori assisted with determining those boundaries?	
	JONATHAN SARICH	
	I note in my discussion of it which I think is on the next page that there is a letter with that says –	
	DR AROHA HARRIS	
0901	Oh yes, Native Land Court Minutes.	
	JONATHAN SARICH	
	Native Land Court Minutes and Mr George Graham and a local student of Māori history was helped to make the map.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And I can't, as I note in that paragraph, I couldn't find any evidence to suggest that Māori were actual – or the people involved were actually asked to contribute their thoughts.	
	DR AROHA HARRIS	
	And my understanding of George Graham is that his interest area is actually Auckland, is that yours? Do you know much about –	
	JONATHAN SARICH	
	No sorry I don't.	
	DR AROHA HARRIS	
	Okay. Now this idea that develops about Ngāti Maniapoto getting off scott-free while other people got their lands confiscated – its – do you think that's something that the Sim Commission is responsible for? Did they start or popularise that idea?	
	JONATHAN SARICH	
	No I think if you look at, who's the historian that wrote the reports for the earlier political engagement? Sorry it's in my footnotes.	
	DR AROHA HARRIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Is it Marr or –	
	JONATHAN SARICH	
	No –	
	DR AROHA HARRIS	
	O'Malley?	
	JONATHAN SARICH	
	Yeah O'Malley, sorry, O'Malley he has a whole chapter on this issue and how it's sort of developed and I think I quote – I'm not sure where I quote but I quote O'Malley basically saying that the idea's largely unfounded, and that when it is found – like when it is substantiated, it's blown out of proportion as well, this idea that the Maniapoto were the rebel rouses or the most rebellious rebels.	
	DR AROHA HARRIS	
	But even if it's unfounded, it still takes hold.	
	JONATHAN SARICH	
	Yeah, yeah.	
	DR AROHA HARRIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And my question is, if – does it take hold because of the Sim Commission –	
	JONATHAN SARICH	
	No I think it has a history before the Sim Commission.	
	DR AROHA HARRIS	
	So you think – and you think it was a popular before Sim as well?	
	JONATHAN SARICH	
	I don't know if I can go as far as saying, "Popular" but I know from O'Malley that it's – it had a legacy before the Sim Commission.	
	DR AROHA HARRIS	
	Okay and do you think it affected the way that the Crown dealt with Ngāti Maniapoto?	
	JONATHAN SARICH	
	Well certainly in terms of the Sim Commission, yes.	
	DR AROHA HARRIS	
	And I think you got the quote from Fraser on page 237, sorry	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	273, Maniapoto did not have their lands confiscated.	
	JONATHAN SARICH	
	Yeah.	
	DR AROHA HARRIS	
	You can't include – you can't include land that wasn't confiscated is what he's saying, so I was wondering if that, if that's the kind of – his positive statement is, the negative statement on the other side that the Crown couldn't have erred in lands that weren't confiscated? So, 'cos by saying that, he – is he saying that the Crown is only culpable if land was confiscated and outside of the confiscation boundary there's nothing for the Crown to respond to?	
	JONATHAN SARICH	
	Yeah and that was the whole thing of the Sim Commission. It could – it as I note and sort conclude, it couldn't investigate the bigger impact of raupatu, especially on you know, because of the raupatu, essentially the King Country or Rohe Pōtae was sort of came into being. They couldn't look at that bigger picture. They couldn't assess like the impact on Maniapoto of just the conflict and the war and then the influx of refugees from the north. Any of those bigger aspects the war and raupatu they couldn't investigate. So yeah, back to Fraser. He's saying, "We're only concerned about the actual land that was taken, not these bigger issues," 'cos then if you see the other party	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	continues arguing that the Maniapoto people had suffered greatly in the fight, so he's trying to tell Fraser but there's a bigger story here, like we suffered greatly, even though we didn't have our lands confiscated. So he's try – I think he's trying to raise that bigger picture. But Fraser is saying, "We're only focussed on the land that was taken."	
	DR AROHA HARRIS	
	Which is – and my question is really about, is Fraser therefore, saying, "There is no bigger picture to answer."	
	JONATHAN SARICH	
	I don't know if he's saying that. I'm – he's saying, "The government is not going to look at that bigger picture at this time." I don't know like how – whether he didn't believe that there was a bigger picture. But he's definitely saying, "We're only concerned with the land that was taken."	
	DR AROHA HARRIS	
	Okay and that's it from me. Kia ora thank you.	
	JOHN BAIRD	
	Thank you Mr Sarich. That was a smorgasbord of subjects that you got asked to write on. Just looking at the licensing, I'm looking at page 195 on your main report. You've said in the second paragraph, and this is chairman	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Smith of the Royal Commission on licensing. Smith argued that, "Due to the fact that the no-license agreement was not a condition in a direct bargain," and then further down at the bottom you've said, "The agreement regarding licenses was actually only peripheral," that's second last line. And then, on the next page in the second paragraph, for example he did not explain why these other agreements were secondary. But when I look at the quote you got at the top of page 196, he actually said, "This proclamation ranked with other matters and there were several which Māori wanted," but the final one was, "And the determination of the government to put the line through." And I just – and that's the only quote that I could find that you'd passed on to us. Can you just sort of expand a bit about why you've drawn a conclusion that Smith concluded the licensing issue was only peripheral? Seems at odds with the statement here.	
	JONATHAN SARICH	
	He's saying it's only peripheral – so he's identifying that there's one key bargain. So the key bargain or the central agreement or the heart of the negotiations in Smith's mind was the permission to build the railway on the basis that the lands would – lands required would be paid for by the government. So he identifies that as the main agreement, and he's saying that these other matters were concessions on the road to that main agreement. And so he's saying the liquor as peripheral in the sense that it wasn't that main	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	agreement. Does that make sense?	
	JOHN BAIRD	
	Yes I understand the point. I guess what I really seeking was why – I mean you've made the statement that he saw the central agreement or the heart of the negotiations as permission, and I'm just wondering what you drew that conclusion from, if you can remember? 'Cos it seems at odds with the quote that you have put in.	
	JONATHAN SARICH	
0910	Well I put my footnote for that for my –	
	JOHN BAIRD	
	892	
	JONATHAN SARICH	
	It's looking through his conclusion. So if you read, if you read his recommendations then you can assess for yourself whether I've you know misinterpreted that. But this is certainly my interpretation of what he argued and I'm pretty sure that if you follow my footnotes through then you'll be able to see my reasoning for that.	
	JOHN BAIRD	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Okay. So turning round the other way, I mean from your research and your knowledge of sources, I mean how fundamental was prohibition to Māori going ahead with the deal?	
	JONATHAN SARICH	
	I think it was just another, another important part of this series of negotiations, so I'm – I would say that the issues surrounding the Native Land Court and land were the – probably the most important issues that were negotiated in the 1880s. But then as Ormsby and others argue in this period, one of the reasons why liquor was seen as important is 'cos that it could have a negative effect on some of these – that it could – it was tied together with the land issues. And so it was just another – it was just another way that they could – that the Rohe Pōtae leadership could try and protect their people and try and keep their autonomy and that sort of thing. Does that – is that an answer to your question?	
	JOHN BAIRD	
	Yes thank you very much.	
	JUDGE AMBLER	
	Tēnā koe Mr Sarich. Thank you for your report. Just to follow-up on the discussion you just had with Mr Baird. We've heard throughout the inquiry at different times about the, what's called, the Compact, and the issue of alcohol. In	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	my sense, is that by the early 1880s, the rangatira in this region had seen what had happened at other Court sittings. Cambridge was the most notorious and the extreme problem of alcohol associated with Court sittings, associated with people clocking up a debt to pubs and so forth. And so just coming to this question, those rangatira could see what was likely to happen once you had title determination and the potential for the sale of land i.e. really the coming of a cash and economy into this district. That is how I interpreted it in part, and that's the fear in terms of alcohol. Is that the sense that you have as the key driver, the key concern?	
	JONATHAN SARICH	
	Yeah from my reading, that's the sort of argument that was run. But as I've already noted, like a lot of my reading is secondary reading on that issue and I think Cathy Marr may have delved into that in more detail in her Political Engagement Report.	
	JUDGE AMBLER	
	Yes, so – well that's my sense of the con – one of the key concerns in the 1880s which leads to the formal prohibition through the 1884 ordinance I think it is. And then if we come forward to the period that you're concerned with, people fall into two camps, well Māori do. You've got those who want to maintain prohibition and those who see an inevitable licensing regime and are saying, "Well actually Māori will be better off through licensing." That is where the debate is at?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	It's a tricky one because as I've tried to point out with Pei Te Hurinui Jones, he was speaking on behalf of more people than himself, and I think personally, he was of that pragmatic camp, but you've got to keep in mind that he still said he would prefer – his declaration or his evidence to the Licensing Commission still stressed that the leadership preferred total prohibition.	
	JUDGE AMBLER	
	Yes all right, I understand that. But what we do know digging down is that prohibition had failed. There was sly-grogging; there was abuse of mentholated spirits, so it had failed, in that sense of protecting the people?	
	JONATHAN SARICH	
	Yeah, yes I agree with that.	
	JUDGE AMBLER	
	And the point I am coming to is I just – I am interested in the extent to which there was any discussion or debate during that period that you looked at about controlling the source of money. And my point is this that we have heard from other witnesses, Dr Hearn last week about the Māori land boards. And so we have from 1905 in particular, a significant period of land sales controlled by the board, by the Māori Land	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Board which is obviously producing cash which a generation or two before, in the 1880s had been seen, foreseen as enabling people to buy, amongst other things, alcohol. So my long-winded question comes round to the point of, is anyone in that period talking about the problem of people having ready access to money or getting into debt to buy alcohol. Is that part of the debate or not?	
	JONATHAN SARICH	
	I haven't come across too much evidence of that, but I think if you delve down a bit, that would probably be the case still. Yeah that, it sounds like that's a distinct possibility. But I don't – I haven't, in my report, I haven't seen that argued too much where I can't remember now, that they argue too much.	
	JUDGE AMBLER	
	And you as you said to Mr Pou yesterday, you did not really look at the Māori Land Board's –	
	JONATHAN SARICH	
	No. I guess further to that, I mean it's probably what you've already done, but you can infer from these efforts to have some control over the – oh no, forget that.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Well the Māori Land Board in its functioning is – seems to me is a critical part of the story isn't it? In terms of that is a body which is by 1905 is under the control of the Crown in terms of the appointment of members of the board and what Māori – where Māori have some empowerment is in relation to deal with health issues – quite confined matters that they can deal with. That's right?	
	JONATHAN SARICH	
	Yeah.	
	JUDGE AMBLER	
0920	In terms of, I think, the four topics that you look at, the issue where Māori get the most traction or at least the Crown is required to respond to what Māori are saying, does seem to be the alcohol issue?	
	JONATHAN SARICH	
	Yes.	
	JUDGE AMBLER	
	And I am just wondering, is that because of the tie back to the 1880s and the argument about the Compact, or is that really simply because there is a large Pākehā Movement and the Temperance Movement which has come along side them in relation to that issue?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Yes, I think the latter is a major reason why they had more traction.	
	JUDGE AMBLER	
	And the first referendum that we discussed yesterday, I think it is 1949?	
	JONATHAN SARICH	
	Yes.	
	JUDGE AMBLER	
	It seems quite an extraordinary step in our history that the Crown actually realises we need to gage the view of Māori before we go to the second step of a general referendum. Have you encountered that elsewhere during that period where there is anything resembling that sort of gauging of Māori opinion?	
	JONATHAN SARICH	
	No.	
	JUDGE AMBLER	
	And do you think that was – I mean, how should we see it, is that a genuine recognition by the Crown of the importance of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the Māori view, or is it a pragmatic approach? How do we regard it?	
	JONATHAN SARICH	
	I think my reading is that Smith was quite onto it and he himself recognised that something had happened in the 1880s as you can see about my argument about what he argued. And so I do think it was a genuine attempt. You know the Crown did make an effort there to obviously ascertain Māori opinion and gave the decision into Māori hands after that. But my only issue with that, or that what I argue in the report is that the issue – the way that they attained that consent through a referendum was in fact undermining the Rohe Pōtae leaderships ability to make decisions on behalf of their people through traditional means. Because none of the leaders wanted the referendum. So I am saying that it was a genuine attempt to gain consent but it wasn't the method that the Rohe Pōtae leadership desired.	
	JUDGE AMBLER	
	All right.	
	JONATHAN SARICH	
	They wanted to make the decisions through their traditional means for their people.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	But just so I am clear on this, if the referendum had come back overwhelmingly that Māori wanted to retain prohibition, would that have been the end of the matter and there would not have been a second referendum?	
	JONATHAN SARICH	
	Yes. But only 51% voted in favour of Māori, 51% of Māori voted in favour in the first referendum but they needed to get a 60% threshold –	
	JUDGE AMBLER	
	Yes.	
	JONATHAN SARICH	
	– for it to go through.	
	JUDGE AMBLER	
	But the commitment from the Crown was that if they had got that 60% threshold –	
	JONATHAN SARICH	
	They would have allowed licences into the district.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Sorry they would have allowed licences?	
	JONATHAN SARICH	
	Yes, that's a vote in favour of allowing licences into the district. So 51% of the Māori population voted in favour of licences but they needed to get a 60% threshold for it to go through in the 1949 referenda.	
	JUDGE AMBLER	
	So when you – I am confused about the terminology. I understand that up 'til then there was prohibition. So if you are voting for licences, were you voting for prohibition or voting for opening it up?	
	JONATHAN SARICH	
	No for the introduction of licences into the district which is allowing alcohol into the district.	
	JUDGE AMBLER	
	Yes, okay. But if the overwhelming view of Māori was that they wanted to retain prohibition, then that would have – the Crown were saying at the time that we will abide by that view?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Yes, and they did and that's why – but then the National Government came in and thought it was unfair on the Pākehā population that they were being held –	
	JUDGE AMBLER	
	I see.	
	JONATHAN SARICH	
	– to this. And because the thing with the first lot of referendum, it showed the Government that the overwhelming like majority of Pākehā in the district wanted licences. So there was the Māori poll and the Pākehā poll, the non Māori poll and what I argue is that, it revealed to the Government just how much this district wanted licences; didn't want prohibition. So National came along and thought it was essentially undemocratic and unfair and it had the next round of referendum which was a combined referendum so extinguishing the Māori voice.	
	JUDGE AMBLER	
	All right. Sorry, I think I slightly misunderstood the sequence. Can I just take you through a few items in your report. Perhaps just to begin with, the photograph I referred to yesterday. I wonder if the staff can just show that and this is	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	at paragraph 175 of your report. So the context is that Wayne Herbert gave evidence earlier in the week and referred us to this photograph and he explained in his understanding, it was to do with opposition to the railway but also to do with alcohol. But I see, if you look at the names that are on that photograph, Gabriel Elliot, Tūkorehu Te Ahipu, Whare Hotu, George Turner and Wetini Hotu. Aside from one or two spelling issues with what you have got at the top of page 175, that seems to be the same five people who went to Wellington?	
	JONATHAN SARICH	
	Yes, that seems right. Yes.	
	JUDGE AMBLER	
	So the spelling you have taken is actually directly from –	
	JONATHAN SARICH	
	Whatever source I have quoted there.	
	JUDGE AMBLER	
	The source. And it would seem that we have the correct names on the photograph. So I was just interested in terms of the significance of – well, putting the photograph in context but also just given the fact that the committee had a special photograph taken, I just wonder what that tells us in	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	terms of how significant this committee was in pursuing this issue. Do you have any comment on that? Is that the sort of thing you would expect from a committee of this nature?	
	JONATHAN SARICH	
	Well, I mean, yes. I mean, it's certainly more evidence of how seriously the issue was being taken.	
	JUDGE AMBLER	
	And Gabriel Elliot, who you say represented the Superintendent of the Methodist Māori Missions, what – do you know anything about him? What his formal role was?	
	JONATHAN SARICH	
	Is he not – there's definitely another Elliot that was involved in the Health Councils. Yes, I can't really comment too much more without kind of re-reading stuff.	
	JUDGE AMBLER	
	All right.	
	JONATHAN SARICH	
	Yes.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	So he may feature elsewhere in the report?	
	JONATHAN SARICH	
0930	Yeah.	
	JUDGE AMBLER	
	All right, thank you can pop that down. I will just take you through some other small matters. Page 42, this is to do with the First World War. You have a quote and about five lines up from the bottom of the quote, it says, "The position is rather a delicate for several reasons I cannot put in writing." You see that?	
	JONATHAN SARICH	
	Yes.	
	JUDGE AMBLER	
	Do you have any sense of what those reasons were? Is it apparent from later events or other sources?	
	JONATHAN SARICH	
	No I don't – I didn't – apart from this letter I found no other sort of evidence of this idea that there were missionaries floating around, like telling Waikato Māori not to fight in the war.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Page 78 where you are dealing with the bylaws of Māori councils and you – the first full listed the categories of issues, I just wondered, was there any connection with the Tohunga Suppression Act? Was that an issue that councils were to deal with? The question of use of rongoā and traditional practises?	
	JONATHAN SARICH	
	Yeah I believe so. I don't know if I talk about it anywhere in the report, but I remember in my other reading that – and I guess it ties in to earlier question from Dr Harris about this idea of changing the way Māori live.	
	JUDGE AMBLER	
	Well I just wondered which of those categories that might have been seen as coming under?	
	JONATHAN SARICH	
	Well maybe tangis and huis and gatherings.	
	JUDGE AMBLER	
	But –	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	There's nothing explicit there.	
	JUDGE AMBLER	
	Yes.	
	JONATHAN SARICH	
	But I just – I recall a connection there.	
	JUDGE AMBLER	
	Yes, it may not have been explicit in the legislation?	
	JONATHAN SARICH	
	I comment either way without looking back through the 1900 Act or – and the 1920 Health Act and what have you, but there may be something explicit in there.	
	JUDGE AMBLER	
	Moving on to page 125, and towards the bottom of the page where you refer to figure 4 which identifies the district of the 1884 prohibition.	
	JONATHAN SARICH	
	Yeah, it's –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Yes.	
	JONATHAN SARICH	
	I was just going to say, you've got to be careful using the word "prohibition" 'cos it's no licenses, which is a slightly – it's not complete prohibition. It's – with all the other legislation equated to prohibition, but there's a slight difference between having no licenses in the district and prohibition.	
	JUDGE AMBLER	
	So what is the difference?	
	JONATHAN SARICH	
	Well Pākehā could order an alcohol legally through certain means. So there were ways in which, yeah, you could order an alcohol, so it wasn't prohibition in the sense that if you got caught with a bottle in your house, you would be in trouble, as long as you acquired the alcohol through the correct means.	
	JUDGE AMBLER	
	Is that among Māori as well?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	So licenses means like no pub, like no pubs. No licenses for pubs in the district.	
	JUDGE AMBLER	
	So what does that actually mean then in practise. So Pākehā could order in alcohol into the district, yes?	
	JONATHAN SARICH	
	Yes.	
	JUDGE AMBLER	
	But they could not –	
	JONATHAN SARICH	
	Have at pubs.	
	JUDGE AMBLER	
	No, could they sell it to Māori.	
	JONATHAN SARICH	
	No.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Could they give it to Māori?	
	JONATHAN SARICH	
	No.	
	JUDGE AMBLER	
	Could they sell it to Pākehā?	
	JONATHAN SARICH	
	I don't know if they could on-sell it sorry.	
	JUDGE AMBLER	
	Could they give it to Pākehā?	
	JONATHAN SARICH	
	I think so, in a social situation.	
	JUDGE AMBLER	
	My question was going to be, the district that is identified seems to reflect the original Rohe Pōtae district as per the 1883 petition. Is that your understanding?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Yeah that rings a bell but I can't say for sure.	
	JUDGE AMBLER	
	All right.	
	JONATHAN SARICH	
	I think, I think Cathy Marr argues that one of the reasons why liquor was so important to the agreements was that it was a first formal recognition of the Rohe Pōtae, so that it – yeah it was one of the first ways that the district was recognised.	
	JUDGE AMBLER	
	So just coming back to the – you helped me with understanding better, the licensing regime. There is discussion of the, not sure if they are called chartered clubs or – that is right?	
	JONATHAN SARICH	
	Yeah.	
	JUDGE AMBLER	
	So they – when did they come about?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	So they are – you could have a club, and then you could apply to get a charter, which gave you permission to consume alcohol on the premises. But it had to – you had to order it as an individual and store it in a locked locker, but what happened in the King Country was that these clubs started basically breaking those rules about how alcohol was to be consumed. So instead of having it under lock and key and ordering it through individuals, these clubs were pretending to do that, but ordering bulk amounts and then consuming it in a pub-like setting and selling it over the counter, which was what they were not supposed to do. So, and as I argue in the report, the police of the district and that essentially turned a blind eye to this going on. So – and the Royal Commission recognised that that was illegal, but they made the recommendation that they issue proper charters in the – for the district after.	
	JUDGE AMBLER	
	So the charters, charter clubs had been established right from the beginning of large-scale settlement in the 1900s.	
	JONATHAN SARICH	
	There were clubs in the district for that obviously, but what happened in the late 30s is that the clubs started doing this. They had chargers – no, I don't know if they had charters or not, but they started doing this – they found this loophole	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	and it was ignored, and that's why at the Royal Commission, none of the people – none of the pro-license people gave evidence at the hearing because the issue had basically been undermined by this system of having this loophole that they had found, and that's all doc – that's all written up in the report – in my report.	
	JUDGE AMBLER	
	And Māori were not able to go to the charter clubs?	
	JONATHAN SARICH	
	Yes, that's – I sort of argued that that makes the issue even more complicated. Yes. Because some of the clubs – well I think all of the clubs weren't allowing Māori to go to them. So they were white clubs basically.	
	JUDGE AMBLER	
	Page 234 where you are dealing with the Sim Commission. That first paragraph you list those who gave evidence to the Commission. It is just a correction, you have got a name Rohi Rauparaha but we have heard evidence at hearing week 9 from Gordon Lennox about the Ngāti Apakura kuia Rīhi Rauparaha who gave evidence, and in fact I think in Ms Whiley's documents which have the transcript of the evidence, that confirms that it is Rīhi Rauparaha. So that is just a spello on your part?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Sorry, what page?	
	JUDGE AMBLER	
	Page 234.	
	JONATHAN SARICH	
	234, sorry.	
	JUDGE AMBLER	
	Halfway down the first paragraph you have got the names of those who gave evidence.	
	JONATHAN SARICH	
	My spelling would be just whatever source I was using. So it's more than likely it was incorrect. Well it's likely that it was incorrect.	
	JUDGE AMBLER	**I AM HERE**
	Now, just moving on in terms of the discussion of the makeup of the Tainui Trust Board and the tensions that arose. The sense I got was that those tensions largely can be sourced back to the fact that the Sim Commission did not consider that Ngāti Maniapoto had suffered any grievance	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	as a result of the confiscation?	
	JONATHAN SARICH	
	Yes.	
	JUDGE AMBLER	
	Thank you Mr Sarich, that is all I have. Anything arising Ms Rongo?	
	EVE RONGO	
	No Sir.	
	JUDGE AMBLER	
	Ka pai. Well we will take a five minute break and Mr Sarich and Mr Francis can get themselves ready for round two.	
	JONATHAN SARICH	
	Thanks	
	HEARING ADJOURNS: 9.42 AM	
	HEARING RESUMES: 9.50 AM	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	A kia ora mai anō tātou. Kia tau te whare. Now Ms Rongo are you?	
	EVE RONGO	
	Ms Stretch will be leading Sir, but perhaps if we could start off with just the cross-examination list –	
	JUDGE AMBLER	
	Koutou kei muri, āe, kia tau te whare. Sorry, who is leading?	
	EVE RONGO	
	Ms Stretch is but perhaps if we –	
	JUDGE AMBLER	
	All right.	
	EVE RONGO	
	– could start off with the cross-examination line up first, thank you Sir?	
	JUDGE AMBLER	
	Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GLENN TOOTILL	
	Mōrena Sir. So the Crown, 60 minutes. Mr Pou, leading the cross for the claimants, 60 minutes followed by Mr Hockly, 10; Mr Burgess, 10; Ms Peters, 10 and Ms Savali, 15.	
	EMILY STRETCH	
	Ms Stretch here, Your Honour. As my colleague Ms Rongo has just mentioned, I will be leading Dr Francis and Mr Sarich for their #A072 report entitled "Aspects of Te Rohe Pōtae Political Engagement from 1939 to 1975." The document you should have in front of you is #A072(b), this being the presentation summary. I understand that this will be presented by Dr Francis. Dr Francis, when you are ready.	
	DR ANDREW FRANCIS	
	You would like to start from the introduction, yes? **READS BRIEF OF EVIDENCE #A072(b)** "**Introduction** The report summarised here was commissioned by the Waitangi Tribunal in April 2011. It examines aspects of political engagement between hapū and iwi of the Rohe Pōtae Inquiry District and the Government from 1939 through to about 1975. In particular, it focuses on the development of the Government's provision for Māori self-	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	government in the Inquiry District. It begins with an examination of the advent and operation of the Māori War Effort Organisation followed by an analysis of the Government's subsequent legislative responses regarding Māori self-government. The report is relevant to section one of the Tribunal Statement of Issues, particularly question 1.4. **The Māori War Effort Organisation** The onset of war in 1939 heralded a five-year period in which Māori responsibility for their affairs was not only a possibility but, throughout the course of the conflict, became a reality. Maori participation and contribution to the war effort was an instant success: Home Guard units were formed throughout the Inquiry District, Recruiting Officers were assigned and Tribal Committees and Executives were established or re-established; their initial main function being the supply of recruits for the armed forces and man and woman power for industry." Paragraph 5. **CONTINUES READING BRIEF OF EVIDENCE #A072(b)** "Though the level of contribution in the early weeks and months of the war varied between districts, the numbers of men volunteering for military service both at home and overseas was impressive. Added to this were the numbers of men and women answering the nation's call to enter the essential wartime industries. Though enlistment was initially undertaken on an informal basis, the four Māori MPs, Apirana Ngata, Paraire Paikea who became Minister in	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	charge of the Māori War Effort Organisation, Eruera Tirikātene and Hāmi Tokouru Rātana as well as Legislative Councillor, Rangi Māwhete, pushed the Government for a more formal arrangement where grassroots recruitment of man and woman power could be controlled and administered by Māori. Such was the Māori response to the national call for assistance, that the Māori Parliamentary Committee put forward to the Prime Minister, Peter Fraser, a plan to formalise and co-ordinate the Māori war effort. From the sources consulted it appears that the Māori War Effort Organisation was highly successful at mobilising Māori. Maori enlistment in the armed forces was constant before and after the Māori War Effort Organisation was formally established in June 1942. On the domestic front, manpower demands the Government placed on the Māori War Effort Organisation were met with little fuss. Disputes between employers and employees were taken care of and, where issues of absenteeism arose, the Māori War Effort Organisation acted swiftly to ensure all Māori 'did their bit' for the war effort. Crucially, the Māori War Effort Organisation remained throughout the war, free from Native Department control. Paikea, in particular, regarded the Māori War Effort Organisation as a blueprint for the future organisation of the Māori world; a 'bottom up' organisation laying the foundations for future society, not just for the duration of the war but into peacetime. To have the organisation function as effectively as he and the other Māori MPs envisaged, it required government funding. The Māori War Effort	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Organisation received from the public purse an initial £7,000 to finance the scheme. The only personnel who drew a salary were the Chief Liaison Officer and the 20 appointed Recruiting Officers. Tribal Committee and Executive members carried out their work on a voluntary basis, though petrol vouchers were issued where travel costs were incurred. Government contributed an estimated £12,000 per annum to the Māori War Effort Organisation in order that it could fully conduct its functions. The Government did not, at least according to the sources examined for this report, express too much concern over the amount of money required or how it was allocated. As the organisation responded positively to all Government requests, it is assumed the Government had no need to interfere with the War Effort Organisation's operation. However, as the Government only maintained the organisation on a temporary basis, Paikea and Tirikātene were regularly required to justify the War Effort Organisation's continuation." Paragraph 8. **CONTINUES READING BRIEF OF EVIDENCE #A072(b)** "While in many instances it has been difficult to extract from the overall Māori war effort the contribution made by the hapū and iwi of Te Rohe Pōtae, some assumptions can be made. The recruiting zones, which incorporated the current Inquiry District, were led by Captain Whetū Werohia and Lieutenant J D Jones, who liaised with over 60% of the tribal committees and executives located within the western Māori electorate. Their two zones contributed over 1,600 men and	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	women to the essential industries in the first six months of the War Effort Organisation being established; hapū and iwi living within these zones contributed 40% of the maize contributed in 1942, which was followed up by 23% in 1943; and they set aside 275 acres to produce potatoes, which increased to almost 400 acres the following year. The Maniapoto tribal committee supplied a number of its members to sit on rehabilitation committees and supplied liaison officers to sit on the Education and Welfare Departments and the Social Security Department. In terms of Home Guard enlistments, 847 were registered with the Te Kūiti-Waitomo Battalion by February 1941. Though it has not been possible to establish what percentage of enlistments were Māori, figures released in November 1942 showed that 554 Māori enrolled in Group 4 Home Guard, the district which covered the Te Rohe Pōtae Inquiry District. And to July 1945, a total of 411 Maniapoto men had served in the armed forces overseas. Aside from supplying manpower for both home and overseas service, the Māori War Effort Organisation also involved itself in what it regarded as associated war effort areas. The conflict disrupted the lives of many people and, via the tribal committees and executives, the War Effort Organisation strove to improve conditions for Māori affected by war's upheaval. For example, a number of urban tribal committees took it upon themselves to address social welfare concerns, in particular those involving young Māori women. By doing so, it began to encroach upon what the Native Department regarded as its preserve. Rex Mason who was Native Minister from 1943 to 1946, for example,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	wrote to Fraser – who had high regard for the Māori War Effort Organisation – complaining that Māori were using their local tribal committees to air their concerns, rather than approaching the established local Native Department field officer. The War Effort Organisation took full advantage of the opportunities that war presented. The war demanded that, for the first time, Māori participate equally in the national war effort alongside Pākehā; not only in terms of man- and womanpower, but in terms of food production, fundraising and other associated requests. As a result, the War Effort Organisation was in a position to advance the status of Māori and expand its authority into the realm of social welfare. This appeared to unite Māori and brought them into much closer and regular contact with their elected political leadership. The Rātana and Labour members did, during the course of the war, travel extensively throughout the country establishing close contacts with various Māori districts. One scholar stated that this period was 'one of greater communication between the Māori population and the Māori members of Parliament than at any other time in the past.' The War Effort Organisation, with the assistance of the tribal committees and executives, contributed a great deal under sometimes difficult wartime conditions. From early 1945, with war drawing to a close, thoughts turned to post-war reconstruction and securing the gains forged in war.	
	The Demise of the Māori War Effort Organisation and	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the Māori Social and Economic Advancement Act 1945 Between 1943 and 1945, a period of political manoeuvring and debate occurred over the future of the Māori War Effort Organisation. The second World War created an atmosphere of hope for political change amongst many Māori. This optimism was largely due to the success of the Māori War Effort Organisation and was demonstrated in ambitious demands for reform made during the war. Many of these requests had been voiced earlier, but the successful Māori contribution to the New Zealand war effort brought a new expectation of positive Government response. The debate over the future of the Māori War Effort Organisation was a major example of this expectation. The outcome of this period of discussion was the passing of the Māori Social and Economic Advancement Act in December 1945. As allied victory in the Second World War became assured, the military necessity to maintain the Māori War Effort Organisation diminished. Government and military officials began to question the Māori War Effort Organisation future. As already noted, tension between the Native Department and the Māori War Effort Organisation had been growing during the war. The Māori War Effort Organisation was expanding its functions into non-military welfare matters – the very areas within which the Department was being requested to increase its operations. In 1943, the Department, led by Rex Mason, circulated a revised Māori Councils Bill for comment amongst Māori War Effort Organisation representatives. The Bill was put forward as a	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	possible option for the continuation of the Māori War Effort Organisation after the war. Maori leaders rejected the Bill as they objected to departmental control. By mid-1944, Native Department officials began to assert that any post-war developments regarding Māori welfare or any continuation of the Māori War Effort Organisation were to be under departmental control. Recognising the challenge the Native Department posed to the Māori War Effort Organisation, the Rātana MPs and allies, led by Tirikātene (Paikea had died suddenly in April 1943), fought for the retention of the Māori War Effort Organisation after the war. Through organising several national conferences of Māori leaders, Tirikātene mobilised considerable regional support for the continuation of the organisation. In October 1944, a conference of over 400 delegates, including some from the Rohe Pōtae inquiry district, was held at Ngāti Pōneke Hall in Wellington. Unanimous resolutions were passed at the conference that clearly indicated the desire to retain the Māori War Effort Organisation and general dissatisfaction with the Native Department. Despite this sentiment, Native Minister Mason maintained that his Department was expanding its welfare capabilities and that the Māori Councils Bill offered the legislation through which the Māori War Effort Organisation could continue after the war. In June 1945, a conference of Māori War Effort Organisation liaison and recruiting officers was held in Wellington. At this conference, Tirikātene again outlined the desire for the retention of the Māori War Effort Organisation after the war	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	while recognising that a peacetime structure and agenda was needed. In response, acting Prime Minister, Walter Nash (Prime Minister Peter Fraser was in San Francisco heading the New Zealand delegation at the United Nations Conference on International Organization), emphasised Labour's commitment to Māori self-government but underlined that a clear set of long-term objectives would be needed if the Māori War Effort Organisation was to continue. In September 1945, shortly after Japan's surrender, Tirikātene outlined in a memorandum to Prime Minister Peter Fraser a more detailed vision for the Māori War Effort Organisation's future. Building on long standing Rātana policy, Tirikātene believed that the end of the war presented an opportunity for the reorganisation of the government administration of Māori affairs. In this reorganisation the MWEO would form an essential part of a new department which would implement an integrated programme of Māori welfare. This new department would replace the Native Department as the primary government body responsible for Māori affairs. Tirikātene further elaborated on this plan in a draft document entitled the 'Māori Social and Economic Reconstruction Bill'. The document outlined a remodelled departmental structure. His proposed organisation built on the foundations of the Māori War Effort Organisation. The new 'Board of Māori Social and Economic Reconstruction' would administer the organisation and would include the Māori electorate MPs and members of the district Māori councils. The whole structure aimed to facilitate Māori participation and the use	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	of existing leadership structures. The unprecedented level of collaboration the Māori War Effort Organisation had attained with government departments, local bodies, and Pākehā society more generally, was also hoped to be replicated. Local officials from other relevant government departments would be members of district Māori councils and directors of these departments would also sit on the board.	
1005	However, Prime Minister Fraser was unwilling to consider such a comprehensive restructure of Māori affairs. Responding to a Te Arawa deputation in late October 1945, Fraser outlined the War Effort Organisation would be merged into the Native Department. Fraser appears to have genuinely hoped that the transfer would have a significant impact on the ethos of the Department and relationship Māori had with the Government as a whole. His later term as Native Minister between 1946 and 1949, demonstrated his high expectations of the union. In early November 1945, he instructed Mason to draft legislation to revise the Māori Council Act before the end of the current session of Parliament. On the 6th of December, less than a month later, the Māori Social and Economic Advancement Act was passed into law. The passing of the MSEA ensured that the War Effort Organisation was to be under Native Department control. In doing so, the Act also reclaimed the Department's role as the leading Government agency concerned with Māori affairs. Using the terminology of the War Effort Organisation, the Act established a two tier system of tribal	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	committees and executives. However, the new structure was to be closely supervised financially and a number of requirements for appointing committee members were established. The system shared many similarities with the pre-war Māori Councils, including the provisions for bylaws and sanitary improvements on marae and wharekai. The new Welfare Branch of the Department was to administer the system through the appointment of Welfare Officers as members of tribal committees and executives. However, the Act did set a broad new welfare agenda, which drew heavily on the War Effort Organisation's functions during the war. The provisions did anticipate close co-operation between the new committees and executives and Government departments, local authorities and voluntary associations, yet lacked detail on exactly how these relationships were to function in practice. Publically, Tirikātene praised the MSEA as a positive step forward for Māori self-government. Yet many of the policy objectives that he and others had advocated over the previous months were left unfulfilled. It appears that no serious Government consideration was given to the establishment of a new department to better co-ordinate whole-of-government efforts to confront the issue facing the Māori population. Importantly, the War Effort Organisation had also been removed from Māori MP oversight. Tirikātene's expectation that loyal service and the success of the War Effort Organisation would make the Government, of which he was a part, more receptive to the reforms that he advocated was disappointed. However, evidently, he was willing to accept the legislation as it expanded the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Department's welfare capabilities and offered new bodies of self-government that at least resembled the successful War Effort Organisation. As Tirikātene emphasised before Parliament in 1945, much would depend on how the Department implemented the Act, what aspects of the War Effort Organisation survived the transition, and how Māori responded to the legislation. In a 1946 Labour Party electioneering pamphlet the MSEA was promoted as the fulfilment of 'Mana Māori Motuhake.' However, as described, the passing of the MSEA resulted in the re-establishment of close Government control over a Māori proposed and led organisation. The Government had sanctioned the War Effort Organisation to operate with relative autonomy under war-time conditions. But once victory was inevitable, the Government immediately moved to bring the War Effort Organisation under Native Department control. This was despite clear opinion expressed by Tirikātene and other Māori, that there was considerable dissatisfaction with the Native Department administration and a desire for an independent War Effort Organisation. Indeed, Tirikātene had hoped that the time was right for a complete re-organisation of the administration of Māori affairs. **The Māori Social and Economic Advancement Act 1945 in Te Rohe Pōtae** The Māori Social and Economic Advancement Act operated in the Rohe Pōtae Inquiry District between 1946 and 1962. The period can be broken into two phases. The first, from 1946 to 1949, was essentially one of administrative set up,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	focused on the establishment of executives and committees and their boundaries. The second, after 1949, witnessed the operation of a fully formed organisation. During the set up phase, parts of the district formed committees before others, and in some areas opposition was evident. In the central area of the Inquiry District, around Te Kūiti and Ōtorohanga, the Maniapoto Tribal Executive and several affiliated tribal committees were formed quickly after the MSEA came into force in early 1946. The membership of these bodies largely consisted of those that had been participating in the War Effort Organisation.	
1010	In 1947, Aupouri Joseph, the first Secretary of the Maniapoto Tribal Executive, was appointed as welfare officer for Zone 7, which largely – which was largely responsible for the inquiry district. It is evident that some of the committees that had been operating under the War Effort Organisation did not immediately accept MSEA as they desired to read and consider the legislation in Te Reo Māori. However, by 1956 many of these committees appear to have accepted the MSEA or new committees had been formed in these areas that did. Areas surrounding Kāwhia and Whāingaroa harbours as well as parts of the north of the inquiry district around Pirongia, Te Awamutu and Wharepuhanga, did not accept the MSEA until after 1949. Maori participation of these areas, it was not forthcoming until the legislation had been	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	accepted by the Kīngitanga leadership. In June 1949, Te Puea reluctantly approved the formation of committees under the MSEA in the Waikato. Consequently, the Waipā Tribal Executive was formed in 1950. Formation of a Kāwhia Tribal Executive and District was delayed due to various groups of the area being unwilling to co-operate with each other. However, in 1955 the Department of Māori Affairs decided to confer the power of an executive on the Aotea Beach Tribal Committee. The new executive appears to have fostered greater co-operation in the area. The Welfare Officers, who were the Government officers with the primary responsibility of facilitating the establishment of MSEA in the inquiry district, were largely responsive and flexible where possible, to the desires of local hapū and iwi. Members of committees and executives appear to have been chosen by their respective communities. Although changes in boundaries and affiliation of committees needed to be approved by the Minister of Māori Affairs, committees were able to participate in the tribal district of their choice. Proposals from welfare officers regarding membership, affiliation and district boundaries seemed to have been accepted without challenge from above. The Māori Women's Welfare League grew parallel to the MSEA committee system. However, the organisation was	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	never recognised in legislation. Similarly to the tribal committees and executives, the Māori Women's Welfare League's development and growth was assisted by the welfare officers. Branches and district council were quickly formed after 1949, with the Mōkau branch the first to be established, and by 1953 the organisation had spread throughout much of the inquiry district. Between 1946 and 1950, as the infrastructure of the MSEA was established around the country, debate continued regarding the purpose and structure of the organisation. Tirikātene and other MPs persisted with attempts to have the MSEA placed under their supervision as the War Effort Organisation had been. However, these efforts were to no avail despite their new prominence in the final term of the first Labour Government. Fraser, as new the Minister of Māori Affairs, was not willing to consider any development of the MSEA outside the gamut of the DMA. Yet he did take the significant steps to ensure that the Welfare Division maintained a relative operational independence within the Department of Māori Affairs. He hoped that Māori would consider the Welfare Division, in his own words, "Their own organisation." Accordingly, he attempted to ensure that communication from executives to the Minister, were as direct as possible, avoiding the involvement of other district Department of Māori Affairs Officials. Royal, as controller, the head official of welfare division, also attempted to make sure that welfare officers were not over burdened with other DMA duties. When National was voted to power in 1949, DMA officials	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	took the opportunity to restructure a system they considered was not functioning well. Under Secretary, Tipi Rōpiha, wished to see the whole of DMA take a more active role in the implementation and operation of MSEA. As a consequence, Minister Corbett, the new Minister of Māori Affairs, approved a modified structure in which DMA District Registrars were placed in full control of the welfare officers operating in their districts. The structure ended any hope of the welfare division's autonomy within DMA. The changes indicated that the MSEA was increasingly viewed by the Department of Māori Affairs as a tool to implement Government policies in Maori communities rather than a measure to maintain the Māori-led Ware Effort Organisation and its initiatives. Emphasis in discussion had shifted, from how best to structure the welfare division to facilitate the effective two-way communication and project management between Māori and the Government on how to how to enable the DMA officials to instruct welfare officers to implement the Government policy in their districts. Once committees and executives were established and operational in the inquiry district, Te Rohe Pōtae hapū and iwi continued to participate in the MSEA system utilising what benefits it offered, despite its limitations and weaknesses gaining marae subsidy and establishing Māori Wardens were the most popular functions of the committees and executives. Focus on these tasks reflected a national pattern. DMA officials, including welfare officers in the inquiry district, consistently noted that the committees and executives did not fulfil all the functions that the MSEA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	legislation had intended. In particular, it was thought that bodies never developed the expected level of innovation in the welfare field or co-operation with other Government departments. One significant factor that contributed to this failure was the lack of specific functions and powers for the committees and executives in respect of welfare in the MSEA. The provisions regarding co-operation with other Government Departments and formulating new initiatives in regard to Māori Welfare, were very broad. Little of substance was provided in the legislation or in its subsequent implementation for committees and executives to build on. The MSEA bodies also faced a number of financial hurdles that at least hindered significantly, if not completely impeded, their ability to achieve the broad goals outlined in the MSEA and the political and departmental rhetoric that surrounded it. The committees and executives were volunteer organisations that were reliant on donations and fundraising for their finances which only then could be subsidised by the Government. In addition, the DMA limited what purposes subsidies were made available for, despite the fact that the MSEA had provided a very broad definition of possible uses. Without an adequate financial foundation the bodies could not easily formulate and implement plans 'for the advancement of the Māori people in all directions,' as Fraser had hoped. In this context it seems that Māori, including those in the Te Rohe Pōtae Inquiry District, tended toward marae development and the functions of the wardens	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	as they were clearly defined in legislation, with the former relatively well funded by the Government. Further to the financial problems and lack of specifically defined functions and powers, the MSEA structure does not appear to have contained mechanisms for the easy transmittal of those opinions, of the opinions of those participating in the system to the Minister of Māori Affairs. In the early 1950s, the Maniapoto Tribal Executive does appear to have been involved in discussions on legislation and policy relating to Māori land, rates and land development. In 1950, the Tribal Committees' made representations to Minister of Māori Affairs Corbett during his visit to Te Kūiti in response of Government policy. However, it seems it was only on visits of politicians that such opportunities were available. In 1952, the tribal executives around New Zealand began to create district councils which formed a third tier within the MSEA structure. The councils were intended to better co-ordinate regional activities and also to improve the ability of the MSEA system to voice opinion on Government policy and legislation. The Waikato-Maniapoto-Hauraki District Council was formed in early 1953. Proposals were also made to establish a national body comprised of members of these new councils. It was hoped this body would provide considered opinion to the DMA from around the country. These district councils were initially encouraged by Corbett. However, when strong protest was received from them regarding the Māori Affairs Act 1953, Corbett abandoned plans for the national body and official support for the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	councils waned. These attempts to create regional and national levels within the MSEA committee system appear to have been efforts to replicate the contemporary success of the Māori Women's Welfare League. The women's welfare league's regional and national tiers, had contributed to its development into a significant forum for the communication of Māori issues to Government during the 1950s. The system established by the MSEA represented an improvement on pre-World War 2, Government programmes regarding local self-government for Māori. Unlike the council system prior to the war, the system did receive more financial and organisational support from the DMA and Government. This was particularly evident with regards to the Marae Development Programme. In addition, the DMA staffing of welfare division with predominantly Māori personnel did provide full-time departmental officers devoted to the maintenance of the committees and executives with a genuine interest in the communities in which they operated. Perhaps as a result of this Government support Te Rohe Pōtae hapū and iwi participated in the MSEAs operation in the district until 1962, utilising what benefits it offered their communities.	
1020	Equally, however, the gains to be had through the MSEA system did not match the expectations that had been generated by the War Effort Organisation and expressed by many Māori in the closing years of the Second World War. The legislation and the political rhetoric surrounding the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	legislation had promised much to Māori in respect of providing a role and means through which to discuss, formulate and implement possible solutions to the social and economic issues confronting their people in the post-war years. It had also been intended to provide a forum through which a clearer Māori voice and opinion on legislation and policy could be gained. In 1946, the Labour Government had even proclaimed it as the fulfilment of mana motuhake. In reality the system was tuned more toward implementing government welfare policy via the DMA than facilitating Māori input and joint control of such initiatives. **The Hunn Report and the Māori Welfare Act, 1960-1975** Chapter 4 of our report focuses on the period from 1960 to 1975, which witnessed significant legislative change. In 1957, Labour Prime Minister, Walter Nash, asked Jack Hunn, the Deputy Chairman of the Public Service Commission, to undertake a full-scale review of the aims and policies of the DMA. The ***Report on Department of Māori Affairs***, or the 'Hunn Report' as it more commonly became known, published in January 1961 following National's election victory, was highly influential in the introduction of the Māori Welfare Act in 1962, which, among other things, established the New Zealand Māori Council. In brief, the report stated that Māori required assistance if socio-economic considerations such as living standards, health and education were to reach an approximate parity with Pākehā. The report acknowledged that Māori had made considerable advancements since the Second World War; it also made it clear that the DMA had fallen behind in	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	supporting Māori advancement. Within a month of the report's publication, Minister of Māori Affairs, Ralph Hanan, gave a Waitangi Day address in which he stated that Māori urbanisation was inevitable. He believed that national social and economic progress for all New Zealanders depended on a partnership between the government and Māori and Pākehā communities. The same year, the government passed the Māori Social and Economic Advancement Amendment Act which added a further two tiers – regional and national – to the existing MSEA committees and executives structure already outlined. A year later, this Act was superseded by the Māori Welfare Act. The NZMC was a statutory nationwide organisation which provided advice to the government on policy and legislation affecting, or likely to affect, among other things, Māori social, economic and political progress. The council comprised three members from each of the nine district councils with elections being held every three years. The first president of the council was Sir Turi Carroll; his vice-president was Pei Te Hurinui Jones. The government and the Māori Purposes Fund Board covered the New Zealand Māori Council's inaugural year's expenses, allowing the Māori Council time to organise its own fundraising. During the period covered by this report, the council deliberated, supported and often criticised government policy. It was vocal in its opposition whenever it felt the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	government's proposals would be injurious to Māori. One example of this was the Māori Council's response to the Prichard-Waetford Commission. The Prichard-Waetford Commission sat in 1965 to inquire into legislation affecting Māori land and the powers of the Māori Land Court. One recommendation was that restrictions on alienating all categories of Māori land (including reserves) should be removed. The New Zealand Māori Council produced 10 pages of resolutions broadly rejecting most of the Commission's recommendations. Despite opposition, the Prichard-Waetford recommendations were incorporated into the 1967 Māori Affairs Amendment Act which also met with the Māori Council's disapproval. The council opposed a number of features of the proposed legislation, in particular the compulsory purchase of uneconomic interests and the changing status of Māori land to general or European land. While the legislation went ahead regardless, the Māori Council had shown that it was not an organisation established to merely rubber-stamp government Māori policy. The 1967 legislation proved to be a catalyst for opposition to government policies regarding Māori land. A period of sustained protest led to the repeal of that legislation in 1974. At a district level, our report illustrates that Rohe Pōtae hapū and iwi did engage with the government: a number of tribal committees had been established in the 1950s, which continued to operate throughout the 1960s. In 1966 there were 49 committees throughout the Waikato-Maniapoto	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	District. Sources consulted for this report reveal that a number of committees in the inquiry district claimed and received government subsidies. As stated in our report, the government's scheme, initially implemented under the 1945 MSEA, and then continued under 1962 Māori Welfare Act, provided no clear indication as to the types of projects for which Māori could receive state subsidies. It does appear from the sources examined that there was a rejuvenation of interest in the committee and executive structure in the early 1960s, which appears to have been maintained into the early 1970s. Whether this was due to the introduction of the 1962 Māori Welfare Act is open to interpretation. But evidence suggests that, in a number of locations throughout the inquiry district, there was a resurgence of interest in the committees and executives. A 'young progressive Committee' in Te Kūiti took over the administration there and was particularly active in seeking marae subsidies. This is not to suggest that this committee was representative of the wider district, but there does appear to have been a growing enthusiasm to use the government's subsidy scheme, at least, to ensure tribal culture and traditions were safeguarded at a time of increasing urbanisation. As an example, in the 1973-74 financial year, 51 subsidy applications were received, totalling $204,000. The Waikato-Maniapoto district accounted for one-fifth of the applications lodged and 30% of the funding applied for. **Conclusion**	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	This report examines aspects of political engagement between hapū and iwi of the Rohe Pōtae Inquiry District and the government from 1939 through to 1975. In particular, it focuses on the development of the government's provision for Māori self-government in the inquiry district. The War Organisation, established in 1942 with the principal aim of recruiting Māori to the armed forces and essential war work on the home front, proved a success and, it was hoped, would lead to a greater say in Maori affairs after the war. Government responses over the following years, including the Māori Social and Economic Advancement Act 1945 and the Māori Welfare Act 1962, brought mixed results. Although political rhetoric surrounding the legislation promised much, in reality, structural limitations and government implementation curtailed a number of possible outcomes for hapū and iwi of the Rohe Pōtae Inquiry District during the period under discussion in this report"	
	EMILY STRETCH	
	Thank you very much Dr Francis. I now ask that you and Mr Sarich remain to answer any questions that the Crown claimant counsel, and the Tribunal may have for you. Just so we know when you're ready for questioning, please turn your mic on again.	
	JUDGE AMBLER	
	And just to be clear, the division of chapter, I know you refer	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	to it in your report, but who is answering which chapters?	
10:27:46	**DR ANDREW FRANCIS**	
	I am one and four.	
	JUDGE AMBLER	
	Yes.	
	DR ANDREW FRANCIS	
	I am one and four. Jonathan is two and three.	
	JUDGE AMBLER	
	Thank you.	
	DR ANDREW FRANCIS	
	Sorry just add as well, there are crossovers with the chapters, but we could possibly both assist the Tribunal.	
	GEOFFREY MELVIN	
	Tēnā kōrua. Thank you for the presentation you've just given and thank you for the report you prepared for the inquiry. The documents you'll need, your main report, the summary possibly and the document the Crown filed earlier this week,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	which is a letter from your document bank. That's #A72. I intend to just go through the report chapter by chapter so that's starting at the beginning. So I start with the Māori War Effort Organisation. And the report contends that the War Effort Organisation enjoyed extensive autonomy over a wide range of issues, and it refers to the organisation having an unprecedented level of authority. It talks of the far-reaching and expanding powers of the executives, and it says, "Through the Māori War Effort Organisation, Māori assumed an unaccustomed level of responsibility for their own affairs." Through these repeated assertions, you build up a picture of a tremendously autonomous organisation but it seems that you never quite quantify or qualify the autonomy that it had, its powers and its responsibilities.	
1030	So what precisely were the far reaching and expanding powers that you say executives had for example?	
	DR ANDREW FRANCIS	
	There War Effort Organisation is an organisational structure intended to voice Māori opinion on all related issues and this started from the individual Māori through their local committees and through the local committees to the executives and from the executives up through to their local recruiting officer. And, most of that work was done through the executives in which they would comment on all matters relating to the Māori War Effort Organisation. So I am saying they were far reaching pretty much everything that	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	involved the Māori War Effort Organisation was left, you know, the Government didn't seem to take a great deal of interest, they were just very happy for any Māori participation and contribution to the war effort. So in terms of the powers that they had, it probably is difficult to quantify because throughout the course of the research that I did for that chapter, I didn't find too many occasions in which Government called a halt to that autonomy. So as far as I can see, they were pretty much free to do what they want providing they were contributing to the war effort in general. So it is quite difficult to quantify.	
	GEOFFREY MELVIN	
	Does being the vehicle for the Māori voice or opinion on matters relating to the war, does that really equate to Māori autonomy?	
	DR ANDREW FRANCIS	
	No it doesn't. The autonomy for the Māori War Effort Organisation didn't really rest with the executives. It pretty much rested with the Māori Parliamentary Committee which was headed by Paraire Paikea and the other members. That's where the autonomy and power and the authority to run the Māori War Effort Organisation, that's where it lay. They were just supported by the executives and the committees.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	You say that the executives were considering wide ranging issues such as education, housing and so on. What do you mean by considering those issues?	
	DR ANDREW FRANCIS	
	I think that's a quote that I came across. I didn't come across too much evidence in which they implemented any activity, but throughout the course of their meetings these reports were given back to say that they were issues that they were concerned about. So not directly. The War Effort Organisation was established purely to recruit Māori manpower to the armed forces and the essential industries. But throughout the course of the war it became quite obvious that the war in general was having a detrimental effect across all New Zealand society, Māori in particular, because of the rapid urbanisation that was taking place; bread winners going off to war. So they were having a detrimental effect and that's where they felt they had a role to play in terms of housing, health, education.	
	GEOFFREY MELVIN	
	Again, does considering those issues really equate to or demonstrate autonomy?	
	DR ANDREW FRANCIS	
	No it doesn't but the fact that they regarded those issues as war related issues and important enough for them to get	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	involved with. But yes, I agree with you.	
	GEOFFREY MELVIN	
	And you say in your report that the autonomy of the organisation was relative, what was it relative to?	
	DR ANDREW FRANCIS	
	Where do I say that?	
	GEOFFREY MELVIN	
	Page 17, in the bottom paragraph, “It’s relative autonomy appears to have attracted even more Māori participation in the war effort.”	
	DR ANDREW FRANCIS	
	I suspect that I'm alluding to there is the fact that despite the fact that the Government provided the funds necessary for the War Effort Organisation to function, it was still required on a very regular basis to justify its continuation throughout the war. There was an agreement at the start of the war to the War Effort Organisation would function throughout the course of the war, but there was still always this justification that Paikea and after his death in April 1943 that Tirikātene was constantly going to Peter Fraser and having to justify its continuation. That said, the money was always forth coming.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	Now Colonel Hemple, he was a Pākehā soldier wasn't he and he was appointed to the position of Chief Liaison Officer between Māori and the Army Department. And, he was responsible for appointing turn the recruiting officers that is correct?	
	DR ANDREW FRANCIS	
	Yes he was. I think on the advice of – he sought Māori opinion. But yes, he was appointed himself because he was personally known to Paikea. He was a – in his work up in Whāngārei.	
	GEOFFREY MELVIN	
	The appointment of a Pākehā soldier to that position, does that – how does that tie in with the demonstration of Māori autonomy?	
	DR ANDREW FRANCIS	
	I think in that situation he was regarded as somebody who would be very good at that job, and the fact that he was personally known to Paraire Paikea, I think was good enough from a – I didn't come across any evidence to suggest that it should be a Māori in that position. I think the fact that Paikea had said, you know, he came with his own personal recommendation seemed to be good enough. The	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	fact that in the next level down, the recruiting officers, they were all Māori soldiers; some First World War veterans; some had even already served in the Second World War overseas and had been recalled.	
	GEOFFREY MELVIN	
	Now you claim that the organisations autonomy contributed significantly to the successful prompting of Māori to contribute to the war effort both overseas and on the home front, but as you note in your report: ***Māori participation in the war effort was impressive from the outset and that is why the Government never entertained compulsory military service.*** How do you substantiate the claim that the organisations autonomy made any difference to Māori participation, beyond simply making the assertion?	
	DR ANDREW FRANCIS	
	Yes. The response to the nation's call at the start of the war was impressive. But I think one of the impetus for the Māori MPs to establish the War Effort Organisation was to – it was very sporadic in some areas where responding in better ways than other areas. So I think it was a way of coordinating a national Māori response. And once the war effort – and even actually 1941 when Paikea and the other MPs take to the country and explain what the organisation was planning to do and once they had reassurances or the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	people had reassurances that this would be a Māori led organisation, then more people seemed to be interested in it. And the same goes with the conference in 1942 that Te Puea and a deputation, her delegation, go to in June 1942 in Wellington, it's the same thing. She – I think there's a quote in my chapter where she says, "Once we were assured that this was going to be a Māori led organisation, then more people got behind the Māori war effort.	
	GEOFFREY MELVIN	
	Excuse me. Now at page 47, you state that Native Minister Mason felt his authority undermined at a local level by the efforts and extended purvey of the Māori War Effort Organisation and you base this on a letter that Mr Mason who was Minister from January 1942, wrote to the Prime Minister and this is the letter produced this week.	
1040	And you say, "In some cases, Māori were consulting Māori War Effort Organisation Recruiting Officers, rather than Native Department Field Officers on what Mason regarded to be Native Department issues. And Mason argued that only where there seems to be some special reason, should the matter be referred to the Head Office of the Māori War Effort." And you say, "This letter could be construed as the Native Minister who being new to the role, feeling his authority was undermined at a local level by the efforts and extended purview of the Māori War Effort Organisation."	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Sorry where exactly are you reading from, page 47?	
	GEOFFREY MELVIN	
	It's at the top Sir. And again on – later in the report and I think this is in chapter 2, the letters referred to again to say that Mason was expressing irritation at the organisation's forays in to areas he considered where the jurisdiction of his department. But when one looks at the letter, isn't it really just aimed at avoiding unnecessarily circuitous and bureaucratic handling of matters and he makes that clear doesn't he in his explanation about how matters go through this very circuitous route and he's simply trying to cut that out and make sure things happen more efficiently isn't he?	
	DR ANDREW FRANCIS	
	I – that's certainly one that's clear from the words that he uses, but I also think there's a double meaning to this. But one of the ways of avoiding this circuitous route would be to ensure that everything goes through – isn't strictly war related that everything goes through his department. Doesn't go through the War Effort Organisation, and I just think, I think I mean Jonathan could possibly add~~(inaudible 10:42:45)~~ to this because he looks at Mason's role in the winding down of War Effort Organisation a bit later in the war. But I think there's a dual meaning off here, but first off I agree with you that he says, "To avoid all this it is easier ~~(inaudible 10:42:58)~~ if such matters come through my department, but I think by this stage of the war, this is – this	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	is the best part of the year, after the War Effort Organisation was officially formed, but the local people were using the – their local committees, executives and their local recruiting officer as the first port of call. And I think by this stage, not on strictly war related issues. They will be associated war related issues such as health and housing and education and various other things, so I think it has a, it has a double point here. But I certainly agree, he may have had genuine intentions to say, "It's easier if it comes through my department, 'cos we can cut out certain amount of bureaucracy.	
	GEOFFREY MELVIN	
	And if you look at the last sentence, it seems to me that it undermines your thesis. He says, "By direct contact with the local officer, good understanding and co-operation between the two organisations is promoted. Now that doesn't sound like rivalry and it doesn't sound like someone feeling undermined. It sounds like someone interested in promoting relationships between the two organisations.	
	DR ANDREW FRANCIS	
	Okay, I don't think I used the word "rivalry" anyway. I'm not suggesting the – that he saw the War Effort ~~(inaudible 10:44:26)~~ Organisation as a rival organisation, but I think he was very clear and certainly by the end of the war when he'd been in the job two or three years, he was very clear about the jurisdiction of his department and the jurisdiction of the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	War Effort Organisation, but I'm certainly not suggesting, certainly not from this letter that he's hinting any kind of rivalry, but I think he just wanted it clear, the jurisdiction of his own department, and I think possibly, I don't say this in the report, but possibly given the – that his boss Peter Fraser had a very, very you know strong link to the War Effort Organisation. Yeah I don't, I don't think he sees it as a rival organisation.	
	GEOFFREY MELVIN	
	And you'd accept that that last sentence does carry the sentiment of promoting a good relationship between the two bodies?	
	DR ANDREW FRANCIS	
	I would do. In 1943 I would do, yes.	
	JONATHAN SARICH	
	I would just like to add to this as well that when you view – I think there's a certain amount of – he's writing a letter and he's writing it politely, but when you view this letter in the context of the growing demands of Mason, that any post-war future of the MWEO is under the Native Committee, I mean under the Native Department. It starts to take more – have more meaning. So when you view it in this larger contest – context of the Native Department, putting its foot down and saying, "There will be no future of the MWEO outside of our organisation," the letter starts to make sense, in the sense	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	that DR ANDREW uses it in his chapter and also how I use it in chapter 2.	
	GEOFFREY MELVIN	
	Except that the government's not close to the idea of the War Effort Organisation having some kind of post-war role is it?	
	JONATHAN SARICH	
	It's close to any idea that that post-war future is not within the Native Department. He post-war – any post-war future is going to be within the Native Department according to Mason and later Fraser.	
	GEOFFREY MELVIN	
	Well there was some good sense in – from a – from the government's point of view anyway. You'd accept that there would be some good sense in not setting up an entirely new organisation from the start as opposed to modifying an existing one. There are significant efficiencies achieved in that way.	
	JONATHAN SARICH	
	Yeah certainly from an administrative point of view, but you have to keep in mind that there was also a – an in – well not an independent structure but a structure administered by the Māori MPs which is quite different from the Native	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Department and the Minister of Native Affairs. The key difference between the two things is the MWEO was run by the Māori MPs but the future that they envisaged wouldn't allow that to continue as to be under the authority of the Māori MPs. It had to be under the Minister of Māori Affairs or the Native Department.	
	GEOFFREY MELVIN	
	Well it's quite significant isn't it that Eruera Tirikātene gave his strong support to the Māori Social and Economic Advancement Act when it was passed?	
	JONATHAN SARICH	
1050	He gave his support. He was part of that government and he said – he gave his public support for it, but that contrasted significantly with the months and months of him trying to get the Government to contemplate a full reconsideration of Māori affairs. So he must have been quite disappointed in some senses, especially about losing authority over the organisation.	
	GEOFFREY MELVIN	
	But you have not come across any statements public or private where he voices the disappointment you say he must have felt?	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Not explicit statements but you can also see that after the Act becomes law, he is still trying to get it back under his control. So he clearly didn't give up on that expectation or desire.	
	GEOFFREY MELVIN	
	You are not suggesting are you that he was compelled to make the public statements that he made supporting the Act?	
	JONATHAN SARICH	
	Not compelled, he would have felt that – like I say in the report, he probably believed that the new legislation provided a better system than the prior, to prior to the war and it did carry on some of the key features of the Māori War Effort Organisation. But it didn't live up to what he had proposed over or the new department with the Māori MPs in charge, which is distinctly different from being within the Native Department or what it became later the Māori Affairs Department.	
	GEOFFREY MELVIN	
	Now if we look at the Māori Social and Economic Advancement Act, under that Act, Māori communities elected their tribal committees, that is correct is it not?	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	What page are you referring to?	
	GEOFFREY MELVIN	
	Well I am not referring to a particular page but –	
	JONATHAN SARICH	
	But yes, they were selected by their own communities. Yes.	
	GEOFFREY MELVIN	
	Well the Act provided for them to be elected by their communities. That is correct is it not? Have you looked at the provisions of the Act?	
	DR ANDREW FRANCIS	
	I can probably answer this. Sorry, about this, chopping and changing.	
	JONATHAN SARICH	
	No.	
	DR ANDREW FRANCIS	
	I have recently done some work on this because I am currently undertaking a similar report for a different Inquiry District.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes, the Act was set for every three years. Elections would take place and there would be re-elections every three years.	
	GEOFFREY MELVIN	
	Two or three? I think it might be two?	
	DR ANDREW FRANCIS	
	It could, sorry. No it could be two at that stage. Yes, sorry.	
	GEOFFREY MELVIN	
	And tribal committees – tribal executives comprised two members of each tribal committee in the tribal district?	
	DR ANDREW FRANCIS	
	That's correct.	
	GEOFFREY MELVIN	
	And Welfare Officers appointed as Public Servants by the usual process of appointment, but they had considerable freedom to make decisions did they not?	
	JONATHAN SARICH	
	The Welfare Officers?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	Yes.	
	JONATHAN SARICH	
	Yes, and they were members of the committees – the executives.	
	GEOFFREY MELVIN	
	Yes, they were –	
	JONATHAN SARICH	
	They were actual members.	
	GEOFFREY MELVIN	
	– appointed by the executive – the Government were they not?	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	So that structure and the operation of the committees reflects the principal of mana motuhake and the willingness of the Government and the Department in particular, to allow	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	communities to make their own decisions in their own interests. You would accept that proposition?	
	JONATHAN SARICH	
	In part. It's obviously not the complete fulfilment of mana motuhake but it is a step in the right direction, yes.	
	GEOFFREY MELVIN	
	Now you seem to be critical of the Act for a lack of specifically defined functions –	
	JONATHAN SARICH	
	Yes.	
	GEOFFREY MELVIN	
	– and powers for the tribal committees and executives and I am just struggling to understand your argument here. It seems like it seems as if you are saying that the Government – had the Government been more prescriptive in the legislation setting out in precise terms the Acts and functions the committees and executives were to undertake, that would have enhanced the autonomy.	
	JONATHAN SARICH	
	Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	So is that what you are saying?	
	JONATHAN SARICH	
	I can see what you are getting at, that perhaps if the legislation was less prescriptive there would be more freedom for the members to do it how they saw fit.	
	GEOFFREY MELVIN	
	That is kind of a natural argument isn't it?	
	JONATHAN SARICH	
	Yes, and I take that in part. But I also – my point is that you can see from what they chose to use that they went towards the clearly prescribed powers and functions, because they were there and clear and they could use them. So that is the marae subsidies and the Māori Wardens. And if you think – I mean I'm not a specialist at how Government Departments work and what have you, but I imagine if you were sitting on an executive you would find it very difficult to think of how to engage with the Health Department and think of how to engage with the Education Department without some more clear guidelines of how those, how the relationship between your executive and those local officials actually worked. Do you agree with that?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	Well –	
	JONATHAN SARICH	
	Well you see what I am trying to argue.	
	GEOFFREY MELVIN	
	Yes I see your point. But I take you to be saying is that –	
	JONATHAN SARICH	
	If you –	
	GEOFFREY MELVIN	
	Well –	
	JONATHAN SARICH	
	For example. For example, wouldn't it have been better for the legislation – well, I think it would have been better for the legislation to have okay, one, your members from your executive can sit in on specific meetings of like they were starting to do during the War Effort Organisation's sitting in actual meetings with other Government, those relevant Government Departments. So for – if they were supposed to have a close relationship with the Education Department and the Health Department, I am saying it would have been	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	better if the legislation had explicitly said how that relationship would work and that they could sit on – sorry, I am getting a bit tangled here – so that they could actually sit in on set meetings and what have you. Like actually outline what meetings that they could sit; what input they could have in to how the Health Department worked. What input they could have into how the Education Department worked.	
	GEOFFREY MELVIN	
	Yes, but by the same token you then run the risk of the legislation becoming overly prescriptive and controlling and possibly limiting, whereas the way it was structured was allowed really much more freedom.	
	JONATHAN SARICH	
	Possibly, but you can see from the outcome the actual – what actually ends up happening is that there are not relationships formed with those other Government Departments. There is no liaison going on and the only functions that they end up using are the Māori Wardens and the marae subsidy programme.	
	GEOFFREY MELVIN	
	But do you sheet the whole responsibility for that to the legislation and its lack specificity as you put it, or are there other reasons and factors?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	There, there, I agree that there could be multiple other reasons for that but I do highlight that as one reason in my report.	
	GEOFFREY MELVIN	
	But you don't really explore what other factors might have played a part?	
	JONATHAN SARICH	
	Not really no.	
	EMILY STRETCH	
	Your Honour, I note it is getting close to 11 am now, this might be an appropriate time to pause perhaps?	
	JUDGE AMBLER	
	We have got a couple of minutes to go. Mr Melvin, are you about to move on to another topic or?	
	GEOFFREY MELVIN	
	Well within the same chapter, Sir.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Well you can carry on for another couple of minutes.	
	GEOFFREY MELVIN	
	I could probably squeeze one more –	
	JUDGE AMBLER	
	Yes.	
	GEOFFREY MELVIN	
1100	– line of questions in. You claim that the Māori Social and Economic Advancement Act was merely a tool for the implementation of Government policy, but the committees and executives had a very broad remit and that was clearly intended to give them autonomy in dealing with issues confronting their communities and that is why the Act had Tirikātene's support is it not?	
	JONATHAN SARICH	
	I think I've already gone through what I think Tirikātene's position was, that he had accepted at, and that it was a step forward, but that he was very disappointed that these requests he had made hadn't been contemplated, and also again, after he passes it, he still requests that they would be in control. They, meaning the Māori MPs would be in control of the organisation. And then I also detail how even when within the department, the structure changed to a system	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	where the registrar or the other Native Department or Māori Affairs Department Officials gained more control over the organisation. So in its original structure, executives and welfare officers had a more clear direct route to the Minister, to communicate with the Minister. But after Fraser or after National came in, in '49 is it, the structure was reorganised again, and I argue that that restructured organisation and the dialogue that came along with that restructure, the rhetoric had changed from how to receive Māori opinion from communities to how the welfare officers could administer department initiatives and policy in the districts. So it had changed from trying to get input from below, to more of a structure where it was more about the welfare the department controlling what the executives did. Yes I do argue that, yeah.	
	GEOFFREY MELVIN	
	Take the break there Sir I think.	
	JUDGE AMBLER	
	Yes, we'll resume at 11.20.	
	HEARING ADJOURNS: 11.02 AM	
1123	**HEARING RESUMES: 11.23 AM**	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Kia ora tātou. Mr Melvin.	
	GEOFFREY MELVIN	
	Thank you Sir. I'm moving now to the last chapter, chapter 4, the – which deals with the Hunn Report and the Māori Welfare Act 1960 to 1975. Now at page 155 of the report, you note that of the four Rātana members of the new Labour Government, only Eruera Tirikātene was in cabinet with Ministerial portfolios, that's correct?	
	DR ANDREW FRANCIS	
	That's correct yes.	
	GEOFFREY MELVIN	
	And you agree with Ngātata Love and his thesis, PhD thesis that the associate position had little official status, his – that's his associate – his role as Associate Minister of Māori Affairs.	
	DR ANDREW FRANCIS	
	That's correct yes.	
	GEOFFREY MELVIN	
	And you note on the following page that the historian Keith	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Sinclair suggests Walter Nash made himself Minister of Māori Affairs in order lend Prime Ministerial mana to the portfolio and to retain the loyalty of the Māori MPs.	
	DR ANDREW FRANCIS	
	I do write that yes.	
	GEOFFREY MELVIN	
	So if we analyse this a little bit further, do you agree that a Prime Minister can send a signal to the electorate of the importance he attaches to a portfolio by making himself the Minister of that portfolio?	
	DR ANDREW FRANCIS	
	I do, but by the same token, he can also send a signal by giving someone an associate post.	
	GEOFFREY MELVIN	
	Well do you – you'd agree that given that the Prime Minist – given the Prime Minister's other responsibilities, it's likely that the Associate Minister will indeed take on the larger share of work because of the calls on the Prime Minister's time?	
	DR ANDREW FRANCIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I don't know the inner functions of workers of his government but I assume that would be the case, yes.	
	GEOFFREY MELVIN	
	And do you agree that a notable feature of Nash's Prime Ministership was his frequent absences from the country as Foreign Minister?	
	DR ANDREW FRANCIS	
	Do I cite that in my report?	
	GEOFFREY MELVIN	
	You might not, but are you aware that that's the case?	
	DR ANDREW FRANCIS	
	I'm not, no. But if he was – is – saying, he was his own Foreign Minister while he was Prime Minister in the '50s?	
	GEOFFREY MELVIN	
	Yes, and required and indeed did travel overseas with frequent absences from New Zealand.	
	DR ANDREW FRANCIS	
	I'd imagine if you were Foreign Minister of New Zealand in the late '50s you would do an awful lot of travelling, yes. But	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I don't – I didn't know he was his own Prime Minister.	
	GEOFFREY MELVIN	
	So in those circumstances, there was scope for Minister Tirikātene to take a significant role in the portfolio as Acting Minister of Māori Affairs.	
	DR ANDREW FRANCIS	
	Given those circumstances I would imagine that his role would've quite important, yes.	
	GEOFFREY MELVIN	
	So indeed this provided more scope for Tirikātene didn't it?	
	DR ANDREW FRANCIS	
	I suspect it would've done, yes.	
	GEOFFREY MELVIN	
	And would you agree that the fact that he held other Ministerial portfolios indicated he had some status within cabinet?	
	DR ANDREW FRANCIS	
	He would've had a degree of status, yes, and I'm not quite sure how powerful the Minister in charge of the Government	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Print and Stationery Department is, but I take your point that he had a number of government portfolios.	
	GEOFFREY MELVIN	
	Including Minister of Forests?	
	DR ANDREW FRANCIS	
	Yeah.	
	GEOFFREY MELVIN	
	And are you aware of achievements he had under that – well within that portfolio as Minister of Forests?	
	DR ANDREW FRANCIS	
	No I'm not, no.	
	GEOFFREY MELVIN	
	And on page 155 you record the opposition making political capital out of the allocation of the Māori Affairs portfolio? Do you see that, it's around the middle of the page?	
	DR ANDREW FRANCIS	
	Yes I do.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	So by making political capital are you pointing to the opposition's intention to diminish both the Prime Minister and Minister Tirikātene in the eyes of the electorate through those slanted statements?	
	DR ANDREW FRANCIS	
	I couldn't really comment on that. That was just a quote I put in to put in to give a bit more context. And you know how these things are. The chances are that National opposition made little capital by saying you know, "If we were government, he would've had a much higher portfolio you know and then three or four years later when, elected and it doesn't happen, but it's just a – quite possibly just applicable tool of the time. I don't know what's said. I need to go back.	
	GEOFFREY MELVIN	
	So it has to be taken with a grain of salt.	
	DR ANDREW FRANCIS	
1130	Yes, I mean, I didn't – I suppose if I – if we had time and I went back to the Parliamentary debates of that time and I could see what was said, then I could probably give you a clearer answer.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And are you aware that the opposition at this time is consistently portraying the Rātana MPs as lackeys' of the Labour Government?	
	DR ANDREW FRANCIS	
	I wasn't aware of that, no.	
	GEOFFREY MELVIN	
	On pages 155 to 156, you list some of the 16 issues that the Rātana MPs listed as requiring urgent attention. Now one of those was the extension of the role of welfare into the industry and employment fields, correct?	
	DR ANDREW FRANCIS	
	Correct.	
	GEOFFREY MELVIN	
	And would you agree that the second Labour Government is known for substantial improvements that were made in the social security benefits and increases in other welfare benefits and achievements such as universal superannuation, age benefits and so on?	
	DR ANDREW FRANCIS	
	I wasn't aware but I'll happily take your word for it.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	And in terms of housing and education there were general measures to put in place to assist families to purchase their own homes and to increase state housing. Are you aware of those?	
	DR ANDREW FRANCIS	
	I was aware of those, yes.	
	GEOFFREY MELVIN	
	As well as – and you mention training, housing and employment initiatives on page 156.	
	DR ANDREW FRANCIS	
	Yes.	
	GEOFFREY MELVIN	
	And there was, in terms of Waitangi Day by the Waitangi Day Act 1960, it was declared to be a National Day of thanksgiving, although it didn't quite achieve National Day status at that point.	
	DR ANDREW FRANCIS	
	Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	And you note that the request for an independent report on Māori welfare led to the Hunn Report?	
	DR ANDREW FRANCIS	
	Yes.	
	GEOFFREY MELVIN	
	And that report offered a detailed analysis of perceived problems with Māori land administration and use, and it made various recommendations that you note in your report?	
	DR ANDREW FRANCIS	
	That's correct.	
	GEOFFREY MELVIN	
	So we can see here a real start to addressing the Rātana MPs concerns can't we?	
	DR ANDREW FRANCIS	
	We can do, if you are talking about the Nash Government from 1957 onwards, which is 12 years after the – however, long time had passed and it was obviously different personnel involved but it was, you know, a Labour	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Government. But I do agree, yes.	
	GEOFFREY MELVIN	
	But – and you would agree wouldn't you, that those Rātana MPs made significant progress on their policy agenda in that term of a single Government?	
	DR ANDREW FRANCIS	
	Yes I'll agree.	
	GEOFFREY MELVIN	
	If we just deal with the Hunn Report briefly and you note at page 160 various concerns with the report. Concerns, for example, voiced by the synod of the Māori Synod of the Presbyterian Church.	
	DR ANDREW FRANCIS	
	Yes.	
	GEOFFREY MELVIN	
	Some concerns voiced by Bruce Biggs from Auckland University.	
	DR ANDREW FRANCIS	
	That's correct.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
1135	But whilst there were these criticisms of aspects of the Hunn Report and those criticisms contain some useful contributions and suggestions to the debate about it, would you accept that there was a widespread recognition that the Hunn Report made an important contribution to the issues that were being discussed?	
	DR ANDREW FRANCIS	
	Yes it did. It seemed to highlight a lot of issues that had been longstanding. So the brief that Jack Hunn was given by Nash while he was Prime Minister was to do a, I think I used the phrase somewhere, a kind of stock–take or an accounting of Māori affairs. So yes, I would agree with you there despite the criticisms of it.	
	GEOFFREY MELVIN	
	Would you accept that the criticisms of it were in the scheme of things reasonably minor criticisms?	
	DR ANDREW FRANCIS	
	If, for example, you look at the criticism of the Māori Synod of the Presbyterian Church, I think their issues with the Hunn Report the Government or Hunn's definition of integration and assimilation. I think these were genuine concerns, perhaps. I don't state this in the report but perhaps this was	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	seen as the kind of thin end of the wedge, you know, on the process of assimilation. They had another issue with the definition of urban drift which I think I quote on page 160. An issue that this idea of urban drift was something that Māori undertook under their own steam, you know, but in fact this urban drift as they called it was out of economic necessity to find work. So I think they did have genuine concerns and I don't really accept that they were minor concerns, no. There's an awful lot of good in that report but there is also things that people had genuine concern over.	
	GEOFFREY MELVIN	
	I'm not suggesting the concerns weren't genuine but as you say, the report contained a lot of good and made a substantial contribution towards understanding the issues and developing responses to them. You accept that?	
	DR ANDREW FRANCIS	
	Yes I think it did. And one of the intentions, I think, of the report was to highlight the disparities within society and to bring to light. And I think Nash probably felt – if he felt he was going to be re-elected in 1960 that that would be a good – a major platform from which to launch his new three year administration, but obviously he doesn't get re-elected. So I think the intentions of the Hunn Report were very good and there is a lot of good in it, yes.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Now you have considered the funding models that were adopted under the Māori Social and Economic Advancement Act and the Māori Welfare Act at various points in your report. And in essence if I understand it correctly, tribal committees and tribal executives and the New Zealand Māori Council were funded by their communities but with rules for receiving subsidies of public money.	
	DR ANDREW FRANCIS	
	That's correct, yes, which was in the legislation, in the '45 legislation and the '63 one.	
	GEOFFREY MELVIN	
	And later there were some particular provisions made for donations?	
	DR ANDREW FRANCIS	
	Yes there were. I think initially – I don't say this in this report but this is something I have looked at since – that I think in the initial '45 legislation there were certain guidelines upon which monies received into tribal committees and executives could be subsidised by the Government on the pound for pound basis, and there were certain limitations.	
	Money coming from trust incorporations couldn't be subsidised but I think, but I couldn't give you an exact day	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	when this was but at some point those regulations were relaxed so pretty much any, almost any donation or any monies going into a committee or an executive coffers could be subsidised.	
	DR ANDREW FRANCIS	
	And is the New Zealand Māori Council developed over time, it sought more government funding didn't it?	
	DR ANDREW FRANCIS	
	It was constantly seeking more government funding yes.	
	DR ANDREW FRANCIS	
	But given that the independent status of the committees and the executives and the council you wouldn't expect there to be full government funding of it would you?	
	DR ANDREW FRANCIS	
	No because they did have a system in the 62 legislation in which committees and executives would provide the subsidies for the Māori council to carry out its functions.	
	GEOFFREY MELVIN	
	And full government funding may well have lead to the criticism that those bodies were government or Crown	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	entities?	
	DR ANDREW FRANCIS	
	Yeah and I think that was a concern of the hierarchy of the Māori council, not to be seen to be in the pocket of the government that it had to be an independent organisation and I think that was one of the driving forces to ensure that as far as they possible could but they would fund themselves.	
	GEOFFREY MELVIN	
	Now you don't review or analyse in your report the political philosophy of various governments during this period, do you agree that that analysis is important in accessing the extent to which the attitude of the government toward Māori was similar or different to that which it had towards the wider community?	
	DR ANDREW FRANCIS	
	It would certainly add another, an extra level of understanding yes but we were constrained by time for this report but yeah I would agree that given more time that would have been one of the several aspects that we would have attacked yeah.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	At page 167 of your report you suggest that the functions of the New Zealand Māori Council mirrored those set out in the 1945 Act of the Māori, Social and Economic Advancement Act.	
	DR ANDREW FRANCIS	
	That's correct.	
	GEOFFREY MELVIN	
	Would you accept however that really there is a wider range of functions under the 1962 Act and certainly more detail about the types of functions that it might pursue?	
	DR ANDREW FRANCIS	
	Yes, definitely. The 62 Act seems to be much clearer in its provision than the 45 Act had been.	
	GEOFFREY MELVIN	
	Yet the council is still given a very wider remit isn't it, to set its own agenda.	
	DR ANDREW FRANCIS	
	It is yes.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And would you agree that this is intended to be a – or that was a signal of the autonomy intended to be enjoyed by – under the system of those organisations?	
	DR ANDREW FRANCIS	
	It would be an indicator yes.	
	GEOFFREY MELVIN	
	And do you agree that it was also desirable from a Māori point of view?	
	DR ANDREW FRANCIS	
	I didn't come across a great deal of opposition to the establishment of Māori Council so yes I'd say it was – how popular it was I couldn't quantify but yes it seemed to be. It's what many people had been pushing for since the end of the second World War, 17 years earlier.	
	GEOFFREY MELVIN	
	At page 206 at the very top you note that the New Zealand Māori Council was established to act as an advisory board to the government to promote the social, cultural, economic, spiritual and educational wellbeing of the national Māori community. Do you really intend to mean that the Council was an advisory board to government? It seems to suggest that in some way it was an agent of the government if you	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	were saying it was an advisory board?	
	DR ANDREW FRANCIS	
	No it certainly wasn't. It wasn't an agent of the government no but it was an organisation established to advise – to be another avenue through which the government which could assess or receive Māori opinion on a national level but no it's not an agent for Crown.	
	GEOFFREY MELVIN	
	So are there any particular provisions within section 18 which you set out at pages 167 and 168 that give it that advisory role and I guess what I am partly getting at is some clarification is what you mean by advisory body.	
	DR ANDREW FRANCIS	
	Perhaps what I mean by that would be it was an organisation established, an independent organisation established with which the government, when it was considering legislation that was to affect or likely to affect Māori it had a national body with which it could converse with and the idea of that body would be a body that was representing the individual Māori that the whole point of the organisation would be the individual Māori at grass roots level then the tribal or the Marae committees as they became known and the executives then the District Councils then the national body. So the idea being that that national body represented or embodied the average grass roots	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Māori. So it seemed to me an advisory body in the sense of the government could go to this organisation as it did in 1969 with Pritchard Waetford Commission and say these are the kinds of proposals that we're thinking about implementing so it has that advisory role. But no there is nothing, I don't think there is anything in section 18 that establishes the Māori council as an advisory body but it was an organisation with which the government had a hand in which it could receive Māori opinion.	
	GEOFFREY MELVIN	
	And for example at section 18(d) it says there, to collaborate with and assist state departments and other organisations in a range of – in those range of matters listed there. Following on from that earlier sentence I read out at the top of page 206 you go on to say, during the period covered by this chapter the council deliberated, supported and often criticised government policy but ultimately was unable to affect major Māori policy changes. Do you agree though that in terms of making government policy the council is never going to be in a position whereby it itself could make changes to government policy by definition only governments make the changes to government policy although others can obviously influence the process of getting there.	
	DR ANDREW FRANCIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
1150	Yes but I don't state in that sentence that the Māori council had that function. I say ultimately it was unable to affect major Māori policy changes, have an influence upon not make the legislation and I completely agree with you there.	
	GEOFFREY MELVIN	
	And you would agree that one of the best examples of the Council's effectiveness in terms of obtaining change would be its unceasing opposition to the Māori Affairs Amendment Act 1967 and that the ultimate repeal of that act by the amendment act 1974?	
	DR ANDREW FRANCIS	
	I'd agree with that yes.	
	GEOFFREY MELVIN	
	Tēnā kōrua, thank you very much for your responses to the Crown's questions. Sir, I have no further questions.	
	JUDGE AMBLER	
	Mr Pou?	
	JASON POU	
	Kia ora all my questions will relate to your summary in your main report so if you just have the in front of you and we will	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	probably jump around. I know that you have taken responsibility for different parts but I think there is such an overlap if one of you wants to jump that's fine. Just picking up on a point that was – I will start at the end – that was raised by the Crown about the criticism of the Hunn Report. What was put to you was that the criticism – the Hunn Report were relatively minor, now the criticisms that Biggs was making were essentially that the report was from a Pākehā perspective wasn't it?	
	DR ANDREW FRANCIS	
	That's correct yes.	
	JASON POU	
	The undertone, he was saying it a lot more politely than I would, the undertone was that it was kind of racist in perspective in that it was – in that to – it set out a problem but the problem was that Māori weren't integrated enough, they weren't Pākehā enough, that was essentially as criticism wasn't it?	
	DR ANDREW FRANCIS	
	Can you point me to the page where Biggs...	
	JASON POU	
	I think it was 161 or 160 I think. Sorry that's my fault for	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	starting in the middle. No it wasn't there.	
	DR ANDREW FRANCIS	
	Bottom of page 161.	
	JASON POU	
	Yes and onto 162, the top of the page 162. Inpatient of cultural differences, complacently living in a backward life. This is how the Hunn Report is depicting Māori isn't it?	
	DR ANDREW FRANCIS	
	This is how Biggs perceived it yeah definitely.	
	JASON POU	
	So what I'm putting to you, he is basically highlighting racist undertone within the Hunn Report as the Hunn Report describes the problem that needs to be rectified?	
	DR ANDREW FRANCIS	
	Yes and also I think that's an issue that the Māori Synod of the Presbyterian Church have about definition, you know definition between integration and assimilation are wildly different and I think one of the criticisms was that the Hunn Report didn't acknowledge the issue of integration. Integration meant Māori changing to become Pākehā, not that Māori and Pākehā could live alongside each other still	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	having their you know, distinctive cultures.	
	JASON POU	
	That's correct in those – in that sense that it almost seems to imply that Māori are the problem by being Māori, that's the problem.	
	DR ANDREW FRANCIS	
	I think the issue was that it seemed to be the emphasis anyway on Māori having to be the ones to change yes. There seems to be a lot of talk in this early 1960s period, even Ralph Hanan and his wife (inaudible 11:54:48) address in 1961 talks about problems in the future, partly to do with urbanisation you know and something had to give.	
	JASON POU	
	Now I want to switch to your summary. You talk about the Māori War Effort Organisation and you talk about coming through into World War II, the enlistments that were happening, Māori were volunteering, did you try to assess why maybe Māori were enlisting? Maybe it was the impoverish nature they were – it was kind of a job?	
	DR ANDREW FRANCIS	
	I didn't assess it for this particular report but that would be one of the common motivations for men in 1939 and that wouldn't be unique to Māori or to New Zealanders, this was	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	a thing, a motivation for members of my own family who did this that you know, given that this was towards the end of the depression would be a good motivator. Same as it would have been in the first World War to get out of your home life said but at the will of the tax payers' expense.	
	JASON POU	
	So it would be wrong to characterise Māori's enlistment in the army as an agreement by them that we were all going to fight together as one nation, there were other motivators for them actually doing that?	
	DR ANDREW FRANCIS	
	I'd say there would be thousands of different individual motivations yep. I don't think there is a (inaudible 11:56:38) incident perspective to think yes we are all going to go brothers and arms off to war, people had their own motivations.	
	JASON POU	
	Now on page 3 of your summary you set out the amount that was paid from the public purse to finance the scheme and in your footnotes you've applied the inflation, the Reserve Bank Online Calculator inflation to expand that amount, why have you done that?	
	DR ANDREW FRANCIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	It was really just to give myself some kind of perspective. I don't know exactly how accurate, I am not an economist and I don't know exactly how accurate that was but it really just to give myself some kind of perspective as to how much that money would have equated in more recent times.	
	JASON POU	
	Wouldn't it have been better to compare the amount of money that was being funnelled into other enterprises and organisations to assess really the adequacy of funding or what was being funded?	
	DR ANDREW FRANCIS	
	Yeah, yeah that would be another way, certainly.	
	JASON POU	
	Did you do an assessment? For instance how much was spent on the Pākehā war effort?	
	DR ANDREW FRANCIS	
	No I didn't.	
	JASON POU	
	So we can't look at those figures and say well this is the Crown seeking to provide or seeking to adequately fund an	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	organisation for Māori to be able to assert some sort of authority?	
	DR ANDREW FRANCIS	
	Yeah, I am not quite sure where that £7,000 initial sum came from, whether it was an amount that the War department came up with or it was a sum of money in which Paikea said if you give me £7,000 I can deliver you this. I don't know where that initial sum came from.	
	JASON POU	
	Cause if we are to assess the adequacy of any funding that was has provided that organisation, I think the thing that we really need to keep in mind is that it was in the main of voluntary organisation.	
	DR ANDREW FRANCIS	
	It was almost, and I think I do point that out in the summary and certainly in the report, it's almost wholly a voluntary organisation, there are only in the entire organisation only 21 people draw a salary and that's the Liaison Officer Hempel and the 20 recruiting officers.	
	JASON POU	
	Now and it's maintained as a temporary organisation by the Crown isn't it?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR ANDREW FRANCIS	
	Yes.	
	JASON POU	
	And at the end of every time Māori are having to go back, cap in hand extend its lifetime and again seek further subsidies or funding aren't they?	
	DR ANDREW FRANCIS	
	Yes and it seems to be the table I put up, I am not quite sure what page it's on but the table I put in the report was drawn from various Archive sources in Wellington and it seemed to be that when Paikea and after he dies in April 1943 when he goes – when he dies takes over but it seems to be a fairly regular trip to Wellington or you know trip to the Prime Minister's office to claim more funding, yes.	
1200	There's no guarantee from the Government on the onset of the organisation that we will provide you with funds until the war is finished. It's a constant, you know, and I assume in those meetings he has to justify the contribution that Māori have made to extract more money, yes.	
	JASON POU	
	Well this characterises most Māori organisations. They have to justify their existence to the Crown, and they have to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	justify an ongoing lifetime. I mean, doesn't Tirikātene, isn't he always asking, we need it to be in place at least until the end of the war?	
	DR ANDREW FRANCIS	
	Yes, constantly.	
	JASON POU	
	And this is never consented to, is it?	
	DR ANDREW FRANCIS	
	No.	
	JASON POU	
	It does seem the Crown is creating a quasi-dependency does it not?	
	DR ANDREW FRANCIS	
	Yeah, it does and I think from, from the Crown perspective as well, I mean, I – I draw out on page 3 of my summary, an estimate, and I only say estimated £12,000 per year. I imagine that £12,000 to secure the, the war time commitment –	
	JASON POU	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Mmm.	
	DR ANDREW FRANCIS	
	Of a large sector of your society is very, is very, very, is a very good return on that £12,000.	
	JASON POU	
	Now and for that £12,000, and I think you say it at paragraph 8 of your summary, you talk about the contribution and food that Māori are making.	
	DR ANDREW FRANCIS	
	Yes.	
	JASON POU	
	So they're getting quite a lot of bang for their buck really aren't they?	
	DR ANDREW FRANCIS	
	They certainly are, and if I can add, that's just one aspect of the contribution that Māori make during the war and this is over and above – these figures for the, for the produce, for the food that's produced is over and above what Māori need for their own, for their own upkeep. So this is on top of what they would normally produce.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JASON POU	
	Now this question's slightly off your topic but however, the fact that they are producing over and above their, their needs, that would disprove any assertion that's made that Rohe Pōtae Māori are bad farmers and for that's – and that's the reason that they would be moving off their land. This is – this is graphic proof that that is not the case is it?	
	DR ANDREW FRANCIS	
	Yeah, I mean, I don't know where these – whereabouts these acreages were but if we say as Rohe Pōtae as a whole, no. It's a complete fallacy.	
	JASON POU	
	Well –	
	DR ANDREW FRANCIS	
	There's an awful lot of produce that's been extracted out of this inquiry district.	
	JASON POU	
	And I guess in terms of, when you list those figures and considering the voluntary nature of the Māori War Effort Organisation and what Rohe Pōtae Māori are putting into the war effort as well, those figures, even those inflated	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	figures do seem to be fairly small given what Māori are giving up, but it doesn't it?	
	DR ANDREW FRANCIS	
	Yes.	
	JASON POU	
	Now at paragraph 10, you say, “Māori participate equally in the national war effort alongside Pākehā.” Now one of the questions that was asked yesterday was about, whole communities giving up all their men. Did you do a study of, of what Māori contributed by way of man power per capita as opposed to what Pākehā volunteered?	
	DR ANDREW FRANCIS	
	I didn't but I mean it would be, it would be fairly easy to match the recruitment figures. It might be a bit more difficult to do it on a, on a district level. So, if you were talking about Rohe Pōtae it may be a bit more difficult, but I mean, it wouldn't be, it wouldn't be that difficult, yeah.	
	JASON POU	
	Or the losses sustained. When we’re saying, “Māori participate equally in the national war effort,” we’ve got the contribution of food, we’ve got them setting aside large acreages following confiscations, I mean, diminished land, and they’ve got the life loss. I mean, for us to make that	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	comment that their participating equally, we'd need to assess that wouldn't we?	
	DR ANDREW FRANCIS	
	Yeah, we would do and actually draw in on, I think, it was Ms Peters, yesterday, was talking about the impact that the First World War had on Māori communities and I was sitting in the audience. The impact would have been greater in the Second World War because of the, the loss of life, because Māori were frontline soldiers in the Second World War.	
	JASON POU	
	That's right.	
	DR ANDREW FRANCIS	
	So those who were going off to, who fought through the, you know, the Western Desert Campaign and up through Italy and into Germany, they would have been, you know, the loss of life would have had a greater impact in the Second World War than the first.	
	JASON POU	
	Thank you. Now you refer to these tribal committees. They're not really tribal committees though are they? They're regional committees?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR ANDREW FRANCIS	
	Yes, I'm assuming they are, yes.	
	JASON POU	
	And you refer to Rohe Pōtae hapū and iwi throughout. It's a term that you use throughout the report, but those committees aren't hapū and iwi based are they?	
	DR ANDREW FRANCIS	
	I'm assuming they're not. I think they're, they're just geographical locations.	
	JASON POU	
	So it's not hapū and iwi. It's, it's – they are, it would be better to say that these, these institutions are for Rohe Pōtae Māori?	
	DR ANDREW FRANCIS	
	Yes, it would be.	
	JASON POU	
	In fact, these organisations that seem to gain a foothold seem to be pan-tribal organisations or basically seeking to remove that distinction or that use of those fundamental building blocks? The hapū, the iwi, becomes less important	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	as these districts and regions start to take hold?	
	DR ANDREW FRANCIS	
	Yes, I think so and also because there are just, there are so many tribal committees. I give figures in the report. There are so many across the country and there are so many in the, in what we would term the Rohe Pōtae Inquiry District, that I'm assuming they couldn't be on –	
	JASON POU	
	Mmm.	
	DR ANDREW FRANCIS	
	Separate levels. They are in the tribal organisation.	
	JASON POU	
	And the people that have been put forward, they're from Te Kūiti or they're from Napinapi –	
	DR ANDREW FRANCIS	
	Yeah.	
	JASON POU	
	Or they're from Piopio. They're not from – there is no Paretekawa Committee, Ngāti Pāia Committee,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ngāti Hinewai Committee, is there?	
	DR ANDREW FRANCIS	
	No and if you, if you go through, our supporting papers, much of the information about who sat on these committees came from the, the King Country.	
	JASON POU	
	Mmm.	
	DR ANDREW FRANCIS	
	Chronicle newspaper, and they, they just list the personnel and the name of the committee.	
	JASON POU	
	Mmm.	
	DR ANDREW FRANCIS	
	They don't have any, any tribal affiliation whatsoever.	
	JASON POU	
	For instance, one tribal affiliation that's referred to in your report and I don't know where it is, but they call it, Ngāti Pōneke which is the urban drifters, isn't it?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR ANDREW FRANCIS	
	Yeah, I assume that must be the, the tribal committee that's in Wellington.	
	JASON POU	
	Mmm. Paragraph 12 of your summary, you say, “As the allied victory in the Second World War became assured, military necessity to maintain the Māori War Effort Organisation diminished.” This just show the bodies are used by the Crown while they’re performing a function and then when they’re not needed anymore, they’re just dumped, abandoned?	
	DR ANDREW FRANCIS	
	They’re not dumped or abandoned because the funding continues until the end of the war.	
	JASON POU	
	Mhm.	
	DR ANDREW FRANCIS	
	But there's an awful lot more of dialogue at various levels that hadn’t appeared earlier in the war and you can see, if you – if you mirror what was going on here with what was happening on the battlefield, you can see, you can almost	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	pinpoint from 1943 onwards when there does seem to be more assuredly of an allied victory at some point in the future and you combine that with the return of Māori soldiers on the furlough draft early in the 1943 –	
	JASON POU	
	Mmm.	
	DR ANDREW FRANCIS	
	Allied victories with Māori soldiers going up into mainland Europe and then you do start to see the dialogue increase, but well, do we really need these organisations? We can scale back their operations. The money still keeps coming, but I think if you, then if you compare that with the chart I put in about Tirikātene going –	
	JASON POU	
	Mmm.	
	DR ANDREW FRANCIS	
	The expression you use, "Cap in hand," to get more money, his visits to Fraser's office become more and more regular because from the Government's perspective, there is less of a need for these organisations and in fact they scaled back - the recruiting officers are scaled back by six, I think, at one point in 1944. They go from 21 down to, to 15.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JASON POU	
	But that's the issue. Now that the Crown doesn't need them anymore, they're existence is diminished, it's dwindled, or put somewhere else?	
	DR ANDREW FRANCIS	
	It's certainly less of an importance. The Crown placed less, you know, less importance on them than they had done throughout their you know, the national – was too, in the national crisis between 1939 and 1943, yes.	
	JASON POU	
	Not, notwithstanding that Māori were seeing them as increasing in importance?	
	DR ANDREW FRANCIS	
	Yeah.	
	JASON POU	
	The fact that the Crown saw them as decreasing in importance, the Māori – what Māori want was essentially irrelevant and they were scaled back. They were diminished.	
	DR ANDREW FRANCIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yeah, because I think, I think –	
	JASON POU	
	And in the end dumped?	
	DR ANDREW FRANCIS	
	There comes, there comes a point probably is about 1943, where in fact, yeah, Māori increase a number of committees because I think at that stage they, they start to look at the post-war future. It's still two years away but there's almost a, a kind of transition as the Government see them less important and Māori actually see them as more important because they're looking to the future.	
	JASON POU	
	Now at paragraph 14, you talk about Labour's commitment, or Labour, Labour's assertion really of its commitment to Māori self-government, but in terms of justifying these, these Maori organisation's effectiveness. They're saying they need to provide a long-term objective, those sorts of things. Wasn't Māori self-government. That was the objective wasn't it?	
	DR ANDREW FRANCIS	
	Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JASON POU	
	So the Crown are actually asking for sub-objectives to achieve the main objective that Māori wanted? They were being very clear about, weren't they?	
	JONATHAN SARICH	
	The rhetoric that – well that I'm referring to there is this Peter Fraser at the UN was in charge of an organisation that came to give self – or like self-government to the dependencies within the Pacific/Australia region.	
	JASON POU	
	Yes.	
	JONATHAN SARICH	
	And so Walter Nash echoed that sentiment back to the people at that meeting that we are about self-government and that we want Māori to have self-government, but yes then you're right. He then says, "But if this war effort organisation is to continue, you need to set a clear agenda and purpose for it."	
	JASON POU	
	And Māori self-government couldn't be the purpose and objective?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Yes, he was asking for a more clearer purpose than that, yes, not –	
	JASON POU	
	It is a very clear purpose though isn't it?	
	JONATHAN SARICH	
	Yes, but he – they wanted more specific – a more specific agenda.	
	JASON POU	
	Or were they seeking to limit it?	
	JONATHAN SARICH	
	Well, as I argue in my two chapters, I think they did limit it by putting it under Native Department control.	
	JASON POU	
	Because even if it was under the Government, Tirikātene's – he's talking about a Māori Affairs Department being run by Māori even though they might be accountable back to Parliament. He wanted Māori by Māori for Māori, didn't he?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Yes, and that's the key difference that I highlight.	
	JASON POU	
	And that was just something that in that day and age was completed out of the question?	
	JONATHAN SARICH	
	Well yes, I also point out in the report that Labour with their social welfare sort of state with their vision, they had a very clear boundary or very clear – in their ideology they had a very clear kind of rule that separate institutions for Māori were not acceptable. That – and that's where the tension lay between the Rātana members of Labour and the Labour members because the Rātana members throughout this period advocate for these separate institutions essentially and Labour would say, "No we – the regular means of social welfare are the means that are going to help Māori." Not separate ones.	
	JASON POU	
	So by saying that they are reinforcing the fact – or they're reinforcing the perception and the position that Māori cannot autonomously exercise self-government because they have to be part of something else. They can't be separate so they can't be self-governed. Isn't that the logical conclusion?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Yes, but on top of that – I mean the institutions that are set up are – like they're sort of breaking their own rules by carrying on the MSEA, although it's not as far as the Rātana members would want. You could still argue that the MSEA bodies and stuff are still a form of separate limited self-government; very limited self-government.	
	JASON POU	
	Māori are good at getting onto these organisations and trying to make them work for their communities, –	
	JONATHAN SARICH	
	Yes.	
	JASON POU	
	– trying to go beyond what's provided by the statute, trying to use the minimal subsidies that are available to do more and to do those sorts of things, but the idea that they could actually do that and say be funded like a local authority was out of the question, wasn't it?	
	JONATHAN SARICH	
	Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JASON POU	
	So the fact that they were doing it was not because of the Crown, was in spite of the Crown, wasn't it?	
	JONATHAN SARICH	
	I would say that they were willing to utilise the systems despite their limitations to try and get the most out of them even though they were very, very, very limited.	
	JASON POU	
	Now when we look at these – the Māori War Effort Organisation, the way it grows and then is folded into the Native Department, we get the welfare officers that come; they seem to be autonomous but then they too are folded under. The creation of these committees, boards and the way they come under a registrar eventually, doesn't that seem to mirror exactly what happened with the native committees, the Māori land boards when they were folded into the Court. They're now gotten rid of. Then we get these tribal committees that get a welfare officer, then they get folded into the – under a district registrar and become subservient to the Māori depar – isn't the same system of capturing authority being replicated again and again?	
	JONATHAN SARICH	
	I can't comment on all those presidents, but I can certainly	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	say that in this case yes that's what happened.	
	JASON POU	
	Does the fact that it happened show a lack of trust for Māori oversight over their affairs that they need to be watched by a Pākehā minister or a Pākehā ministry?	
	JONATHAN SARICH	
	Well I argue that the main reason for that – so the MSEA starts with more autonomy within the Native Department. I argue that the only reason why that is sort of maintained for that time is because that's how Fraser wanted it to happen and as soon as he loses power the National Government comes in and the rest of the Native Department or Māori Affairs Department officials take the opportunity to re-claim – well to bring the MSEA further under their control.	
	JASON POU	
	I'd like you to turn to page 31 –	
	DR ANDREW FRANCIS	
	Of the report?	
	JASON POU	
	Of the main report sorry. I don't think there's 31 pages in the summary. Now you're got a quote there from the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Prime Minister and at the end and I'll read it, he says, "I am still very hopeful that if the war goes successfully for us, the Māori people, their representatives in Parliament and the Government of which I am head will work out plans which will make the Māori people feel that their birthright has been restored to them and protected for them." Now that's a promise, isn't it?	
	DR ANDREW FRANCIS	
	It seems to be.	
	JASON POU	
	It's a promise to them that if they're successful, given the contribution that you're making we are going to restore your birthright.	
	DR ANDREW FRANCIS	
	That's what he says in there, yes. He also says – I use the quote somewhere else later in the war about, "We have to ensure that," I'm paraphrasing here but, "We have to ensure that Māori aren't turned strangers on their own land.	
	JASON POU	
	That's right.	
	DR ANDREW FRANCIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	JASON POU	
	Now is that promise that was made, is it a broken promise or an unfulfilled promise?	
	DR ANDREW FRANCIS	
	It seems to be an unfulfilled promise under Fraser's administration. I mean he's voted out in 1949 so obviously he can't do a great deal more about it, but there are – he is in power three years or four years after – sorry, three years after the MSEA is introduced in December 1945. There are three years in which to put in place the MSEA where the committees and executives have access to funding. So whether he thinks that the first stage of a much longer process. I suppose you have to think about the context of the time as well. Post-war rehabilitation, every society around the world was getting used to peace time and perhaps he thought that if another election victory in 1949 but another step, another implementation of the process could take place but obviously we don't know. So I'd say it's unfulfilled as opposed to broken.	
	JASON POU	
	Not just in terms of his Government. That's a promise that was made to Māori people, Te Rohe Pōtae Māori from the Prime Minister. People behind us are here to have see – to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	have their stories and histories told in an effort to have their birthright restored. That's a promise that still remains unfulfilled through every successive Government that's followed, isn't it?	
	DR ANDREW FRANCIS	
	Yes, I'd agree with that.	
	JASON POU	
	It does seem like a broken promise at the moment.	
	DR ANDREW FRANCIS	
	If – yes, yes, but if you take that this is only Fraser could be held accountable for his own words.	
	JASON POU	
	Yes.	
	DR ANDREW FRANCIS	
	Yes.	
	JASON POU	
	But he is the Prime Minister.	
	DR ANDREW FRANCIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	He is, but –	
	JASON POU	
	And he's giving the statement – let me go back to it, as the head of the Government, "the Māori people, their representatives in Parliament and the Government of which I am the head." So it's not a personal promise is it?	
	DR ANDREW FRANCIS	
	It's not. It's a, it's a, it's a promise that the Government will do what they can but obviously once he's voted out of power – really what the – what he should have said here is – and, yes, "If the war goes successfully for us, the Māori people, their representatives in Parliament and the Government of which I am head." He's only head of the Government. I take your point, but he can't be held responsible for conditions once he's voted out of power. There have been probably I don't know 12 Prime Ministers since Fraser.	
	JASON POU	
	Notwithstanding and I accept that one Government can't bind the next, but the next Government should have an understanding of the promises that were made, shouldn't it?	
	DR ANDREW FRANCIS	
	It should do, but I don't think it should be held accountable to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	it. I'm in agreement with you but this is – you have to think about the context in which this was – this speech was made. This was the conference in 1942 of which Te Puea in her delegation were out. So you could say yes these are just empty words to pacify Māori who were attending that conference, but I think knowing what I know about Fraser he probably truly believed that he could achieve this, but once he's out of power there isn't a great deal he can do but I do – I take your point that given the next 50 years these are unfulfilled promises or broken promises.	
	JASON POU	
	I mean what you're saying could essentially be said about every broken promise that's been made to Rohe Pōtae Māori. We enter into an arrangement, "Sorry we can't do it anymore."	
	DR ANDREW FRANCIS	
	Yes, I mean I, I –	
	JASON POU	
	We make a – I mean if that's the justification, "I'm making a promise, but I just now I can't," I mean that's a sad history of engagement if that categorises the –	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I think you've ploughed this field pretty well Mr Pou.	
	JASON POU	
	Okay Sir.	
	JUDGE AMBLER	
	Probably move on.	
	JASON POU	
	At paragraph 28 of your summary you talk about the ongoing Māori participation in these tribal committees in the MSEA system and it's just that ongoing participation. What else was there for Māori to participate in to exercise this form of authority? Well to exercise any form of authority? Paragraph 28 of the summary and really it's just talking about their ongoing participation. What else is there for them?	
	JONATHAN SARICH	
	I guess I just mean that they're willing to participate in this state-sponsored self-government so they could be involved in their own initiatives as well. But yes in terms of stuff that Government has offered, not much.	
	JASON POU	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	In terms of being involved in their own initiatives though, what substantive outcome would that achieve if the Government's not going to recognise them and what else is there for them? It's like some would say that the Native Land Court is a client-driven institution. You seem to be saying that Māori are willingly participating but I can't see anything else for them and I'm just wondering what else is there?	
	JONATHAN SARICH	
	I wouldn't rule out Māori creating their own initiatives and having some success and then outside of state-sponsored bodies.	
	JASON POU	
	Like the Kīngitanga?	
	JONATHAN SARICH	
	Yes, but I agree with you that there's not much else out there in terms of state-sponsored self-government.	
	JASON POU	
	But when we look at – since we take the Kīngitanga, how is that treated by the Government? Not very well. So in terms of actually having a presence in there and influencing decisions that are being made for the state –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	But are you saying that Māori can't achieve anything outside of having –	
	JASON POU	
	No I'm – what I'm –	
	JONATHAN SARICH	
	– having relationships with the Government? Of course –	
	JASON POU	
	What I'm saying is –	
	JONATHAN SARICH	
	– they've achieved heaps of things and brought heaps of things to the Government awareness without the Government helping them.	
	JASON POU	
	But in terms –	
	JONATHAN SARICH	
	And I'm not saying it's a state-sponsored institution. I'm saying that Rohe Pōtae – local Rohe Pōtae Māori were	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	willing to use the very limited system that was available to them.	
	JASON POU	
	And that's the point in terms of that willingness. That's what I want to explore with you. We talked – and I agree first of all I agree that Māori have been able to effect change through institutions like the Kīngitanga but they don't tend to be treated with consistency by the Crown, do they? Whereas these bodies, even in the limited capacity they are, seem to gain a more favourable ear?	
	JONATHAN SARICH	
	Yes.	
	JASON POU	
	They've been overseen by members of Parliament. So in terms of that and effecting change from the inside what else is there?	
	JONATHAN SARICH	
	Not much, like I've said.	
	JASON POU	
	Nothing, really.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Well there's all the regular – okay, just leave it there.	
	JUDGE AMBLER	
	You're entitled to qualify your answer.	
	JONATHAN SARICH	
	I've said not much because I haven't examined all the other possible avenues that Māori could have a voice.	
	JASON POU	
	I accept that.	
	JONATHAN SARICH	
	Yes.	
	JASON POU	
	Now at paragraph 31, of the summary still, you talk about the tribal executors creating district councils and you talk about that creation. Halfway down you say, "However when strong protest was received from them regarding the Māori Affairs Act in 1953 Corbett abandons plans for the national body and official support for the council's (inaudible 12:27:18). Does this suggest that the Crown will only treat	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	with them favourably so long as they two the Crown line?	
	JONATHAN SARICH	
	In this particular case, yes.	
	JASON POU	
	Again it would seem that the Crown are trying to use these institutions to capture authority notwithstanding the efforts of Māori	
	JONATHAN SARICH	
	Perhaps not as far as capture authority but they certainly – they're not interested in hearing in this case, not interested in hearing contrary voices. So they're only interested in certain types of opinion.	
	JASON POU	
	And you've compared – well you've stood back and you've had a look at the authority that was being delegated to Pākehā local authorities in terms of the wide and expansive exercise of authority that they were able to assert?	
	JONATHAN SARICH	
	I did in my other report but not in this –	
	JASON POU	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Okay.	
	JONATHAN SARICH	
	Not in this report.	
	JASON POU	
	I must have missed the bus on that one, yes. Now moving along to the paragraph 38 of the summary, again you've got this Māori council, you've got recommendations about – like there is a recommendation that there are and Māori understand that there are these uneconomic interests. That's correct?	
	DR ANDREW FRANCIS	
	Yes, it's the handling or the dealing of them that they object to.	
	JASON POU	
	Now the Māori response to that is – still centres around land retention, doesn't it?	
	DR ANDREW FRANCIS	
	It does, yes.	
	JASON POU	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	They think we need to do something about these land interests but we have to do it in a way that Māori can still retain the land interests?	
	DR ANDREW FRANCIS	
	Yes they do. I'm not sure where I say it in my report but they, they provide this, the objection to the Prichard Waetford Commission. They, they see it as a, as a Māori rallying call around land.	
1230	And I think I do put a quote in where they say, where somebody says, "If you want to retain your land you have to stand up and you have to ensure that this doesn't happen, just don't roll over and accept what takes place." So I think they come up with a couple of initiatives, land utilisation boards I think is one of them. So the Māori council isn't just an organisation that opposes it, it actually does come up with possible solutions for the government to consider. It's not just a body that flatly rejects what the government is proposing to introduce, they say, "Well listen we object to it on these grounds and here are some resolutions to this. There are some other alternatives that you should consider."	
	JASON POU	
	Their very constructive, they aren't just a protest group.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR ANDREW FRANCIS	
	No.	
	JASON POU	
	It would be wrong to categorise them.	
	DR ANDREW FRANCIS	
	No absolutely not and I think that's the beauty of the organisation because you see, you finally see for once that the ground swell of Māori opinions throughout the country fed through the, you know, the committees, the executives, the District councils and then to the Māori council. So by the time that they voiced their opinion it's not just the opinion of the 24 or 27 men that sit on that committee, this is almost the national Māori and it's very, very well considered opposition as well.	
	JASON POU	
	And that's just ignored? It strikes me that given the Māori voice are saying we have a problem let's deal with it while allowing us to retain the land that the Crown response continues to be its land they can't use we need to divest them of it, that's essentially the Pritchard Waetford report isn't it?	
	DR ANDREW FRANCIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	That does seem to be that because most of the opposition the Māori council put forward is ignored and most of the proposals that the Pritchard Waetford commission puts forward inform the '67 legislation so yes.	
	JASON POU	
	So it's not just saying that the land is uneconomic, it's actually saying that the land is surplussed to Māori requirements and that they be better off with it taken from them.	
	DR ANDREW FRANCIS	
	It seems to be that way. You know if you have still got Māori land but it's not been used by the 1960s then it – something needs to be done about it.	
	JASON POU	
	I have to ask this question, when you look at the successors of the Māori Womens Welfare League, would those councils have done better if they had more woman on them? I ask that 'cos Tootill is sitting there. Were they just better at doing it, at engaging?	
	JONATHAN SARICH	
	We only deal with the Māori Women's Welfare League in a brief sense however it does appear that the Māori Women's	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Welfare League, due to having that national level body seemed to be the first voice the – the first body that had a consistent voice to Parliament or to government and then this later council, the Mine's Council if you want actually mirrored and tried to replicate that success. So maybe yes, maybe if there were more women on the councils it would have worked better. But I think there is other things involved there like the Māori Women's Welfare League tried to walk a fine line between getting assistance from the government and maintaining its complete independence. It was seen as more of a independent body then the later council.	
	JASON POU	
	I've got one more issue to raise with you, it seems that we've speed through the matters that I wanted to traverse, it's on paragraph – page 161 of your main report and to some extent you discussed with my friend from the Crown. Now you say Māori were forced to leave. We are talking about this urban drifting, is it your assertion that Māori were forced to leave?	
	DR ANDREW FRANCIS	
	I think I said to Mr Melvin that again it comes back to definitions, the term urban drift, the idea of drifting is this kind of, you know, they take it upon themselves just to move from town to town willy nilly but in fact the urban drift is the (inaudible 12:35:07) takes up is – they move purely out of economic necessity but there is no work that – and you see	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	this during the late 1940s and early 1950s, that some of the committees and executives become defunct because men just simply leave the district in search of work in the towns and the larger accommodations. So it's out of economic necessity that these people have to leave.	
	JASON POU	
	It terms of the Hunn Report it seems to be part of a government policy to encourage that urban drift. So there does seem to be, if not a push maybe an extraction?	
	DR ANDREW FRANCIS	
	Yes and also I think it's partly informed by – that I write in my first chapter about the War Effort Organisation because industries in the major towns, in the major cities the wages are higher, you know that becomes a problem for the War Effort Organisation because men leave, walk off their jobs to get a job in a tanning factory place more parallel then perhaps a freezing works. And I think there is also – so that culture breeds throughout the late 1940s and 1950s that it's better paid work because of the diminishing land it better is to farm, there is better paid work in the towns and the cities and it becomes a issue. It would have been great had we had the time to do a full study of urbanisation in the district and I think had we done so these recommendations to the Hunn Report would have been much clearer.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JASON POU	
	That brings me to the end of the topics I wanted to traverse with you, I just have one theme issue, your thesis is about the extent to which the government provided for self government for the Rohe Pōtae Māori. Given the discussion that we've just had should your thesis not be the extent to which the government refused to provide Rohe Pōtae Māori with the ability to self govern? I'll take a yes?	
	JUDGE AMBLER	
	You will need to answer the question.	
	DR ANDREW FRANCIS	
	Don't take my silence as a yes. I think we say it's a theme throughout the report, I'm pretty sure we say it in the conclusion that it's a litany of lost opportunities, put it that way but the War effort promises so much if we go back to Frasers comment in 1942 that perhaps there was a (inaudible 12:38:01) out of vision that Māori, given their war effort, participation and contribution would benefit. And then I fast forward to 1961, Hannan, Ralph Hannan says in his Waitangi then address, I served alongside Māori in the western desert campaign during the war so they too should enjoy the fruits of peace. And this is 16 years after the war had finished and yet he still has to make these statements. So whatever provision the government provides Māori is incredibly slow in – you know Māori don't enjoy the fruits of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	peace in the 1960s, I suppose they do through the subsidy scheme but it's a small return. And I think parallel to that you do see a chipping away at Māori attempts of self government.	
	JASON POU	
	Thank you very much those are the questions that I have. Thank you very much.	
	CAMERON HOCKLY	
	Kia ora gentlemen, Cameron Hockly here. Picking up on a few things that have already been discussed a little bit there was a series of questions from my learned friend from the Crown about the Chief Liaison Officer being one of the 21 employed members of the Māori War Effort Organisation. Now initially was Colonel (inaudible 12:39:25), who was he replaced by?	
	DR ANDREW FRANCIS	
	I think his name may be Ferris.	
	CAMERON HOCKLY	
	JP Ferris?	
	DR ANDREW FRANCIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JP Ferris who I think had also being a – he'd been a recruiting officer throughout the war. (inaudible 12:39:42) would have been employed is his civilian life as Clerk of the, I think it's the Whāngārei District Court or you know a Clerk of the Court and I came across Ferris correspondence in which his bosses wanted him back and certainly by 1944 coming back to the point I made to Mr Pou earlier when the war turned in favour of the allies and there was lesser of a need they took that as an opportunity to call back (inaudible 12:40:15) to his civilian life and he is replaced by yeah, J P Ferris possibly from Gisborne I think if my memory serves me.	
	CAMERON HOCKLEY	
1240	Was he Māori?	
	DR ANDREW FRANCIS	
	They, he – I'm almost certain he would have been because all the recruiting officers with the exception of, of Hemple were all Māori.	
	CAMERON HOCKLEY	
	So he worked his way up the ranks?	
	DR ANDREW FRANCIS	
	Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	CAMERON HOCKLEY	
	And he held that position for, for remaining, was it the last two years?	
	DR ANDREW FRANCIS	
	He was certainly still in charge at the end of the war, so whenever he took over from, from Hemple, yes.	
	CAMERON HOCKLEY	
	Just around the, the nature of that role, the chief liaison officer was the, the conduit between the whole organisation and the army department isn't it?	
	DR ANDREW FRANCIS	
	That's correct.	
	CAMERON HOCKLEY	
	So for the majority of the war and certainly for the most critical part of the war, that – that conduit was a Pākehā?	
	DR ANDREW FRANCIS	
	Yes. But, if I can add to that, Paraire Paikea thought the world of Hemple and I, I have a couple of quotes, Hemple clearly thought the world of Māori as well. But he, was, yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	CAMERON HOCKLEY	
	There was also a sequence of questions there relating to Minister Tirikātene and how he went from voicing his support for the Māori War Effort Organisation continuing for a very long time and then once the legislation had gone through, changing, changing his tact perhaps, and we had a brief discussion about politicians being politicians yesterday, but to me this, this is simply a clear case of a politician knowing that the, the dead horse does not need to be flogged. I can't, I can't get anymore traction out of the Māori War Effort Organisation, so I have to go with this. Is that, would that be fair?	
	JONATHAN SARICH	
	Yeah, but he did try and flog the dead horse more afterwards ‘cos he’s still attempted to have the MSEA placed under his control. So even though he was acknowledging that is the best deal I'm gonna get, he still kept trying to achieve those goals.	
	CAMERON HOCKLEY	
	Mmm. Well at the same time obviously towing the party line because, hey, they’d passed some legislation and he had to back it to a certain extent?	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Well his comments in Parliament, yeah, was certainly towing the party line.	
	CAMERON HOCKLEY	
	The success of, of the Māori War Effort Organisation, this is a combination, you – is this fair to say of the, the organisation of the committee itself, and then that ability of the Māori communities to also organise themselves. It wasn't simply that a great framework was set up. It was that the Māori communities they were going to were, were motivated and co-ordinated in this effort?	
	DR ANDREW FRANCIS	
	Yes. It was the Māori communities that effectively established the framework rather than the other way round which, which was Paikea's vision. He wanted it to be a, you know, "From the bottom up," I think was the expression he used.	
	CAMERON HOCKLEY	
	Is there any chance in your mind that the Government or the Native Department even with its funding and personnel, could have achieved similar results?	
	DR ANDREW FRANCIS	
	I don't think they, they could have done. I – I state in my first	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	chapter that one of the first indications that the Native Department was out of touch with grassroots Māori opinion is when it was asked to form a register. Nothing underhand, not – as Jonathan mentioned in his report yesterday, nothing underhand about conscription or enforced registration, but purely just to, to gauge how many Māori would be eligible to, to serve, and they just simply didn't have the information and that was an indication that Paikea used to handover of those responsibilities to Māori, and you'll get your statistics in a much shorter time, mmm.	
	CAMERON HOCKLEY	
	The Māori War Effort Organisation then it sort of expanded some of its capacity and started doing some, some work with urban Māori and Mr Kātene [***sic***] went on record and said that the Government was unable to deal with it. They didn't have either the capacity or the machinery, I think is the term. Was this acknowledged throughout the rest of, of the Government at the time or by anyone else within Government at the time?	
	DR ANDREW FRANCIS	
	Not that I came across but I suppose if you think about the context of the time, as important as it is, as it is in this, this forum to a war time Cabinet, it would have been, you know, one of their less important considerations, but for Māori, but it is interesting that the organisation takes it upon itself because it, it fulfils its obligations to the Government to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	provide man power and woman power for the Armed Forces and the essential industries and it achieves, it seems to achieve that quite comfortably, but it has the capacity because of its various networks and various connections, tī has the capacity and feels obligated to Māori people to ensure that they're well catered for and I don't think the Government possibly fully understood the other implications of war, of war associated – of the existencies of war aren't just about men on battlefields and men in munitions factories. It has all these other social welfare aspects and it didn't appear that the Native Department were fulfilling those duties, so Māori took it upon themselves.	
	CAMERON HOCKLEY	
	Thank you for that answer. That definitely addresses my next question, was did you think that the Government was aware of this need amongst the, the urban communities and Māori?	
	DR ANDREW FRANCIS	
	I think they were aware of it when it was pointed out by the War Effort Organisation, yes.	
	CAMERON HOCKLEY	
	The organisations that the, that were networked with, Ngāti Pōneke, Māramatanga Māori, Petone Māori Club, they didn't receive any funding for their support and their, what they did basically at the request of the Māori War Effort	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Organisation?	
	DR ANDREW FRANCIS	
	Financial support do you mean?	
	CAMERON HOCKLEY	
	Financial support.	
	DR ANDREW FRANCIS	
	No. No, as I said, for such a, a large organisation, the fact that only 21 people were, drew a salary, is quite remarkable.	
	CAMERON HOCKLEY	
	And just one final question, you've just recently made a couple of comments about the Native Department at the time. Do you have any idea how many Māori were within the Māori Department? Sort of in this war and post-war period?	
	DR ANDREW FRANCIS	
	I don't know.	
	CAMERON HOCKLEY	
	Thank you. Those are my questions. Thank you gentlemen.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	I,I can add just a little bit to that last question. I think there were definitely fewer before the MSA came in, like, part of Fraser's initiative and the consequences of the MSF – MSEA was a much larger proportion of Māori staff within the department. I think even the, the secretary was Māori.	
	CAMERON HOCKLEY	
	Thank you for that. Kia ora, Sir.	
12:47:42	**UNIDENTIFIED FEMALE SPEAKER**	
	But most of those Māori staff were in the welfare division?	
	JONATHAN SARICH	
	Correct.	
	JEROME BURGESS	
	Tēnā kōrua. My name is Mr Burgess and we act for Ngāti Mahuta claimants from Maketū Marae who have interests in Taharoa and who have previously given evidence in Hearing Week 3. So I'll be referring to your main report and my questions will focus on Ngāti Mahuta dealings with tribal committees and just following on from your discussion with my friend, Mr Pou, relating to tribal committees. If I can turn to page 115 of your report, that first paragraph about half-	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	way down and you'll see it describes here official discussions regarding the formation of committees and states that, in September 1950, Aupouri Joseph who was from the Maniapoto tribal executive, wrote to Rangiātaahua Royal and in this letter Joseph explained his perspective of the situation in Kāwhia as it were. Joseph noted that the Taharoa area which consisted of Ngāti Mahuta, did not wish to form a committee under the MSEA, and if they did they would affiliate with the Ngāruawāhia Tribal Executive. Joseph further states that Ngāti Mahutas position was that if Mr Tita Wetere has anything to do with this committee, the Maketū Pā, under Ngāti Mahuta, will not come under the control on the Ngāti Hikairo Tribal Committee. So is it fair to say then that Ngāti Mahuta's refusal to come under the Ngāti Hikairo Tribal Committee, is an example of opposition in – that existed in the rohe, relative to the formation of tribal districts, or is that just a –	
	JONATHAN SARICH	
	Yes, this is one of the examples I highlight.	
	JEROME BURGESS	
	And is this just a one-off or are you aware of other examples?	
	JONATHAN SARICH	
1250	The other general example I refer to is how in Kāwhia and Raglan, the committees don't form until Te Pūea and in the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Waipā region don't form until Te Puea okays the legislation for the whole of the Kīngitanga.	
	JEROME BURGESS	
	So on that same page it goes on to say that one of the reasons why Ngāti Mahuta refused to join with Ngāti Hikairo Tribal Committee was that Mr Wetere was involved in the debates surrounding the introduction of licences in the rohe, Waikato raupatu settlement negotiations and consequent protests regarding the establishment of the Tainui Māori Trust Board. So in this instance do you accept that refusing to come under the control of the Hikairo Tribal Committee could have been evident of Ngāti Mahuta's political stance as it were?	
	JONATHAN SARICH	
	I'm just merely noting there that this is the same Tita Wetere that was involved in my earlier comments on the Liquor Commission. So I wouldn't want to speculate on exactly what was going on here and as I say in the introduction to this – no, I don't say that in my other report. I wouldn't want to speculate on the inter – the political set up of these tribes and how they relate to each other. I just wouldn't want to comment on that.	
	JEROME BURGESS	
	Fair enough. So if I can take you now to page 116 just over the page at the bottom and it continues on to the top of page	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	117. It gives mention of a 1957 report from Robert Emery on the progress of the district regarding the Kāwhia Tribal Committee and executive and goes on further to state that there was participation from Taharoa and Maketū Pā. So my question is are you aware as to the extent of that participation whether Ngāti Mahuta were –	
	JONATHAN SARICH	
	No, only as far as this letter indicates. I wouldn't be – yes, I don't – I can't quantify that in any way.	
	JEROME BURGESS	
	Fine. So if I can take you now to – I'd like to ask a few questions now changing the topic relating to Maketū Marae committees which is on page 200, top of the page of paragraph – the first paragraph on page 200 describes an example of the subsidy process provided by the Maketū Marae committee in 1962 and states that, "Ngāti Mahuta met at Maketū Marae in Kāwhia to discuss applying for a Government subsidy to assist with construction of a number of amenities at the marae. My understanding is that prior to this 1962 application, Ngāti Mahuta of Maketū Marae had not previously applied or accepted Government assistance. Is that correct? I think this was for you Dr Francis.	
	DR ANDREW FRANCIS	
	Yes, that's correct according to the district welfare officer's report and I think the original document is in our supporting	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	papers. There's a section in the application forms. There was a section to add any additional notes and the quote that I put in here halfway down page 200, that was the information that he provided for whatever reason; possibly to – so whoever signed off on this would see this as a priority, you know, because they had to decide, give a priority to applications that were coming in and this kind of thing would have been one in which they looked favourably upon.	
	JEROME BURGESS	
	So are you aware as to why Ngāti Mahuta or any hapū or any iwi for that matter in and around this period would be reluctant to apply for Government subsidies?	
	DR ANDREW FRANCIS	
	I'm not and unfortunately the only information that we can draw on throughout this period is the district welfare officer reports and unless – and what those welfare officer reports do, they generally the welfare officer reports understanding of what goes on. They don't – those reports don't provide minutes of committee meetings and that kind of thing. So I couldn't, I couldn't work out why it took until just 1962, why it takes so long for them to apply for a subsidy, no.	
	JEROME BURGESS	
	And my final question on that point is then is it fair to say then that by not accepting Government subsidies, Ngāti Mahuta essentially would have missed out on some	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	much needed assistance by their own account or other (inaudible 12:55:13)?	
	DR ANDREW FRANCIS	
	I would've thought so because the, the subsidy – I think Jonathan notes in his – in chapter 2 that the subsidy applications started to come in during 1946/1947. So if this is their first one they could've effectively lost out on, you know, 16/17 years of subsidies.	
	JEROME BURGESS	
	I'd like to turn now to the topic of the Māori Women's Welfare League which was initiated by my friend Mr Pou as well and in that letting you know that we do act for Te Hauāuru Claimants, specifically Ms Hinekahukura Titi Barrett-Aranui who is here today who gave evidence on mana wahine during hearing week 8 and in her evidence Ms Barrett- Aranui describes how the Māori Women's Welfare League was established to combat alcoholism, education barriers, social welfare systems and health issues all in all showing the ability of women to address many situations that affected their people. So I can take you finally to page 139 and I'm looking at the first paragraph. It describes how the Māori Women's Welfare League grew parallel to the MSEA committee system and it wasn't officially recognised as a Government organisation. Being this as it may are you aware as to why the Māori Women's Welfare League was never statutorily	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	recognised in the same way as other organisations under the MSEA?	
	JONATHAN SARICH	
	I think there was considerable debate about how close that relationship should be with the Government, but I can't give you a definitive reason why that wasn't the case.	
	JEROME BURGESS	
	And is it fair to say also that based on what we do know, it seems likely that the League in these initial start-up, in the initial start-up period would have faced some difficulties in terms of getting access to Government assistance, funding and the like?	
	JONATHAN SARICH	
	Yes, I think that's reasonable assumption.	
	JEROME BURGESS	
	And on that basis would you accept that not having full access to Government assistance is likely to have hindered the progress of the Māori Women's Welfare League, although what we heard before not by much by not being able to realise its full potential?	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes, like I've argued in my very brief description of the MWWL like it seemed to have the ambiguous nature of its relationship with Government actually gave it some strength, but all the way through the people that were in charge were aware that financial assistance was really important and that they needed to maintain that connection with Government to keep the organisation working well.	
	JEROME BURGESS	
	Tēnā kōrua. Those are all my questions, Sir. Thank you.	
	JUDGE AMBLER	
	Now, we've got two minutes. I think we'll take the break and we'll return at 1.40. Kia ora.	
	HEARING ADJOURNS: 12.59 PM	
	HEARING RESUMES: 1.41 PM	
	JUDGE AMBLER	
	Just for the benefit of counsel, yes remove your jackets as you please and we'll have a short judicial conference at the finish of the day. I'm really just wanting to talk about the suggested approach to closing submissions. Now, Ms Peters?	
	IHIPERA PETERS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Thank you Sir. Tēnā kōrua Dr Francis me Mr Sarich. My name is Ihipera Peters and today I'm representing our Ngāti Raerae clients who are a hapū of Ngāti Maniapoto. Just as a preliminary matter, Dr Francis you'd answered a question that Mr Pou had posed to you where you referred to myself as having asked a question yesterday in respect of the impact on Māori communities when the young men left to fight in the war. Just to clarify I'd like to take credit for that but that wasn't me. That was my colleagues Ms Arapere who posed that question yesterday. I only have a few questions for you today about the Maniapoto military contribution to the war effort and the Crown's recognition of that. I'll be referring briefly to a brief of evidence that Mr John Rata has provided in this inquiry and he's a kaumātua of Ngāti Raerae where he presented the evidence at the last hearing week. That's document #Q010(b). In particular I'll refer to his evidence given about his whānau's involvement in the first and second world wars and the significant toll that those wars took on his whānau as well as the wider hapū of Ngāti Raerae. My questions relate to chapter 1 so perhaps they be directed at you, Dr Francis. While the main focus of your report is on the Māori War Effort Organisation and the tribal committees that followed. You will be aware that young men from Ngāti Maniapoto went away and actively served in the war, correct?	
	DR ANDREW FRANCIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	That's correct.	
	IHIPERA PETERS	
	And as Ngāti Raerae are a hapū of Ngāti Maniapoto would you accept that your findings in your report in respect of Ngāti Maniapoto's involvement in the war effort are equally applicable to Ngāti Raerae?	
	DR ANDREW FRANCIS	
	I would assume so, yes.	
	IHIPERA PETERS	
	Now at page 17 of your main report towards the end of that page, have you got that in front of you?	
	DR ANDREW FRANCIS	
	I have, yes.	
	IHIPERA PETERS	
	You're talking there about the Māori War Effort Organisation and you refer to Richard Hilll's assessment of the military contribution made by Māori.	
	DR ANDREW FRANCIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	IHIPERA PETERS	
	And just at that last paragraph there you say that, “The contribution made in all aspects of national service was seen to greatly enhance New Zealand’s contribution to the allied war effort.” That’s correct?	
	DR ANDREW FRANCIS	
	That's correct.	
	IHIPERA PETERS	
	So in terms of the contribution Māori made, would you agree that that contribution also includes Māori soldiers from Ngāti Maniapoto?	
	DR ANDREW FRANCIS	
	Definitely.	
	IHIPERA PETERS	
	Further over on page 19 in the last paragraph there, you’re talking about a gathering at Te Kūiti Pā to welcome the party home – sorry, a welcoming home party for the Maniapoto soldiers and over the page at the top of page 20 you refer to a private George Rrata –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR ANDREW FRANCIS	
	That's correct.	
	IHIPERA PETERS	
	– who was, “Amongst the nine members of the Māori battalion responsible for the epic capture of Takrouna Hill in Tunisia.”?	
	DR ANDREW FRANCIS	
	Yes.	
	IHIPERA PETERS	
	Are you aware that Private George Rata is from Ngāti Raerae?	
	DR ANDREW FRANCIS	
	No I didn’t.	
	IHIPERA PETERS	
	My instructions are that this same George Rata that you refer to in your report is the father of Mr John Rata who gave evidence at the last hearing week.	
	DR ANDREW FRANCIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	All right, very good.	
	IHIPERA PETERS	
	And the Tribunal will recall the photo of George Rata with his fellow soldiers in active service which was part of Mr John Rata's PowerPoint presentation. In Mr John Rata's evidence he stated that, "When Pākehā returned from the war some were given land within our rohe by the Government. Despite the significant commitment our whānau made to the war, when they returned from the war they did not receive any recognition for their contribution let alone been given land by the Government." So I think our tūpuna supported the Crown during the war but the Crown did not return any favour. In your research, Dr Francis, did you cover ways in which the Crown recognised the contribution made by Maniapoto soldiers to the war effort?	
	DR ANDREW FRANCIS	
	No I didn't. There wasn't enough time to look at land schemes, rehabilitation schemes but I think that issue may be covered elsewhere on the Wai 898 case book, but in terms of general acknowledgement for Māori contribution I'd agree with that comment you made. There was nothing formal apart from various homecoming ceremonies and various speeches that were made, but nothing particularly tangible, no.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	IHIPERA PETERS	
	Yes, thank you and I am aware that Dr Hearn will be presenting a report in the next hearing week about that issue.	
	DR ANDREW FRANCIS	
	Yes I think if you ask Dr Hearn that question you'd get a far fuller answer that I've just given.	
	IHIPERA PETERS	
	Yes, just picking up on a point that was raised under Mr Pou's questioning, you recognised the overwhelming contribution that Te Rohe Pōtae Māori made to the war effort, for example, by way of food production or manpower itself and you accept that perhaps there wasn't equal participation by Māori and Pākehā in the war effort, correct?	
	DR ANDREW FRANCIS	
	Participation in what respect?	
	IHIPERA PETERS	
	In terms of – well you had recognised that there was overwhelming – an overwhelming contribution made by Te Rohe Pōtae Māori and an example there in terms of the food production was that it was over and above their own	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	requirements?	
	DR ANDREW FRANCIS	
	Yes.	
	IHIPERA PETERS	
	And in terms of the manpower and how Maniapoto Māori had volunteered to actively support the crown in terms of fighting in the wars –	
	DR ANDREW FRANCIS	
	That's correct.	
	IHIPERA PETERS	
	– that was a significant contribution made and in terms of all of that overwhelming contribution there is I guess you could say – well there is an argument that there wasn't equal participation by Pākehā as well as the Rohe Pōtae Māori?	
	DR ANDREW FRANCIS	
	I think you'd have to quantify what you mean by equal participation. I don't think I recall saying to Mr Pou that there wasn't equal participation. He brought up the point that I would have to look at, which is quite right, I would have to look up per capita contribution. I don't – nowhere in my	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	report do I compare Māori with Pākehā contribution.	
	IHIPERA PETERS	
	No, not directly in terms of –	
	DR ANDREW FRANCIS	
	Or indirectly I don't think.	
	IHIPERA PETERS	
	But you do accept that Te Rohe Pōtae Māori did make a significant contribution to the war effort?	
	DR ANDREW FRANCIS	
	Yes I think that's quite clear in the report; they definitely do in all aspects of contribution to the war effort from the 411, but I don't know how exact that figure is but it came from a newspaper article who they considered to be Maniapoto, but from the 411 that had served overseas and then all of the contributions that Te Rohe Pōtae had made on the home front, yes, that's indisputable.	
	IHIPERA PETERS	
	So given that significant contribution by Te Rohe Pōtae Māori, would you agree that the Crown as a Treaty partner should provide recognition of that significant contribution to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the Te Rohe Pōtae Māori?	
	DR ANDREW FRANCIS	
	I'm not really sure I can answer that in the confines of this report. We were asked to look at the political engagement between the Crown and Māori in general or Te Rohe Pōtae Māori in general. If you're asking me was there recognition after the war through legislation and through that political relationship then I would say it wasn't acknowledged but I don't, I don't really understand your question in terms of what other acknowledgement there would have been. That would be a question that you would have to ask other people because it's – we looked at the political engagement side of things.	
	IHIPERA PETERS	
	Yes.	
	DR ANDREW FRANCIS	
	So perhaps I think you may be asking me to comment on something that I'm not qualified to answer.	
	IHIPERA PETERS	
	Now because you've done that research in terms of the political engagement at that time during the wars, I guess I'm just asking for your view in terms of as you've found that there was the overwhelming significant contribution to the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	war by Te Rohe Pōtae Māori whether there should be some sort of reciprocal recognition from the Crown of those contributions made and in terms of the significant toll that it took on whānau and wider hapū/iwi within Te Rohe Pōtae, whether that's a fair expectation say in terms of that reciprocity?	
	DR ANDREW FRANCIS	
	I could only answer in terms of the confines of this report and I would say that the acknowledgement that Rohe Pōtae Māori deserved for their war contribution wasn't fulfilled through the, you know, through to the confines of our report, but you would have to explain to me what other acknowledgement you're talking about. I can only talk to this report and I would agree with you as Mr Pou made clear that the promise that Peter Fraser was the Prime Minister made in 1942, those promises and the expectation that Māori quite rightly had at the end of the war for their military contribution and for their – or their general war effort contribution in general wasn't fulfilled. So if you're talking about political acknowledgement and some form of self-government or autonomy or whatever term you want to use, I would agree that there wasn't that acknowledgement after the war.	
	IHIPERA PETERS	
	Yes, thank you. So just moving on to my next question. In respect of the non-Māori soldiers who were involved in the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	wars, are you aware that some Pākehā return servicemen received benefits, for example, ballot land for their contributions to the war?	
	DR ANDREW FRANCIS	
	I am aware of that but again I can't comment because we didn't research that for our report.	
	IHIPERA PETERS	
	Yes, but you are aware of it?	
	JUDGE AMBLER	
	You're probably taking this witness or these witnesses to a topic that's outside of their brief and expertise. I think there is someone coming up who's going to talk about soldier resettlement schemes at one hearing week, Ms Peters.	
	IHIPERA PETERS	
	Yes, thank you Sir. Perhaps those questions would be better put to Dr Hearn. I'll just – I'll leave it there as the Tribunal will hear from Dr Hearn in the next hearing week, but I just wanted to discuss those issues with you because you specifically mention George Rata as one of the tūpuna for Ngāti Raerae.	
	DR ANDREW FRANCIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	On that point could I just ask, has that photograph of George Rata been added to the Record of Inquiry?	
	IHIPERA PETERS	
	I understand it has been through PowerPoint presentation, yes.	
	DR ANDREW FRANCIS	
	Okay, so I'll be interested to have a look at that.	
	IHIPERA PETERS	
	Thank you. Those are my questions, Sir.	
	JUDGE AMBLER	
	Kia ora. Just before we finish on the Rata family because we did – I recall Mr Rata's evidence and I was just interested, he mentioned on his mother's father's side; that is his grandfather had eight brothers and a sister, all of whom went to war. I think he clarified that it was in fact the second world war that the grandfather's sister went to and I just wondered if in your report or in Mr Sarich's earlier report if there's discussion of the – of Māori women going to war in different capacities?	
	DR ANDREW FRANCIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	There's nothing in this report and it would have been – given more time would have been a topic that we would have liked to have delved more into, but Māori women there were cases just looking through the newspaper reports of Māori women going off to war joining the nursing battalions and that kind of thing going overseas, yes. I don't think there's been a great deal written about Māori women involvement in terms of actually overseas on battlefields. That's an area we would have liked to have looked into.	
	JONATHAN SARICH	
	Yes nothing from my other report in terms of World War 1.	
	JUDGE AMBLER	
	Now Ms –	
	ALEX HOPE	
	Sir, I have several questions. I'd given Mr Tootill my name on the list but perhaps it fell off.	
	JUDGE AMBLER	
	All right Mr Hope.	
	ALEX HOPE	
	Just some brief questions. My name's Alex Hope. I'm	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	counsel for some hapū in Ngāti Maniapoto. I just want to ask you, both of you, some broad-brush questions about influence of and power of members of Parliament that have been mentioned in the questions that have been put to you this morning and this afternoon. Now firstly there's – my friend from the Crown asked you about the role and status of Eruera Tirikātene as an associate minister of Māori Affairs in the Fraser Government and the inference was that although he was an associate minister he held a lot of power and that was because the Prime Minister was going to be busy doing other things and would give it to others. Now, were you aware that apart from Fraser that six other New Zealand Prime Ministers held the Māori Affairs portfolio while they were Prime Ministers?	
	JONATHAN SARICH	
	No.	
	ALEX HOPE	
	And those would have been Ballance, Seddon, Coates, Forbes, Savage, Fraser and Holyoake?	
	JONATHAN SARICH	
	We'll take your word for it.	
	ALEX HOPE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
1400	And does your knowledge of New Zealand politics enable you to agree with me that most of the ones on that list were Prime Ministers during the periods of significant change in New Zealand?	
	JONATHAN SARICH	
	I agree with that.	
	ALEX HOPE	
	And it would appear for a Prime Minister to hold a portfolio that relates to a large land holding group as earlier on they were Māori, that the Prime Minister on behalf of his government was keen on maintaining tight control over policy in relation to Māori and Māori affairs generally? Would you agree with that?	
	JONATHAN SARICH	
	We can't agree with that. Not from what we've researched. We can only talk about what we've researched here.	
	ALEX HOPE	
	Okay.	
	JONATHAN SARICH	
	We can't go back to balance and what have you.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ALEX HOPE	
	Okay. Now the question that my friend put to you was that, my friend from the Crown, I will just go back to that, he suggested to you that because Peter Fraser was busy overseas with the United Nations that he would have left Eruera Tirikātene with significant power and influence in the Māori Affairs portfolio. Given that there were all these other Prime Ministers who had that portfolio would you revise your answer that you gave to my friend?	
	DR ANDREW FRANCIS	
	There is two points there, just reiterate what Jonathan said, we can't really talk about Prime Ministers outside the scope of our report and I think you mean Walter Nash not Peter Fraser. Tirikātene was Associate Minister in the 1950s.	
	ALEX HOPE	
	Yes.	
	DR ANDREW FRANCIS	
	I think after Fraser had already died.	
	ALEX HOPE	
	Yes. I go back to my question to you, do you have a view over the – would you revise your opinion about the influence	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	that Eruera Tirikātene had as a minister?	
	JONATHAN SARICH	
	During my period before the fourth chapter looking at the Māori Welfare Act and stuff I note that other people have said, like other historians have said that Fraser had personal issues with Tirikātene, that he couldn't stand him, was more or less the drift of it and I note that by Fraser, well let's go into it a little bit more. During the last term of the Labour government they had a majority of four seats and so that more or less equated to the four Rātana Labour seats, the four Māori seats so there was an expectation from the MP's, the Māori MP's that that would give them more power in Parliament. And Fraser – people – historians have argued that Fraser taking – becoming native minister or Minister of Māori Affairs was a sign of him giving more prestige to Māori affairs due to that, them being the balance of power. However, and I think Tirikātene expected to be made minister himself and he was disappointed that he only got made minister of government print.	
	ALEX HOPE	
	And forestry I think.	
	JONATHAN SARICH	
	I can't say if he was minister of forestry during that last term of labour but that's certainly the case later on.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ALEX HOPE	
	Wasn't Fraser's predecessor as Minister of Māori Affairs – and this is during Fraser's first term as Prime Minister, wasn't the Minister of Native Affairs or Māori Affairs Rex Mason?	
	JONATHAN SARICH	
	Yes.	
	DR ANDREW FRANCIS	
	But prior – if you say in Fraser's first term prior to Mason was a chap I think was Frank Langston who resigns or is moved aside in '42 so Fraser has two native ministers under him before he becomes minister himself.	
	ALEX HOPE	
	It's Langston was for that period after Savage died wasn't it?	
	JONATHAN SARICH	
	That's correct.	
	ALEX HOPE	
	And then Fraser selected Mason who was a very senior minister, I think number three in Cabinet who was also	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Justice and Attorney General wasn't he?	
	JONATHAN SARICH	
	Yes that's correct yes.	
	ALEX HOPE	
	So you have him retaining the Māori Affairs portfolio at a senior level and I would put to you that the purpose of that was to maintain a very tight control over Māori policy?	
	JONATHAN SARICH	
	Yeah, he – Fraser took a personal interest in Maori affairs and it seems to be – like I said Historians have argued by taking it on at that time he was giving recognition to the importance of Māori affairs for that last term of the Labour government.	
	ALEX HOPE	
	Now a question for Mr Francis and this has just come up out of one of your answers, you've said that the animosity that Fraser showed towards Tirikātene, would that have had anything to do with the expulsion of John A Lee from the Labour party in 1940, they've polarised the party into two groups?	
	DR ANDREW FRANCIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Well first off it was Jonathan that mentioned the animosity and I couldn't comment on John A Lee's involvement, sorry.	
	ALEX HOPE	
	Okay.	
	JONATHAN SARICH	
	Yeah, and I couldn't either.	
	ALEX HOPE	
	Okay. Now just turning to your main report at page 220 where you have addressed the issue of Ngata turning down the proposal put to him by Te Rohe Pōtae Māori regarding rates?	
	JONATHAN SARICH	
	I believe that's in the last report not this one.	
	ALEX HOPE	
	Yes it is. I'll leave that. Thank you no further questions Sir.	
	JUDGE AMBLER	
	Now Ms Whiley is it?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GLENN TOOTIL	
	No Sir that concludes cross-examination from the claimants.	
	JUDGE AMBLER	
	That concludes, all right thank you.	
	DR AROHA HARRIS	
	Tēnā kōrua. Thank you for your evidence today. I just want to finish up on the question of Tirikātene and ask you if you think his expectation that he would be made Minister of Māori Affairs and perhaps his appreciation of this way that the Māori seats held influenced his support for the 1949 Act?	
	JONATHAN SARICH	
	I think that's the term before the last one. I think the last one is from '46 to '49.	
	DR AROHA HARRIS	
	Oh yes it is too. But he did – I thought he expected to be made Minister of Māori Affairs in the 1946 election, that's what Angela Ballara says.	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	My understanding is that it was in that last term that he expected to become Māori minister, the last term of the Labour government.	
	DR AROHA HARRIS	
	The last term of the first Labour government which is ’46 to ‘4.	
	JONATHAN SARICH	
	Yeah.	
	DR AROHA HARRIS	
	And the Act passes in ’45.	
	JONATHAN SARICH	
	Yeah.	
	DR AROHA HARRIS	
	So if he’s expecting to -	
	JONATHAN SARICH	
	He may have had that expectation prior to that.	
	DR AROHA HARRIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Well you think he would have. You'd think that he – or do you think he would have waited for the result and then have the expectation? You think he'd have the expectation before the election wouldn't you?	
	JONATHAN SARICH	
	Yeah, I mean its speculation, I don't have any conclusive evidence of that but that makes sense to me.	
	DR AROHA HARRIS	
	Okay.	
	JONATHAN SARICH	
	Yeah.	
	DR AROHA HARRIS	
	I've got – this morning when I woke up I was totally organised and now it's all over the place. So I've got a mix of some big questions and some small ones, I think I'll ask a couple of small ones and then a couple of big ones and I hope maybe in answering some of the bigger questions the rest of my smaller questions will get made redundant.	
1410	So we'll start with the World War 2 chapter, and on page 41, you've got a quote from Ngatata Love's – it must be from his PhD, but I'll go back and check	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR ANDREW FRANCIS	
	Yes, it is.	
	DR AROHA HARRIS	
	Oh, actually, I'm looking, I've written the pages – it should be page, did I say page 46?	
	DR ANDREW FRANCIS	
	You said, "41." Do you mean 46?	
	DR AROHA HARRIS	
	I meant 46.	
	DR ANDREW FRANCIS	
	Yep.	
	DR AROHA HARRIS	
	Yeah. Where's it gone? Yes, and a quote there, where he says, "That previously hostile tribes like Taranaki and Waikato and Maniapoto, joined the war effort really because of the political possibilities that were on offer rather than patriotic duty." Can you recall the evidence he relied on for that?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR ANDREW FRANCIS	
	I can't, but I have his PHD thesis on my desk at work.	
	DR AROHA HARRIS	
	Okay.	
	DR ANDREW FRANCIS	
	So it would be very easy to find.	
	DR AROHA HARRIS	
	And have you got evidence you can point to without going to the PHD?	
	DR ANDREW FRANCIS	
	To support his comment?	
	DR AROHA HARRIS	
	Yes, yep.	
	DR ANDREW FRANCIS	
	No, I haven't but in fact having revisited this report after two and a half years, I think it's slightly disingenuous because it's making out that the contribution was purely for political gain and I don't – I really don't think that given the much,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	much wider contribution that Māori make, Rohe Pōtae Māori or otherwise make, I don't think it's as, as manipulated as that. I think there is a patriotic duty. I think there's a, a hope, or a wish that something better will come at the end of the war which is a, which is a commons response from any group of people involved in a major conflict like that. Wars are vehicles for rapid acceleration of social change, so I think he's being slightly disingenuous but it was a, it was a – that was an added advantage, that little aspect of it, but I think if you speak – if you would have spoken to the average Rohe Pōtae potato producer, they wouldn't have seen a great deal of political gain to be made out of it.	
	DR AROHA HARRIS	
	But what if he had spoken to some of the Māori who'd been involved with settlement negotiations up to –	
	DR ANDREW FRANCIS	
	Yeah, I would suspect –	
	DR AROHA HARRIS	
	1914?	
	DR ANDREW FRANCIS	
	Yeah, yeah.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	Okay, and now let's go to page 41, and well actually it probably starts on page 40. So the table, I just – I want you to help me understand the totals that you're using there. So, we'll just take the first on that, on page 40. So we've got 12,000 acres of maze, from a total of 3017 acres. So that 3017 acres is in Werohia zone?	
	DR ANDREW FRANCIS	
	No, the – the main totals there would be the national total at that stage and how they, how that file is – how that information is laid out it's by recruiting officer and the zoning which they, they had control over, and then the total acreage for, for the country of the 20 recruiting zones that were in operation or the war effort organisation zones that were in operation at that stage, they produced 3000 acres and of that Werohia, his rohe, if you like, had produced almost 40% of that national total.	
	DR AROHA HARRIS	
	So this is "actually produced." It's not available for production or?	
	DR ANDREW FRANCIS	
	No. In terms of the, the acreage, I think it's acreage available to –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	Acreage available.	
	DR ANDREW FRANCIS	
	To the –	
	DR AROHA HARRIS	
	Okay.	
	DR ANDREW FRANCIS	
	To the War Effort Organisation.	
	DR AROHA HARRIS	
	Okay. Do you know if there's a way of valuing this, all this produce?	
	DR ANDREW FRANCIS	
	A monetary value do you mean?	
	DR AROHA HARRIS	
	Yes.	
	DR ANDREW FRANCIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I suspect there probably is. I don't know this, but I would have thought that there would be statistics available given the Government would have, I assume, Government would have controlled pricing of produce during the war. I'd imagine there will be statistics available to work out how much in monetary value 400 tons of kūmara would have been valued at. Yes, we never had a chance to do it but I, I would imagine it will be possible to do so.	
	DR AROHA HARRIS	
	Okay. And do you know any more detail on how the whole, how this worked? Did somebody come around and, and collect the produce off them or, you know, how did the cartage work and all the – because it's one thing growing potatoes, but then there's harvesting and there's, you know, cartage and a whole lot of other things that go with it	
	DR ANDREW FRANCIS	
1415	Yeah there's not a great deal of information about that unfortunately. When we rely on government files, they just really report on the end product if you like and the contribution and the commitment. They don't really go into logistics of how – of how this happened, but I have come across recently a few photos of a farm that was under War Effort Organisation control. I think it's somewhere in the Kapiti Coast and there's a small bit of detail there, obviously not relevant to this inquiry district but it goes into a – some small detail about how it worked. So I'm assuming that	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	vehicles would've been made available. I make a note in the report about Princess Te Puea had a vehicle made available to her and I'm assuming that lorries you know trucks would've been available to the War Effort Organisation. Petrol would've been – petrol expenses would've been covered by the government so I'm assuming that the War Effort Organisation was a completely self-governing self-sponsored organisation just with the help of the, you know with government funding. So I'm assuming they would have had access to vehicles and people to drive vans and go round the farms and collect the produce.	
	DR AROHA HARRIS	
	And are you able to shed any light at all on production before the start of war. So were these – were Māori producing this anyway and now what they're doing is handing them in for the war effort or is it new production?	
	DR ANDREW FRANCIS	
	No I think and I would – I don't - definite but I would assume this is new production. Many of the tables as figure 11 states here, "This heading is the heading that the government file uses." So that's production returns over and above Māori growers own requirements so the government were very clear to make sure that Māori didn't produce items to their own detriment. They weren't given away to the War Effort Organisation everything they had. It was on top of what, and I'm assuming, on top of what they would normally	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	have grown pre-war.	
	DR AROHA HARRIS	
	Okay. Well I was thinking that they might've had – been producing for market.	
	DR ANDREW FRANCIS	
	Yes I –	
	DR AROHA HARRIS	
	– beforehand.	
	DR ANDREW FRANCIS	
	Yes I'm assuming and I – but – I'm assuming on a much smaller scale this would've been.	
	JUDGE AMBLER	
	Can you just clarify while you are there, which is Werohia Zone and which was Jones' Zone?	
	DR ANDREW FRANCIS	
	If you turn to page 35, figure 6, "Whetū Werohia Zone covered the counties of Tauranga, the northern portion or Hinemuri, Thames, Coromandel, Hauraki Plains, Piakau, Matamata, Manukau, Franklin, Waikato and Raglan.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Yes.	
	DR ANDREW FRANCIS	
	And then the – as I point at footnote 100, there's a slight confusion here because one report says that the initial recruiting officer was Captain T M Hetet but I have no other information that ever was a recruiting officer and if he was, I think it was for a short time. 'Cos when Jones takes over, he takes those other counties that are listed there. And they would've had the zones for the Waikato-Maniapoto District were zoned 6, 7 and 8, and it worked on a geographical – so zones 1 to 5 is Northland down to Auckland, 6, 7 and 8 is Waikato-Maniapoto, 9, 10, 11, 12, Waiariki, 13, 14, 15 Tai Rāwhiti, 16 to 18 Ikaroa, 19 to 21 Aotea, and 22 was the South Island.	
	JUDGE AMBLER	
	So I'm just not sure what that means for page 40 and figure 11 where you refer to both Werohia and Jones. So is that zone 6, 7 and 8?	
	DR ANDREW FRANCIS	
	I think they would be zone 6 and 7. I'm assuming they would've – I'm pretty sure there's another recruited officer for zone 8 but I made the judgement call that that would've	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	laid solely outside of the inquiry district.	
	DR ANDREW FRANCIS	
1420	I think they would be zone 6 and 7. I am assuming they would have – I'm pretty sure there was another recruiting officer for zone 8 but I made the judgment call that that would have lay solely outside of the inquiry district. These were the two counties – the two zones that I could be sure some of, or most of the quarry district lay in.	
	JUDGE AMBLER	
	All right and otherwise it's not possible to narrow this down any further in terms of our particular inquiry district?	
	DR ANDREW FRANCIS	
	Not from the information that I came across for the report.	
	JUDGE AMBLER	
	Thank you.	
	DR AROHA HARRIS	
	You mentioned Te Puea having a vehicle made available too, I actually wanted to ask you about Te Puea and my question actually began with the comment about her influence and having people enlist for war compared to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Fraser's influence but I think that question has developed into asking you to characterise her influence through the period of your report until her death because she's you know, behind the scenes when people are starting to set up tribal committees, she's there with the Māori War Effort Organisation, she's patroness of the Māori Women's Welfare League so I wonder if you can, I guess strengthen that view of her influence and make it a bit more comprehensive throughout the period rather than a bit here and there.	
	DR ANDREW FRANCIS	
	I can speak to the war period from the 1942 conference onwards. If I state on page 30 onwards, when that conference takes place in Wellington I use a – Michael Kings biography of Te Puea where he says that – Michael King asserted that Fraser was likely under pressure from parliamentary colleagues and possibly public opinion to gain from Te Puea formal declaration of Waikato's war time stance not only in terms of what Waikato had already produced or contributed but what it was prepared to contribute in the coming months and possibly years. So I think from that you can infer that she would have been enormously influential within Māori communities. Not universally influential because prior to 1942 when she gives her formal approval of committees being established Māori communities would in this inquiry district and elsewhere had already been setting up and contributing to the war effort but I think she does provide a kind of formal stamp of approval.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And I think in fact if you were to look at the increase of tribal committees and executives after this period I think they do increase substantially as a result. You can add in Jonathan.	
	JONATHAN SARICH	
	Yeah, I can – I note in my, I think it's chapter four, no chapter three sorry that yeah, her, there was no committees formed in Kāwhia, Raglan and Waipā before – until she gave the okay and if you look at my previous report she was also at the same time because that report, the liquor issue in particular goes over this period as well, you can see that she became heavily involved in the liquor issue as well so she – her influence was great.	
	DR AROHA HARRIS	
	Okay thank you. Now let's get into this question about self government and I asked earlier about self government in relation to #A029 report. Is it self-government if it's state sponsored?	
	JONATHAN SARICH	
	We had a tricky – we had a conversation about this when we were writing this report with various people, you know staff members and that and we're looking at government provision for self government but that's not to exclude other initiatives. That's not really answering your question. All I can really say is that we're looking at state sponsored self	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	government.	
	DR AROHA HARRIS	
	And I want to know if it is self government if its state sponsored.	
	JONATHAN SARICH	
	Well, probably not if you take a literal definition of self government but it's some sort of power sharing as limited as it may be. It's the state offering avenues for Māori to have say over certain things in their communities.	
	DR AROHA HARRIS	
	Okay so the state sponsorship implies a power share situation?	
	JONATHAN SARICH	
	Yeah, although limited.	
	DR AROHA HARRIS	
	Okay and for this post war period, although there is, you know the official documents do have this term self government throughout they also have words like words like self help, self dependency, Māori need to assist themselves, self sufficiency I think comes up in your report and then other terms like industry citizenship so when I – I didn't do a	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	tally but I'd estimate that those kinds of terms occur more frequently than self government, and I guess my question is what does that mean, like what's the – what does that language imply in terms of what the government's thinking about Māori policy?	
	JONATHAN SARICH	
	I just have to think about that.	
	DR AROHA HARRIS	
	Well is it fair to think of it as a pull up your boot straps approach?	
	JONATHAN SARICH	
	Yeah, I think there is definitely that under current there probably reflecting, you know, stereotypes of laziness and even going back further into you know conceptions of useless Māori land, you know land not being used adequately and all those sorts of conceptions of Māori.	
	DR ANDREW FRANCIS	
	Just wondering if I could draw your attention to a quote at the bottom of page 57 in which Rex Mason gives a speech at the opening of the Te Kūiti War Memorial Hall where he uses some of the expressions that you used, it was good to see the local people manifested in so much self help and so much sacrifice in the building of the memorial hall. The	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Native Department is trying to do its best for the Māori people but there is just one point, whilst the department has to help the Māori people the salvation of the Māori people depends on the Māori's themselves. I am glad to see this spirit shown in the present building. It is on the efforts of the Māori people that everything depends. So I think that is quite telling that in 1945 which I think July 1945 – May 1945 so the European War is at an end and the complete end to the war is in sight that he is saying it is up to Māori to – so whether he had this vision that Māori self government was a reality.	
	DR AROHA HARRIS	
	Thank you for that and I will respond to your quote with a paraphrase from Jamie Belich who once said, "If Māori are expected to pull themselves up by their boot straps then doesn't the Crown have to give their boot straps back?"	
	JUDGE AMBLER	
	Can I just chip in there because I wanted to ask about this and this is the same topic? So paragraph 14 of your summary you are referring on that occasion to Walter Nash's statement emphasising Labours commitment to Māori self government. You have got that, so that's June 1945 about the same time.	
	DR ANDREW FRANCIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	JUDGE AMBLER	
	So I am at risk of repeating the question but what is he meaning by self government on that occasion?	
	JONATHAN SARICH	
	In the context this is when yeah, Prime Minister Fraser is away in San Francisco setting up the UN and Fraser as part of his duties in the UN was the head of an organisation, I can't recall the name of the group or sub group in the UN that was trying to push for self government of all the colonial dependencies and their Australia/New Zealand area or South Pacific or that sort of area and he is referring to that rhetoric of self-government.	
1430	Nash is echoing back sentiment and I think there's a 1944 agreement, precursor agreement with Australia about slowly giving their dependencies self-government. So we're talking about like Papua New Guinea or Australia and I guess Samoa and our dependencies at that time.	
	JUDGE AMBLER	
	Yes but I doubt the Australians were talking to the Aboriginals about self-government. So –	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Well yes –	
	JUDGE AMBLER	
	So, I mean it's a serious point because I don't, I just don't understand that there's a discussion in the context about dependencies but what is the message that Māori would have been taking from this just after the war?	
	JONATHAN SARICH	
	It's rhetoric of great promise.	
	JUDGE AMBLER	
	So is there –	
	JONATHAN SARICH	
	It's political rhetoric.	
	JUDGE AMBLER	
	Yes, but given Labour's commitment, is this in a manifesto of Labour's. Is this concrete policy or is this just on the hoof, rhetoric?	
	JONATHAN SARICH	
	No, no it's not on the hoof. I wouldn't be able to point you to the manifesto, but certainly in a foreign policy sense it was a	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	part of the Labour's vision hence Fraser's huge belief in the UN and the UN's goals of self-government for colonies, former colonies and what have you. So they're drawing on all this rhetoric.	
	JUDGE AMBLER	
	Yes but what are Māori – what do they take from this because it just, it just doesn't fit with what actually happened. So –	
	JONATHAN SARICH	
	No well that's the crux. It does – it was empty rhetoric, but they would have been sitting there thinking maybe this Government means business.	
	JUDGE AMBLER	
	Yes, but it's not helpful to – well certainly in my – for me to get an understanding to think of what was being proposed with these dependencies. I just don't quite understand how that translates to what Nash and Fraser and others were actually intending for Māori.	
	JONATHAN SARICH	
	Well this – the MSEA was their vision of the self-government. So this, this – the conversation with Nash happened in the context of Māori wanting this better form of self-government and the outcome was this MSEA. I don't	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	know why you can't see the connect – sorry.	
	JUDGE AMBLER	
	Well I guess it's a modern understanding –	
	JONATHAN SARICH	
	He's saying that –	
	JUDGE AMBLER	
	– of their self-government-	
	JONATHAN SARICH	
	– it's for self-government in these – in the various dependencies should be bought back home so it should apply to Māori people.	
	JUDGE AMBLER	
	Yes, but what happens in those dependencies is quite different, isn't it, to what is rolled out here?	
	JONATHAN SARICH	
	Yes, but that's the rhetoric they're drawing on that what's happening in the foreign policy is fair.	
	DR AROHA HARRIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	So it's not likely they were looking at Māori thinking they could become independent?	
	JONATHAN SARICH	
	No. Yes, I thought I'm – I, I thought I was making that clear.	
	DR ANDREW FRANCIS	
	And also I think you need to think about the context of the time. The big debates at the end of the second world war, the United Nations was set up to assist self-determination amongst colonies. So these debates, the words that were being used by the Labour Government in New Zealand were pretty much the exact same words being spoken by Clement Attlee in the British Parliament about colonies in the Caribbean and Africa. It's just part and parcel of the time period.	
	JUDGE AMBLER	
	Yes, but it's quite a different thing though isn't it talking about the situation of dependencies as compared to the indigenous people of the actual nation?	
	DR ANDREW FRANCIS	
	Yes it is, but I think the language for people like Nash and Fraser I think the language still applies and I think Jonathan's point is that for the Labour Government	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	post-Second World War that the MSEA is the body through which self-determination, self-government autonomy, whatever you want to call it, that was how it was going to be rolled out, but I take your point that the language that they use in the international sphere about colonies and dependencies is completely different, but Fraser makes a speech I think in about 1942 possibly at the Te Puea conference in which he says, "Change is going to happen but we just have to get the war out of the way in the first place." So Māori expectation at the end of the second world war is well the war's out of the way, you know after – the Charles Atlas thing I've done the course now. Same with the muscles, it's that same kind of thing, you know. So they had every right to expect much, much more than they received at the end of the war because they had all of these promises and from their own position had contributed greatly to the war effort, but I take your point that it's drastically is radically different applying that here than in the international sphere about dependencies.	
	JONATHAN SARICH	
	Could I just add a little more to that? The conclusion that I draw in general about the MSEA is that it didn't live up to that rhetoric and this international rhetoric was all part of that, but there was more specific local expressions that Fraser made like the Labour pamphlet that they put out that this MSEA Act was somehow part of the fulfilment of mana motuhake. So that's more of a local expression of the same	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	sort of rhetoric. They were actually promising a lot but didn't deliver.	
	DR AROHA HARRIS	
	Kia ora. I want to ask some questions about the Hunn Report now and in particular the – you run through some of the criticisms of Hunn and be fair to say that you've – the criticisms you look at are just examples, that there are other criticisms that could have been looked at?	
	DR ANDREW FRANCIS	
	Yes.	
	DR AROHA HARRIS	
	Have – did you form your own view on the Hunn Report? Did you find yourself positioning yourself amongst the – you know, the people who criticised it and people who thought it was actually a good report?	
	DR ANDREW FRANCIS	
	As I think I said to Mr Melvin this morning, I think there were some very good things to come out of the Hunn Report because it did highlight social and economic issues and conditions in which Māori were living, but again it comes back to this, the idea of definitions of terminology and I think there were – if you took the terminology as it was intended in this document the idea of integration, It wasn't really	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	integration. It was, you know, assimilation. So my opinion is that there were some very, some very good things to come out of it but I think on the whole it did seem to – somebody used the term I think from the Hunn Report was the kind of speed boat to Māori assimilation.	
	DR AROHA HARRIS	
	And do you think it's fair then to assess the criticisms as being criticisms of some very fundamental aspects; the thinking, the driving philosophy behind Māori policy, (i.e. integration) versus the – and I think haste and compulsion come up as well in some of the criticism. Let us – if we're going to do it let us do it at our own pace, don't force it, don't make it compulsory. But then on the positive side of the ledger it's actually the specifics that people liked. It's the let's do more Māori – bring more Māori land into production, let's build more houses, let's have a Māori education fund. Is that a – do you think that's a reasonable way of splitting the criticisms from the praise?	
	DR ANDREW FRANCIS	
	Yes I think so.	
	DR AROHA HARRIS	
	In inte – how does – integration actually proposes elimination of a particular group, doesn't it? There's a – he uses the word elimination in the report?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR ANDREW FRANCIS	
	Do I use it in my report?	
	DR AROHA HARRIS	
	No Hunn uses it in his report.	
	DR ANDREW FRANCIS	
	I couldn't recall. I'd have to refer back to that.	
	DR AROHA HARRIS	
	You know, here's the three groups of Māori, the A, B and C and the C group should be eliminated.	
	DR ANDREW FRANCIS	
	And who did he refer to as the C group?	
	DR AROHA HARRIS	
	The C group is that group of Māori who – living in backward and primitive conditions, I think is the quote?	
	DR ANDREW FRANCIS	
	Yes, yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	And he used – because that's what some of the – you've used Māori criticisms.	
1440	But a number of Pākehā people criticised the Hunn Report too, and they – some of them latch on to that word eliminate and he's not very happy about that.	
	DR ANDREW FRANCIS	
	Yeah.	
	DR AROHA HARRIS	
	I wanted to ask you why you didn't tackle the ideas around of integration and assimilation more in the report.	
	DR ANDREW FRANCIS	
	It really was a time factor because that issue we could've – one thing that Jonathan and I spoke about, we only had I think four months between us to write this report, and there were various issues. Once we got into the post-war period, in particular the 1960s, there were certain issues that we wanted to cover. That was one of them in respect of rapid Māori urbanisation there, was simply a factor.	
	DR AROHA HARRIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And did the same apply to Grace. I noticed that there wasn't a great treatment of Grace either?	
	DR ANDREW FRANCIS	
	Yes the same does apply yeah.	
	DR AROHA HARRIS	
	'Cos the, oh no I won't go to it. So if I was to give you – if I said, "Here have 12 months," what would you prio – and go away and do some more work on this topic? What would you prioritise and why?	
	DR ANDREW FRANCIS	
	Is this likely to happen? I mean –	
	DR AROHA HARRIS	
	No.	
	DR AROHA HARRIS	
	Okay, if we had a further 12 months from here, I mean there were numerous things. We would've done a lot more work on the Māori Women's Welfare League, and in fact that's one of the, as I mentioned earlier, I'm writing, co-authoring a similar report for a different inquiry, and in fact that's the first chapter that I started with – I want to get. That may be	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	another lopsided report 'cos I want to start with the things I didn't get a chance of doing this report, so the Māori Women's Welfare League post-war urbanisation would be another one. I think it really seemed to be that we covered – in my humble opinion, I think we covered the up to the 1945 period quite well – sorry, up to the, yeah, up to the 1950s pretty well. But it should, the Hunn Report onwards, but there are so many – we delve into areas and we make statements and we lay out responses and quotes and speeches, but without really following them through. And say, one in particular I have mentioned earlier is the Ralph Hanan, Waitangi Day address of 1961, as if the war had only just finished, and this is 15 years after the war had finished, and yet he's still talking about we can all share in the fruits of peace.	
	JONATHAN SARICH	
	Yeah and I guess just further to that, the post war period is kind of strange territory for Tribunal historians, like contract historians and that everybody recognises that, well historians recognize that the war was – yeah following the war change just starts happening so rapidly, so you've got the emergence of the Protest Movement by the late 60s and that would be another thing that would be worth looking into. But it's such a period of rapid change and so complex that yeah, it would take quite a lot of work.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	Okay thank you for that answer. What do you think of the problems with the term "urban drift"? You've alluded to them in the answers so far but not when a – restate?	
	DR ANDREW FRANCIS	
	I think I share the concerns that the Māori Synod Presbyterian Church made, this idea of urban drift was something the Māori chose to do off their own back or in fact urban drift. I don't know where it started. It certainly started during the Second World War but Māori through their own organisation, through the Work Organisation, people were transported to larger towns and larger cities for work purposes. And then I think, just going back to your last comment, what else would we do? We never had chance to study how many of those people at the end of the war returned to their communities. I suspect, not very many, because they get used to town or city life. They get used to hopefully a better standard of living. They're certainly earning more money and perhaps their prospects are enhanced as a result of the war because they do move to those towns and the cities. But then that continues throughout the post-war period, that people continue to move, and I don't think, I'm not an expert on Māori culture but I suspect that many don't choose to move away from their own surroundings that they're effectively forced to. Same as you know, pretty much any	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	society that's going through hard times, you have to – famously as Norman Tibbett a British politician in 1980 said, "You got to get on your bike and go and find work," because that's what his father had done in the depression years, and I think it's the same kind of thing applies to Māori. Applies to Pākehā as well that people have to seek employment where they can find it, and if that's in the towns and the cities then that's really it.	
	DR AROHA HARRIS	
	But it's not really adrift though is it?	
	DR ANDREW FRANCIS	
	No I really don't like that term, which is why I think every time I use it, it's in quotation marks, those, it's certainly not adrift.	
	DR AROHA HARRIS	
	Thank you, and I'll just finish with a couple of questions about the New Zealand Māori Council and on page 167 in the second paragraph this is – it's the 1962 Act, oh, '63, the Māori Welfare Act and the shift from using "tribal" to using "Māori". I want – yes, the second sentence starts with, "In keeping with the belief that the tribal adage that the – yeah, that the tribal adage was no longer appropriate. It was dropped." So whose belief was that and why was it inappropriate or no longer appropriate?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR ANDREW FRANCIS	
	I couldn't point you to a definite source for that. I'd have to go and review the materials I used, but I think whether it was something that came out of ***Te Ao Hou*** or something like that, I possibly would've read, but the term "tribal" by the early 1960s seemed to be a bit of an acronism and people wanted to move away from that. The Native Department had changed the Māori Affairs Department in '47 and I think it was just another way of just getting rid of a term that perhaps had fallen out of fashion, but I'd have to go back and review my other materials.	
	DR AROHA HARRIS	
	Do you think it was just the term or perhaps also trying to indicate a shift in ways of life? So tribal life ways aren't going to cut it anymore?	
	DR ANDREW FRANCIS	
	I suspect it could've been both, yes. Again, coming back to the point about, about integration or assimilation.	
	DR AROHA HARRIS	
	And, think I've got – and my last question is about the National, New Zealand Māori Council and National or New Zealand Māori Council and not Rātana, depending on how you want to cut it. And you, I think you've got a little	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	comment on page 183, near the bottom of that first paragraph. You're talking about modernising the council, some new leadership and then you've got that little nod to making the council more independent from National. So I was just wondering if you wanted to say anything more about what shall we call them, allegations that the council was lined up alongside National or that National wanted the council for 'cos it couldn't get MPs or something?	
	DR ANDREW FRANCIS	
	Yeah I wouldn't want to say anymore at this stage, but I would've read the – possibly in, it could've been in Graham Butterworth's work on the New Zealand Māori Council. Perhaps that was a suggestion that by – in the early 1970s that the Māori Council had cosied up to the National Party and that was one of the reasons why this younger generation which Graham Latimer was part of at the time, was a way of separating or getting away from the allegations, they were – that they were effectively just rubber-stamping government policy. But I can't point you to a direct quote about that.	
	DR AROHA HARRIS	
1450	Okay kia ora. Thank you both.	
	JOHN BAIRD	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes thank you for your report. I've got one short question and one slightly longer one. The first one is, and it's referred to on the last page of your main report and several times throughout it you've talked about the subsidy applications and it always talks about it – well you seem to talk about applications as opposed to approvals, do we have any information on what proportion were approved or were almost all of them?	
	DR ANDREW FRANCIS	
	There were a series of hoops that the Tribal committee would have to go through to have an application approved, first of all it would have to be accepted by the executive because it then went forward to the welfare officer who would then forward it to the Department of Māori Affairs and there were also – which was written into the legislation, the '45 legislation stated that they had to go through certain administrative processes to achieve that. Once it got to the level of the welfare officer he would make the call given that he was a welfare officer for a number of executives, he would make the call on which applications he would forward in order of priority and those priorities there would change depending on say for instance I was asked a question earlier about Maketū Marae 1962 so that would have been given higher priority because it was the first time that that committee had engages with the MSEA. So there were various administrative processes they had to go to and I think, I would have to go and check this but I think in the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	inquiry district quite a few of the applications were approved. One of the other administrative hoops they have to go through would be the books would have to be kept so I suppose for the better tribal committees who had a very effective records keeper and book keeper providing – and they also had to be audited on a regular basis providing the auditor provided a letter to say yes the books are in order, this is a good committee, whatever money the government subsidises will be put to use. That was all part of the administrative process and was part of the application process or the more affidavits if you like or the more support you received from around the community you were more like to get your subsidy approved.	
	JOHN BAIRD	
	So I think that's it. All of them provided the hoops were jumped through is that?	
	DR ANDREW FRANCIS	
	Yes.	
	JOHN BAIRD	
	Yeah. Thank you. My next question is about, I guess the deviser of the NWEO and it was, tracing it through from page 88 onwards its quite a lengthy series of events and I guess so on your page 88 in December 1945 the – sorry first of all we've got the NWEO which is rolling along, it's a very	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	successful organisation, it's got lots of energy and things are happening and then in December 1945 the MSEA is passed and a significant structural change instead of reporting to one of the Rātana Labour MP's it then gets rolled into the native department so which was not probably as it turned out not positive. And then as I understand it Mr Royal, Mr Rangi Tahua Royal was the Native Department Chief Welfare Officer and he became the controller in the new organisation which you know appeared to be a positive move and he set out the lines of communication very clearly and it looked to me as if those lines of communication were followed and there was a liaison on the ground between the registrars and the welfare officers, had a very good chance of keeping that energy. And then there was an amazing memo from Mr Fraser, who quite remarkable really in the detail, it went through and who was to be copied with what et cetra, et cetra and I thought that was a huge boost to it, his support. And then or about the same time in 1948 Mr Tipi Rōpiha was appointed undersecretary and that looked positive, the undersecretary yes and then for some reason he recommended to the new government a change in the structure which I guess started or the demise of, well the loss of the energy that had been there. And I guess it seemed to me that there was an opportunity to build on the MWEO that was lost and I just wondered if you can comment on that, am I basically correct in the series of events and why do you think that happened? Do you have any comments on why the change, the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	significant change was made and why the, I guess the energy was unable to be retained?	
	JONATHAN SARICH	
	Your understanding is very good. You followed through those events perfectly. As to why that happened, I have a feeling that the registrars of each district had great – they didn't like that initial system that was set up where only certain information had to be copied to them and they had the feeling that they didn't like the autonomy that the welfare officers had in their district to be doing what they wanted. And so when the government changed and as I argue in the report these registrars, district registrars took the opportunity to impress on Rōpiha that they would like to be in direct control. Not just in charge of financial matters, pay all that sort of stuff but in charge of the whole gambit of what the welfare division was doing. Does that answer your question?	
	JOHN BAIRD	
	Yes, I just wondered from your sources and your reading if there was anything else apart from wanting to have their own empires?	
	JONATHAN SARICH	
	Well they – the district registrars felt that whatever was happening was very inefficient so they saw the system is not working well so it's – they didn't think it was working well.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And it probably wasn't just simply that they wanted power but that they thought the way that it was working was inefficient.	
	JOHN BAIRD	
	Okay thank you. Thank you very much.	
	JUDGE AMBLER	
	Tēnā kōrua and thank you for your report. The sense I get is, just in terms of what you are able to achieve in your report that you were able to focus on the national policies that affected Māori during this period but you didn't manage to get much detail of how it played out within the particular district that we are concerned with. Is that a fair summary or does that apply more to some chapters than others?	
	DR ANDREW FRANCIS	
	I was about to say that, it probably does apply to some chapters more than others, certainly in the Māori War Effort. Apart from the statistics I put in the report most information about the War Effort Organisation is at a national level and it's just a case of going through many hundreds of files and picking out the limits that are relevant to this inquiry district. But as I say yeah, in some aspects it's easier to do. Certainly I think Jonathan will probably speak to this better than I will but after 1945 where you have the welfare officers attached to a particular district or particular area they provide information. They don't necessarily provide	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	information about the day to day running of the Marae committees or the executives but they do have regular monthly report backs to the DMA providing information about, you know, what's going on in their districts.	
	JUDGE AMBLER	
	Yes and I will come to that shortly in terms of the tribal committees but just in terms of the discussion and the rhetoric that's taking place and this is probably more for Mr Sarich but either of you can answer this, given that during a fair amount of this period we have the alcohol issue proceeding through government channels, we have also got the efforts to settle raupatu, I just wanted to get a sense of as far as the Ngāti Maniapoto people are concerned, is there anything in the material that you looked at where people at this time and in these contexts also harking back to the 1880s, the discussions and agreements then?	
	JONATHAN SARICH	
	No, not in terms of these committee systems, council systems.	
	JUDGE AMBLER	
	All right but in terms of what you looked at, in terms of what was happening within this district you actually haven't been able to look at that in great detail?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Chapter 3, is a chapter about how the MSEA was applied in the district and that's probably as much details as we can get 'cos the period from '45 to '62 there is more detail about the actual district but then the way the system worked changed so those sources disappear. So there is that window where there is slightly more detail but it's still a limited picture and in that, in those documents I can't recall any discussion on that but clearly in regard to the liquor issue and the issues I explored in the other report they were definitely harking back to the 1880s.	
	DR ANDREW FRANCIS	
	And if I could just add to the information that's contained in those post-Second World War welfare officer reports are fairly standard because having looked at many of them for the same period for the Te Raki District they effectively follow the same format. It's pretty much the same information obviously a different geographical location but the information contained within those is pretty much the same so I wasn't surprised, I knew exactly which page to turn in a report for the statistics for that month, they're documented in very much the same way. This isn't something that's unique to Te Rohe Pōtae.	
	JUDGE AMBLER	
	No that doesn't surprise me but that's more the actual roll	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	out of the policy, I guess what I was wondering is in terms of the debate that happens about these policies during this period, do we see the discussion harking back to the 1880s or is it just not – is the material you've covered just not at that level that you might find that?	
	DR ANDREW FRANCIS	
	Yeah I think that's the case.	
	JUDGE AMBLER	
	All right. We will take our afternoon break. Ka pai we will return at 3.23 PM.	
	HEARING ADJOURNS: 3.04 PM	
1524	**HEARING RESUMES: 3.24 PM**	
	JUDGE AMBLER	
	Kia ora mai anō tātou. Dr Harris just has a question she omitted to ask.	
	DR AROHA HARRIS	
	Yes, sorry about that. It's – you've actually asked this question I think in various ways throughout the questioning but you might want to pull some of it together and restate a position. So the question is, what were the factors that allowed Māori – the War Effort Organisation really to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	develop and blossom and do its own thing, compared to the fact that after the war that really inhibited the committees under the NSEA Act?	
	DR ANDREW FRANCIS	
	Perhaps if I answer the section about the War Effort Organisation and perhaps Jonathan can answer the second point. I think the main factor, main factors that the allowed the War Effort Organisation to flourish in the way that it did was Māori commitment to the war effort and for whatever reasons we discussed early about, because of the political implications it could possibly have after the war or it simply out of patriotic duty. The fact that it was left with – it was left in the hands of Māori-led – it was a Māori led organisation. It was left in the hands of Māori who toured the districts stating categorically that the organisation would remain in Maori hands. The fact that it did until the very end of the war, fostered a great deal of goodwill between the Māori MPs and Māori communities, and I should acknowledge the government in this. The fact that the government was willing to finance this. But coming back to Mr Pou's point earlier, the estimated £12,000 a year was a very, very good return for the government. So I think there was a great deal of mutual trust and understanding between the war time government in Maori but it really – the war presented the opportunity and Māori seized it. They weren't presented the opportunity by	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the government. They seized the opportunity themselves. Everything was led predominantly by Paraire Paikea, really from 1939 through to his death in April 1943. It was the fact he that he seized the initiative and forced Fraser to accept that Māori were going to contribute in the ways that they did, and Fraser because it was the time of National crisis, I think Fraser was quite happy to put his trust, provide the money. And as I said in the report, I didn't really come across any indication that the government wants to know where that money was going, how it was being spent, because the return was so good. So I think the point – I do emphasise; the government provided the finances but was a Māori led organisation on Māori structure, whether along tribal lines or not, that was a Māori structured organisation and they seized the opportunity. They weren't presented the opportunity by the government. They seized it. The only thing that was presented to them was the war itself and they responded, I think responded absolutely fantastically during the war.	
	DR AROHA HARRIS	
	Thank you and could I just clarify one point so sort of tucked away in your – in one part of your answer there was time, that it had time to grow 'cos it's going to last till the end of the war.	
	DR ANDREW FRANCIS	
	Yeah and that's the other thing as well. Even though the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	organisation wasn't officially – wasn't given the official stamp by Fraser until June 1942, it really had been going since October 1939 when the Māori MPs went to Fraser and said that, "We, we want you know a Māori Battalion raised." And Fraser agreed fairly quickly. I think the first troops left in June 1940. So if we take that as a starting point of the Māori contribution, those few weeks of basic training before June 1940, you – I think you be talking about a five year period in which they had time to flourish. They had the time to prove to the government that what they were doing was of benefit to the nation, and I think – had a quote from Richard Hill saying, that Māori were a national asset during the Second World War. I couldn't disagree with that. They were more than an asset I think.	
	DR AROHA HARRIS	
	Thank you and Mr Sarich?	
	JONATHAN SARICH	
	Reason, so the question is, reasons for its lack of success after the war.	
	DR AROHA HARRIS	
	Especially compared to the success during the war. So what are the facts?	
	JONATHAN SARICH	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Well, just going on what Tirikātene desired, he clearly didn't want it to return to Native Department control so I guess that's first thing. As they – and they were echoing sentiments of the community. People felt that the Native Department had grown out of touch with Māori people and so they felt – so that's one. Two, I've drawn attention to the legislation itself and you'll remember my discussion about whether the legislation was clear enough about how these sort of relationships with other government departments and stuff was supposed to flourish.	
1530	So I've indicated that as one reason. Yeah, those are probably the two main factors.	
	DOCTOR AROHA HARRIS	
	Thank you.	
	JUDGE AMBLER	
	Kia ora anō. Just to finish off the matters that I wanted to raise with you, and you have – I have already raised the question of this terminology self government, but at page 89 where we have section 12a of the 1946 Act is it?	
	JONATHAN SARICH	
	Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	And we have sub clause, sub section (iv) to apply and maintain the maximum possible efficiency and responsibility in their local self government and under takings. And I think I was trying to find the reference but I think this reflects some earlier legislation, I'm sure if it's the Health Council's Legislation Mr Sarich but I just wondered what – was there a discussion about what maintaining the maximum possible efficiency and responsibility in the self government means. It's a qualification of self government and it's language I don't really understand in today's context.	
	JONATHAN SARICH	
	There is no conversation that I can recall in any of the evidence and that's what I note about these provisions generally is that they are so amorphous and wide ranging that perhaps there was difficulty understanding exactly what was meant by each of these.	
	JUDGE AMBLER	
	Well should we take it as slightly paternalistic or patronising in terms of Māori needing to achieve some level of efficiency and responsibility?	
	JONATHAN SARICH	
	Yeah, I think it's part of that same rhetoric that I was	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	discussing with Doctor Harris about the need to, you know, help themselves.	
	JUDGE AMBLER	
	Thank you. Page 119 when your dealing with the MSEA system in the district and this goes back to my point earlier where you don't have any real material on what they were doing in terms of the tribal committees apart from what the welfare officers reported back in these standard form reports. But I don't know that, I mean apart from I think discussing Marae subsidies at some point in time I don't know that you give any other real indication of what business the tribal committees were concerned with. So I realise you can't zone in on these particular committees, you haven't looked at them but I want to know if there are other indications. And can I put it in this context that the last hearing week we heard from Mr John Kāti who in his evidence #Q016 in the context of concern over commercial fishing in the Kāwhia Harbour he actually produced a page from the Rākaunui Kinohaku Tribal Committee where there was a resolution to right and expressed concern to the marine department about commercial fishing in the harbour. So that was an example and interestingly the extract from the minute book that he was able to obtain identified fishing rights as an issue, child labour as an issue, that is the children working on the farms and not getting to school and also sly grogging. So can you help us any further as to what other issues were being dealt	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	with?	
	JONATHAN SARICH	
	Have you turned to page 125 of the report I have a section there where I tried to pull together as much as I could from the fragments available as to what the committees were up to on a day to day basis in that broader sense. So there's bits and pieces in there that would be helpful but I acknowledge in the report that they were, they must have been doing all this other stuff but I just don't have the evidence, the written evidence to know what that is. But there are fragments in that section that give an indication, for example I think one of the committees may have provided a boat to cross a river, like raised funds to buy a boat to help transport to and from their village. They were involved – the tribal committees were involved in all sorts of sort of sporting competitions and kapa haka programmes like between the districts, like inter district competitions.	
	JUDGE AMBLER	
	But apart from those specific programmes do you get a sense of the level to which the committees are being used for self-governance; that is as a vehicle to order the affairs of the community.	
	JONATHAN SARICH	
	Well my argument is that they don't really fulfil that duty but I don't have an overall – I can only go from what I have got,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	that they failed at that task.	
	JUDGE AMBLER	
	It's limited evidence in terms of this particular district?	
	JONATHAN SARICH	
	Yes and the biggest issue's that I have located that they dealt with was protest about the 1953 Māori Affairs Act. So – and they also when MP's visited Te Kūiti it was the council that – the executives sorry that put their concerns to the MP's so they – if there were people, important politicians coming through it seems as though it was the executive that had the opportunity to talk to them.	
	JUDGE AMBLER	
	Yes.	
	DOCTOR AROHA HARRIS	
	There's quite a bit of evidence in other districts on what they call the tribal Court's so basically Marae based justice system where offenders would come before the committee, the tribal committee, did that happen in this district?	
	JONATHAN SARICH	
	I think I note your evidence in some of your research about in Northland I think it is but I was unable to find any	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	examples of that in these districts.	
	DOCTOR ANDREW FRANCIS	
	If I could perhaps go back to the wartime period that the committees and the executives operated that very system where there were issues to do with Māori beneficiaries, that they would look into people who perhaps were a fit and able body to work, weren't pulling their weight that the committees and executives would intervene. Issues of absenteeism from their posts they would intervene there as well so they did effectively run things locally from that respect. And also from the research I have done since for the Te Raki District and I assumed it would have applied to Te Rohe Pōtae is that one major issue they got involved with was education, subsidies, education wasn't one of the things that was initially subsidised under the '45 Act but because so many Marae were setting up effectively they were hardship funds for – to supply school uniforms or books for local school children for parents who would fall on hard times. This became a constant theme in welfare officer reports so much so that the government changed subsidy to allow for educational purposes, whatever local committees raised for books, uniforms, whatever. But the government would then respond with that subsidy so it's a minor thing but it was a way that the committees and executives operated to facilitate that higher level of change in the legislation or a relaxation in the legislation.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JONATHAN SARICH	
	Yeah, and I do not that in the chapter that there was these economic subsidies however again I haven't found any evidence on that in our district.	
	JUDGE AMBLER	
1540	Ka pai, and just to correct what I said earlier, it is in fact the 62 Act and this is at pages 167 and 168 which uses that same terminology about maximising possible efficiency and responsibility and their local self-governance but I will move on from there. Yes I had thought it was – it had come from something earlier than the '46 Act but of course it is the '46 Act when it first appears. Now can I just move to your summary? And I just wanted to understand I guess a bit of a comparison. Mr Pou asked you about the annual funding issue for the MWEO and Tirikātene pushing for commitment to the end of the war, I just needed a comparison with what was happening in terms of the general war effort were – that was within a department was it? What happened in terms of lobbying for funds for that effort?	
	DR ANDREW FRANCIS	
	Yes I assume – I don't know for a fact but I assume that that funding came out of the National Service Department which	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	administered things like the Home Guard, the Emergency Precaution Schemes that was outside of Māori jurisdiction. So the general war effort I'm assuming, it came out of their annual vote.	
	JUDGE AMBLER	
	Mmm. Now in answer to Mr Melvin's question Dr Francis, about your use of the Grey's autonomy or this Māori War Effort Organisation being autonomous and you backtracked from that. But I wondered if what we were really talking about was a degree of empowerment of Māori that you had not seen before. Not necessarily autonomous, but it was actual empowerment?	
	DR ANDREW FRANCIS	
	Yes, and yeah I wanted to add at that time that it is about the contrast – if you compare what I wrote in about the house councils just prior to the war, all faltering, the relative autonomy of the War Effort Organisation is great. So compared with what had just been happening just prior to the war, this was an unprecedented level of power.	
	JUDGE AMBLER	
	Yes, and hence one would assume a certainly level of optimism amongst Māori as to what might follow after the war –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR ANDREW FRANCIS	
	I think that's the theme throughout that whole first chapter, partly because of the contribution they are making and the assumptions that they derive from that but also because of the promises that – or the speeches that are being made by government ministers and Peter Fraser in particular, "Once the war is out of the way, we can, you know, leave Māori into broad (inaudible 15:43:33) Uplands."	
	JUDGE AMBLER	
	Yes and the MSEA is that (inaudible 15:43:37).	
	DR ANDREW FRANCIS	
	Yes.	
	JUDGE AMBLER	
	Ka pai. That is all I have thank you. Ngā mihi ki a kōrua. Ms Stretch, anything arising?	
	EMILY STRETCH	
	Just one question Your Honour. You're almost off the hook. I was just interested in your discussion with Dr Harris regarding self-governance by a state-sponsored organisation. This is more of a question of clarification, but how would you say the provision of funding by a particular	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	state would preclude an organisation self-governance if at all?	
	JONATHAN SARICH	
	Could you restate the question?	
	EMILY STRETCH	
	So basically, I'll draw a parallel with sort of a – an international context so say if a sovereign state receive funding from another state, would that in any way undermine their self-governance at all?	
	JONATHAN SARICH	
	It can do, I mean it depends on that example. For example, there's lots of arguments about, we're getting quite far off, but there's their arguments about the World Bank and if a country borrows money off the World Bank how much autonomy they actually have?	
	EMILY STRETCH	
	Right.	
	JONATHAN SARICH	
	So it can, it can influence, but I see what you're saying as well, that it's not –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	EMILY STRETCH	
	Not necessarily.	
	JONATHAN SARICH	
	It's not certain, yeah.	
	EMILY STRETCH	
	Okay.	
	JONATHAN SARICH	
	Yeah.	
	EMILY STRETCH	
	Thank you for that. That's all the questions I have Your Honour.	
	JUDGE AMBLER	
1545	Ka pai. Ngā mihi ki a kōrua. You are free to go, and I think you have dodged – you have dodged further work on this Dr Francis.	
	JASON POU	
	As we prepare Sir, the next person to present will be the unrepresented claimant, Ms Rosita Dixon. I filed an opening	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	statement. It's got the number 3.4.73 Sir. It's just a brief statement. I'll address that and then we'll move on to her evidence.	
	CLARE SAVALI	
	Excuse me Sir, I think that's #3.7	
15:46:07	**MARCIA MURRAY**	
	4.	
	CLARE SAVALI	
	Yeah, 74.	
	JASON POU	
	Seems I got this dyslexic Sir, 3.4.74 Sir. So this opening statement is by way of orientation for the Tribunal. **READS OPENING SUBMISSION #3.4.74** "The claimants are listed on the intituling and they come before the Tribunal within the embrace of Uenuku to ensure that the stances that were taken by their tūpuna to maintain their identities within and around their territories are not forgotten. The claim has pursued predominantly within the Whanganui and National Park District Inquiries as the evidence will show however, like most of those whose main focus –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	whose main interest find focus within the Whanganui Region, familiar relationships and political allegiances draw them northward into this district inquiry. The claim draws focus on the efforts of the Rangatira Taumatamāhoe, and his efforts and actions in support of the Kīngitanga. Taumatamāhoe occupied the middle reaches of the Whanganui River and sought to maintain the southern aukati in the period between 1860 and 1885. This of course included the defence against their southern Whanganui kin in the Battle of Moutoa, which was discussed Boy Cribb when he stood. Crucial to the claim, therefore, are the political allegiances that were forged with those who come before this Tribunal to assert their rights of authority within the Rohe Pōtae. Alongside these key political issues are the stances that were taken by Taumatamāhoe against selling, leasing, or mortgaging land." On that issue Sir, within the brief of Miss Dixon, there are – there is a bit in paragraph 4, and I might as well address it now rather than interrupt her while she's speaking. At paragraph 4, she lists what was on the epitaph on the tombstone of Taumatamāhoe. Of course when we had the Whanganui Inquiry, we went to visit the tombstone. The story is one that's been handed down in their family, but when we got there, that inscription was not on the tombstone. That doesn't mean that those – that the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	sentiment that's carried there isn't one that is held by the whānau. They are a group of non-sellers and you'll hear from those people later on today Sir. Now at paragraph 9, I set out the briefs of evidence. Those were filed at Whāingaroa and those provide more context for that which will be presented today. The brief that she provided today says, "A refined," it's essentially a refined version of that which was filed. In August – and it just seeks to describe the foundation of the interest within the Rohe Pōtae Region. The reaches that reach up into the Tūhua Region and also those political arrangements that were there. In addition Sir, and I've referred to a piece of evidence, it's document #A74 that was filed by Mr McGhie. It's actually #A74 and #A74(a). Now those – it sets out the attitudes. It's a transcript of a meeting at Rānana, in particular, a particular correspondence that was sent by Rochfort. The tūpuna, Taumatamāhoe and there's a block named after him as well, the Taumatamāhoe Block, he's referred to as Taumata in those correspondence. For his support for the Kīngitanga, he's described as one of the worst men on the river. One of Rochfort's biggest and strongest opponents and an obstructionist.	
1550	And in terms of the relationships at the footnote, I've listed the people that Rochfort lists as being major obstructionists. He lists them as males and as females and you will see the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	names of Taurerewa and Te Kurukanga, Te Ororākau, Uenuku, Te Pikikōtuku, Tūroa, Te Hiko Tūroa, Pōtatau. These are the people that Taumatamāhoe stood alongside in his defence against the ravages of land taking and the erosion of his ability to assert mana in that region. Like Taumatamāhoe, the people are staunch and resolute to the extent that they could probably considered stubborn in some cases Ms Dixon. That being – and if you consider the correspondence that's put forward by Rochfort, it's – even when people are waning and falling away from their opposition to the railway, Taumatamāhoe make statements that, "Even if you leave me, I will still be here defending myself and defending what I –" So the stances that Ms Dixon takes today are similar to those that were taken by her tūpuna. Their opposition to the Crown's efforts to open up their lands and taonga to others have at times seen them pitch against their own people within the friction and internecine conflict that has erupted, and continues to explode in different ways, even if it isn't as physical as it used to be, we see the corrosive effects of the colonial objective manifesting." That's the opening Sir unless you have any questions. I'll go to Ms Dixon.	
	JUDGE AMBLER	
	Yes just three matters. Firstly for the record, you volunteered to assist Ms Dixon.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JASON POU	
	Yes Sir.	
	JUDGE AMBLER	
	You are not in fact counsel on the record.	
	JASON POU	
	No Sir.	
	JUDGE AMBLER	
	And I thank you for taking on that role. Secondly, and this is – goes – applies to Ms Dixon and I may need to raise this with other claimants later and that is at this point, that for claimants that have participated in the Whanganui Inquiry, National Park Inquiry in particular. We tread a delicate path and what we are particular interested in, particularly for those who in fact don't have any land interests within the Rohe Pōtae but were part of the iwi under the aukati and the wider Rohe Pōtae. What we are interested in is the – your tūpuna's engagement with that bigger kaupapa, and so you might find it as we go – some of the evidence, I will say, "Well I'd like you to move on from that because that's been dealt with by the Whanganui Inquiry," or it's been dealt with by the National Park Inquiry." So if I can just say that to everyone now, so that you are	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	aware. Now the third point is the documents	
	JASON POU	
	Sir just on that point.	
	JUDGE AMBLER	
	Yes.	
	JASON POU	
	I've had that discussion with Ms Dixon. There are a number of places where this refers to her whakapapa, her connections to Raetihi, and she will be talking to those main issues. I just raised that Sir because in her brief, she mentions a number of landblocks at paragraph 12 that she says are within the Rohe Pōtae District Inquiry. They aren't.	
	JUDGE AMBLER	
	Yes I did not think they were.	
	JASON POU	
	Yes. I did a search Sir and she is focussed on those issues that you were talking about, the Kīngitanga Movement and the perspectives of that.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Yes. I do not want to put you off presenting your evidence. We need to understand the context, but just as long as you all understand what we are concerned with and want to focus on. But just finally, and thirdly, the documents that Mr McGhie has filed, was that just today?	
	JASON POU	
	No	
	JUDGE AMBLER	
	No?	
	JASON POU	
	No, no.	
	JUDGE AMBLER	
	Are they going to be referred to in questioning or this just for the record?	
	JASON POU	
	No Sir. What I did to assist the Tribunal, because other evidence had been filed, I wanted the Tribunal to know that	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	it wasn't just the brief of evidence that Ms Dixon was filing today. There were other – there were other matters that you might want to keep in mind as you're considering the claim. And I had a conversation with Mr McGhie and he referred me to that document and after considering it, it is quite relevant in terms of the perspectives and the treatment of those people, so it won't be referred to.	
	JUDGE AMBLER	
	So what is #A74 is it a report, a research report?	
	JASON POU	
	No Sir. It's just a collection of correspondence which is transcribed from Rochfort at the time, and there's a transcription of the meeting that he turns up to at Rānana. He states that at that meeting, Taumata who is one of the worst and bitterest people on the river, doesn't turn up, but he sends his messenger. And I think when you go through that, you can see the perception of Taumatamāhoe and his staunch resistance, not just resistance to the Crown, but also his staunch allegiance that he maintained with the Kīngitanga. And that's what I wanted to highlight for the Tribunal.	
	JUDGE AMBLER	
	Ka pai thank you. Kia ora, kei a koe Ms Dixon.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JASON POU	
	Sir and I'm never good at this. I've forgotten the number that the Tribunal have given me, which is the appellation which is #R27 Sir. When you're ready Ms Dixon.	
	ROSITA RAUHINA DIXON	
	First of all, my first love is to my atua. Kia ora. **READS BRIEF OF EVIDENCE #R027** "My name is Rosita Rauhina Dixon. I am a kuia of Uenuku. I reside in Raetihi. I am a named claimant for the Wai 1393 claim. This claim is made on behalf of the people who descend from Tamahaki and Tamakana. I have been brought up with my spiritual belief of Uenuku. I was born the eldest of eight children, five girls and three boys. We were all raised under Tikanga tuku Iho and in touch with taha Wairua in the Rātana Hāhi and open to the spreading of the Gospel and other faith. **My Tīpuna Taumatamāhoe** My koroua was my koro Taumatamāhoe. He was a revered rangatira. He was a direct descendant to the eponymous tūpuna Tamahaki and Tamakana. He was highly respected by his son Te Whare Ponga who was exactly the same in the hāhi and tikanga tuku iho. My Dad I am – who I – who I loved dearly as well was absolutely the same. He took care	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	of his family and his extended family in desperate situations. My Dad was one in a million. He was also a Rātana Apotoro. Taumatamāhoe was instrumental in defining the Aukati over the river –“	
	JASON POU	
	Ms Dixon, I explained that paragraph when I was giving the opening. So if you could move to paragraph 5 now, that’d be helpful.	
	ROSITA DIXON	
	5.	
	JASON POU	
	Thank you.	
	ROSITA DIXON	
	CONTINUES READING BRIEF OF EVIDENCE #R027 “He was known for opposing government surveys through removing pegs, as he suspected more land was being surveyed than was appropriate. He was also known as being in opposition to the North Island Main Trunk Line. Taumatamāhoe had a strong belief on the protection of the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	whānau [sic] and tino rangatiratanga according to the signing of the Tiriti o Waitangi of which he was a signatory. **Kotahitanga "**	
	JASON POU	
	Were you shifting to – just to be clear for the Tribunal	
	ROSITA DIXON	
	Is that 11?	
	JASON POU	
	Yes we're shifting to paragraph 11 Sir.	
	ROSITA DIXON	
	CONTINUES READING BRIEF OF EVIDENCE #R027 **"Kotahitanga** Whakapapa that binds our people together are embraced by Te Korowai o Uenuku, the deep interwoven tapestry of an unconditional love that shelters Iwi, whānau and hapū. There is no way an outsider can connect except through whakapapa.	
	JASON POU	
	And now, thank you for that. We'll shift to paragraph 19 Sir,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	where she outlines her perspectives of the issues that you have referred to, the Kīngitanga Movement. Thank you Ms Dixon.	
	ROSITA DIXON	
	CONTINUES READING BRIEF OF EVIDENCE #R027 **"The Kīngitanga Movement** 19. As a consequence of this relationship, the descendants of Tamakana and Tamahaki became involved in the Kīngitanga Movement. My tupuna Taumatamāhoe was an extreme advocate of the Kīngitanga Movement.	
1600	He was the leading force of the war party set against the Crown in relation to the loss of land, loss of taonga and the loss of the lives of my people. I hold the Crown Commissioner responsible for allowing those under his authority to kill, remove taonga and take land that was never theirs. This has left us land-less. Our vast lands have been whittled down to tiny reservations. Taumatamāhoe and Tamakana expected that all Māori tribes involved in the Kīngitanga Movement, especially those Iwi in the Rohe Pōtae was to end the sale and taking of land, and to better respect Papatūānuku. Papatūānuku was and still is not for sale. Another tūpuna of Tamakana involved in the Kīngitanga was Winiata Te Kākahi. He was my great grandfather. He was a follower of Te Kooti. Also participating here, Tatara, Ngāti Tara, Hinekoropango, Rēhia, Rangi Poutaka, Tuhia, Kākahi	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	and others. Some of the impacts suffered by Tamakana as a consequence of their commitment and participation in the Kīngitanga Movement were being robbed of their rights to their land, taonga and connection to the land, it's flora and fauna. The knowledge and the bonds of Māori to the lands, plants and animals were broken. The Māori concepts of mauri, mana, wairua tuku iho, tūrangawaewae, kaitiaki and rāhui were swept aside. There are still some descendants of Tamakana today who can kōrero on this issue and the involvement Tamakana had in the Kīngitanga Movement. One that springs to my mind is Tommy Huriwaka. As a consequence, relationships that Tamakana traditionally had were beginning to be affected. This was due to the many losses suffered to all Iwi and Hapū. Relationships between them all had become very stressful. They remained separate, keeping their own values. Other tribes were 'outsiders'. Kīngitanga was a necessary movement to bring more power to my ancestors. My great grandfather Winiata Te Kakahi wrote and fought against the encroachment of railway lines and other consequences of the Pākehā way. **Losses Suffered by the Descendants of Tamakana** There were major losses of land suffered by my people. George Sisson Cooper the Crown Agent (who was there in 1840) was responsible for these losses to Tamakana within the Rohe Pōtae District. This land belongs to my Uenuku	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	people, the children of the rainbow. We continue to fight for our rights to remove the Crown and its agents from what is rightfully ours. From north to south and west to east. Our people are landless. As an economic base, my descendants of Tamakana sit at the bottom of the heap. We have lost any ability to utilize our assets to benefit our people as we no longer have any assets to utilize as descendants of Tamakana. In addition to the losses we have suffered is our loss of reo (spoken about by Tepora Owens) and loss of our tikanga and kawa. We have been waiting for over a century to re-emerge from decades of depression. Also, with the loss of our lands and other losses previously spoken about, there has also been the loss of our Uenuku wairua identity and tino rangatiratanga. Many feel as if we do not belong here. This is a travesty.	
1605	We have also suffered loss to our mana, our tribal structures. Our mokopuna have lost their role models. My role models were my parents, grandparents, aunties and uncles and all the people of our papakāinga. Today's towns and villages offer no such support for children who need direction and guidance. The forced dislocation of my Tamakana people from their traditional ways and tribal structures to where work was available has caused terrible damage to our families. Generations of Māori have suffered while attempting to keep up with the Pākehā society and its ways. The children have	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	no connection to our Kaumātua and that is a terrible shame. Uenuku's Marae is in Raetihi, but for many of our people their 'Marae' is the pub at McDonalds. Another tragic loss we have suffered is the loss of respect from our youth to our elders has led to a lack of support for our Troubled kids and teens turn to each other rather than to Kaumātua. Gangs emerge and the Police pick up the pieces. Many of our people wear hand-me-down clothing from local church op-shops because they cannot afford to buy new clothes or even to travel to shops where new clothes can be purchased. Poor diet due to the wrong foods being more easily available causes health problems such as diabetes, obesity and tooth decay and with these, a loss of mental health. We have sought a number of ways of trying to address these issues. I am the chairperson of the Uenuku Kaumātua Kaunihera. This organisation is untouched by the Crown system. It sits under tikanga tuku iho. I am guided by IO. This position is not normally taken by a woman but I came to it due to the lack of Kaumātua because of their ill health. I was born into this world under tikanga tuku iho and handed to my grandfather, Mānihera Te Kākahi by my parents, George Hōri Ponga and Te Kuraetuhi to be blessed. He gave me the name Raukauakuhinakorerawaauiwhiwhiuri until now. I was handed to the Gods to be blessed from the heavens. I return that blessing to both my Māori people and all other	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	peoples. I will work to give my care and love to all so that they may find better solutions to their health concerns, to those in prisons seeking a new path. I devote myself to seeing past the drug, the alcohol problems, the gang patches, past the angry resentful teenagers. I see only people who need love and attention. There is always a way forward. 'A door that leads to freedom of spirit, body and soul, in tune with Wairua, Tuku Iho, and Uenuku, the children of the rainbow' **We Have Survived** In my whakapapa, there were a number of marriages with Pākehā. The first was to a George Sisson Cooper. Thank you to the Tribunal, my whānau for giving me the time to give kōrero to you about who we are, Uenuku are. Ka nui te mihi, ka nui te aroha." Before I finish right at the end, I want to tell you that George Sisson Cooper's blood is in my veins. Kia ora.	
	JASON POU	
	Kia ora Miss Dixon. I'm not sure if the Crown and the lawyers behind me have any questions, but if they do, can you help them as best you can.	
	JUDGE AMBLER	
	Mr Melvin.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	Tēnā koe Miss Dixon.	
	ROSITA DIXON	
	Kia ora.	
	GEOFFREY MELVIN	
	Thank you for your evidence. There're two brief matters. You refer to the evidence of your nephew Tony Westbrook	
	ROSITA DIXON	
	Yes.	
	GEOFFREY MELVIN	
	That's evidence that's already been presented to this – to the Tribunal in this inquiry?	
	ROSITA DIXON	
	No, it's been accepted as read. We were in –	
	JASON POU	
	If I could assist Sir. That's document number #M21 that I referred to in the opening submission. It was a brief of evidence that was presented at Whāingaroa. I'm not sure if	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	it was spoken to, but it is on the record.	
	JUDGE AMBLER	
	Yes. It was placed on the record. Was this Mr Te Ngahu's client?	
	JASON POU	
	Yes Sir.	
	ROSITA DIXON	
	Yes.	
	JUDGE AMBLER	
	Yes, but it was not in fact presented, but it is on the record.	
	GEOFFREY MELVIN	
	And the evidence, you refer to evidence of your whanaunga Tepora Owens, will you say, will be giving evidence?	
	ROSITA DIXON	
	No.	
	JASON POU	
	She is giving evidence. She's with Mr Singh. I've had a	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	brief discussion. There is a brief of evidence, Deborah Owens, Tepora Owens. That'll be a presentation that'll be given when Mr Singh I think –	
1611	**GEOFFREY MELVIN**	
	Is that in this hearing week?	
	JASON POU	
	That's in this hearing week if that assists?	
	GEOFFREY MELVIN	
	Doesn't appear on the hearing programme though does it?	
	YASHVEEN SINGH	
	Her presentation is going to be directly after Mr Daniel Ormsby.	
	JUDGE AMBLER	
	I think there is some sort of joint statement is that right Mr Singh?	
	YASHVEEN SINGH	
	No it's not a joint statement Sir. It's a separate statement.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	All right.	
	YASHVEEN SINGH	
	Originally that statement was part of – was a joint statement to the witness presenting now.	
	JUDGE AMBLER	
	Yes all right.	
	YASHVEEN SINGH	
	But now it is a part of Mr Ormsby's presentation.	
	JUDGE AMBLER	
	Thank you.	
	JASON POU	
	We'll blame Mr Tootill for not putting her in the timetable.	
	JUDGE AMBLER	
	Yes it is filed. It is #R29.	
	GLENN TOOTILL	
	I would have included –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Mr Melvin.	
	GEOFFREY MELVIN	
	Thank you.	
	JUDGE AMBLER	
	Thank you Mr Melvin, is that all you had?	
	GEOFFREY MELVIN	
	Well there's just one other matter really for clarification arising out of paragraph 17 and 18 and maybe this has been dealt with or is being deal with in another inquiry district, but I'm not entirely sure. But you refer to a taonga that was held in safe keeping and it's – your –	
	ROSITA DIXON	
	Pardon?	
	GEOFFREY MELVIN	
	Are you with me, paragraph 17 and 18, where you refer to a taonga –	
	ROSITA DIXON	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Taonga?	
	GEOFFREY MELVIN	
	– that was held in safe keeping. All right, and you say it still hasn't been handed over although that's after 364 years, but are you saying that the Crown has something, some involvement here? I'm not quite sure what you're saying about the Crown, so if you could just clarify that, that would be helpful thanks.	
	ROSITA DIXON	
	I was reading – we weren't always Uenuku. There was a battle that went on in 1830. We're Taukawa [sic] and others. But I have written it.	
	GEOFFREY MELVIN	
	And are you saying the Crown has done something here that you're wanting the Crown to fix up or not?	
	ROSITA DIXON	
	To –	
	GEOFFREY MELVIN	
	Are you wanting – are you saying the Crown has done something or hasn't done something and you're wanting the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Crown to fix it up?	
	ROSITA DIXON	
	In paragraph 16 you mean?	
	GEOFFREY MELVIN	
	No 17 and 18.	
	ROSITA DIXON	
	Oh 17. Oh, there is a taonga that I heard mentioned in the hearings. I've always known about it that – all my life, well you know, for years. But I have since planned to have a display of all my taongas here – toku – I'm with the Kāhui Maunga Collective. So I did say to them, that I wanted to bring all the taongas at Te Papa. I have a nephew who takes care of it. He's there, Gavin Reedy. And it came to a time when I realised I couldn't actually bring all the taongas because it's not only there, it's also at Kahungunu and Whanganui. But in that group was one from Ngāti Ruru. I am Ngāti Ruru and I heard that question in the hearings up in Hamilton but I couldn't put my hand up and say, "Yeah I'm here," in respect of my people from Fielding, Palmerston, Ngāti Kauwhata. They're my in-laws, they're my people.	
	GEOFFREY MELVIN	
	Kia ora. Thank you Miss. Thank you Sir.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	No other counsel? Tēnā koe te whaea?	
	ROSITA DIXON	
	Kia ora.	
	JUDGE AMBLER	
	Just three matters. You've mainly pursued these issues in the Whanganui and National Park inquiries, that is right?	
	ROSITA DIXON	
	Yes I –	
	JUDGE AMBLER	
	Did you – you have given evidence in those inquiries?	
	ROSITA DIXON	
	I have done some but what meets – the Tribunal need to understand that there is a fine line which separates Uenuku Iwi from Tūpou, lower Whanganui, so that's where we get the upper Whanganui Collective, because we – because of that. When I'm in Whanganui I'm Whītiki, my tūpuna. They – he was Paerangi. They didn't come over on Aotea Waka.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	All right.	
	ROSITA DIXON	
	They came on a bird, but I love them dearly too.	
	JUDGE AMBLER	
	Your tūpuna Taumatamāhoe signed the Treaty?	
	ROSITA DIXON	
	Yes he did.	
	JUDGE AMBLER	
	Do you know that signing took place?	
	ROSITA DIXON	
	I think it took place in somewhere down the river, along with other of my ancestors. I did have a list but I – that's a long time ago. I concentrated on my gran, great grandfather.	
	JASON POU	
	Sir, on that question if it does assist, I've had a look at all the signed treaties from the Whanganui Region. While I couldn't see his name as I mentioned – as is mentioned in Rochfort,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	he had a habit of sending messengers, so if it's in their history – I just need to say that I did check Sir.	
	JUDGE AMBLER	
	All right. And just a final matter, in terms of Taumatamāhoe's involvement around the idea of the Rohe Pōtae, was he still alive in 1883? Would he have still been alive when the petition went to the Crown?	
	ROSITA DIXON	
	Taumatamāhoe was born in 1810. He died in 1910.	
	JUDGE AMBLER	
	And –	
	ROSITA DIXON	
	But his father was alive as well. He died in 18 – at the end of year 1800.	
	JUDGE AMBLER	
	Yes. So you have any traditions about whether he signed the 1883 Petition, asking for recognition of the Rohe Pōtae?	
	ROSITA DIXON	
	I always believed that he did, and my daughter did the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	research and discovered (inaudible 16:18:29). That was good enough for me because I will always believe he did.	
	JUDGE AMBLER	
	All right.	
	ROSITA DIXON	
	The fact that he walked away, it was his movement. When he got angry with stuff, it runs in our breed. I do the same. I just cut off. I'm gonna listen to you 'cos you're not – I don't trust you.	
	JUDGE AMBLER	
	All right. Ka pai. Well thank you for listening to me. Ngā mihi ki a koe.	
	ROSITA DIXON	
	And I'm still the same.	
	JASON POU	
	Thank you very much Miss Dixon.	
	JUDGE AMBLER	
	Ngā mihi. Kia ora.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ROSITA DIXON	
	Kia ora.	
	WAIATA	
	(Missing audio 16:19:30 – 16:19:50) … kaihorohoro He manu oro, ngā manu kai i ō eee.	
1620-33	**CLARE SAVALI**	
	Tēnā koe, Your Honour. Counsel's name is Claire Savali. Aroha mai, I didn't formally record my appearance yesterday but would like to do so now. I am here on behalf of the Wai 836 Claim which is a claim on behalf of Patricia Matthews, her sister Vivienne Matthews, and it's brought on behalf of the Te Puāwaitanga Mokopuna Whānau Trust, the Ellen Ānaru Trust, and Te Tira Taurerewa, we have filed some opening submissions and they're recorded as 3.4.73. It's not my intention to read them out, but I would just like to make one correction to them at paragraphs 3 and 4. There's a reference to the Te Puāwaitanga Mokopuna Koroheke Trust. That's not the correct name. There shouldn't be the Koroheke in there.	
	JUDGE AMBLER	
	Sorry, what paragraph 4 was it?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	CLARE SAVALI	
	Three and four.	
	JUDGE AMBLER	
	Thank you.	
	CLARE SAVALI	
	We're just calling one witness today and that's Ms Patricia Matthews. She has filed a brief which is #R17, and the attachments are #R17(a) and #R17(b). Ms Matthews and her sister, Vivienne, have already presented evidence in the National Park and Whanganui Inquiry and Ms Matthews has been very conscious of trying not to repeat any of that kōrero here. She is not intending to read her whole brief, but is going to read selected paragraphs and she will lead you through that as she goes. So if there aren't any questions, I will call on Ms Matthews.	
	JUDGE AMBLER	
	Ka pai.	
	PATRICIA MATTHEWS	
	Tēnā koutou katoa. **READS BRIEF OF EVIDENCE #R17** "My name is Patricia Georgina Henare Matthews. I was	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	born in Whanganui in 1959 and lived most of my life at the base of Koro Ruapehu, Ōhakune. I have six children and currently live in Wellington." We'll move to paragraph 3. **CONTINUES READING BRIEF OF EVIDENCE #R17** "My sister Vivienne Matthews and I have presented briefs of evidence in two inquiries, the National Park Inquiry in 2006 and the Whanganui Inquiry in 2008." I do not wish to repeat any of that kōrero here. **CONTINUES READING BRIEF OF EVIDENCE #R17** "Who are we? Paragraph 6. Mokopuna Tira Koroheke is my grandmother and Taurerewa Tūwharetoa the second, is my grandmother's brother. They are of Ngāti Tūwharetoa, Ngāti Uenuku, and Ngāti Maniapoto descent. Te Puāwaitanga Mokopuna is Mokopuna, Tira Koroheke's daughter and my mother. My whakapapa connects in to Te Rohe Pōtae through my whāngai father, James Hēmi Te Kiri. He is a descendant from Pōtatau Te Wherowhero. My dad was Tainui/Maniapoto, Ngāti Ngutu, and his tūrangawaewae is Pirongia Hiona Marae, which is on their land called Waiwhakaata. My whāngai mum and dad built a bond up with my tūturu grandmother, Mokopuna Tira Koroheke. It was from that bond that it was agreed that my tūturu parents would gift me to my whāngai mum and dad.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Why am I here today? I am here to speak about our Uenuku Claim issues in Te Rohe Pōtae but also my Maniapoto and Ngāti Ngutu whānau and claim issues. I also want to support my Uenuku whanaunga who are giving evidence here this week. I have tried to restrict my evidence to relevant issues and to avoid repetition. I want the Crown to understand the impact that their Māori Land Policies have had on my whānau and I. I have interests in a small amount of Māori land in this rohe but it is fragmented and under multiple ownership, so we cannot utilise it, live on it, or support ourselves from it." Paragraph 13.	
1625	**CONTINUES READING BRIEF OF EVIDENCE #R17** "I am a descendant of the ancient hapū Tūhua Ruatipua, Hekeāwai, Patutokotoko, Rangatahi, Tūwharetoa and Uenuku through my biological mother." Paragraph 15 **CONTINUES READING BRIEF OF EVIDENCE #R17** "Our matua tūpuna, Te Waonuiatane and Ngāwini lived at the base of Hauhungatahi, Koro Ruapehu's wife. Ngāwini stayed with her Uncle who was the Rangatira Te Pēhi Kiore who was also known as Te Pēhi Hītaua. When their tūrangawaewae was taken by the Kāwanatanga and its agents for the National Park my matua tūpuna were	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	robbed of their land. This left all their mokopuna including myself with no tūrangawaewae. **Uenuku and the Kīngitanga** Uenuku rangatira from the Whanganui Awa had significant involvement with the Kīngitanga. This has tied us politically into Te Rohe Pōtae. Our rangatira Te Pēhi Tūroa was offered the position of Māori King when it was in its infancy, but he refused. It was through this matua tupuna we can trace our whakapapa to the four winds, no matter which way he turned he had mana and, in my view, was a pivotal rangatira. His son Tōpia Tūroa also promoted the Kīngitanga to hapū along the Whanganui Awa after his journey from the Rohe Pōtae. **Native Land Court** Although our Uenuku whānau do not legally own land in Te Rohe Pōtae, our whakapapa interests do extend into the southern parts of this inquiry district. Despite these interests not being converted to legal interests in land by the Native Land Court, we still have an affinity with whenua. We have never thought of our relationship to the land in terms of straight lines or clear boundaries on a map until the Kāwanatanga and its agents came. We had a system of awa to awa. We used the awa that flow from our Koro Ruapehu and these rivers are in a constant state of change. The main issue for our Uenuku whānau in this inquiry district is to – is the way the Court has drawn lines across our	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	whenua and frozen our whakapapa interests in time, and the impact this has had on our whānau. I will talk more about this later. **Ngāti Maniapoto and Ngāti Ngutu Whānau** On my father's side I am Tainui, Maniapoto and Ngāti Ngutu. My father, James Hēmi Te Kiri is a descendant from Pōtatau Te Wherowhero. My father met my mother at Kaitupeka on our Rangitoto-Tūhua lands, just north of Taumarunui when he went there with his Ngāti Hari family. I spent most of my childhood in Ōhakune. Although my parents did not whakapapa to these lands, my mother wanted to move here for the abundant kai resources. Dad was really staunch about our lands. Excuse me. If we ever went home to Hiona Marae, we would take the back roads and at a point just north of Ōtorohanga we would stop. From here my father would kōrero about how all Maniapoto whenua we could see from this hilltop. It was like he was making sure I knew where I belonged. This year before my father passed, the year before my father passed, excuse me, away he made sure I knew where all of his land interests were. When he knew he was going to die, he started to speak to me with so much urgency. He spoke to me like he had never spoken before. I don't know why we didn't live on my father's lands. I know that he wanted to. He really admired and was so proud of others who were able to sustain themselves and their	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	whānau on their ancestral whenua. We would eventually arrive at our Waiwhakaata lands. There was just a shed excuse me. There was just a shed there when I was young. The shed is still there and we utilized it until the wharepuni was built for Hiona Marae. This is our Ngāti Ngutu whānau marae. My mother really didn't like us associating with my father's family because they were involved with waipiro. It is ironic really that liquor was prohibited in the Rohe Pōtae at one stage but once it was allowed in, it really came flooding in and as a result our people embraced it. My father passed away in 1987. He was in his early 60s. His health had suffered from drinking heavily his whole life. I know it is not nice to talk about my whānau like this but alcohol had a huge impact on my life. My father's grandmother, Te Puea, was so opposed to alcohol yet her own mokopuna ended up dying from the drink. **Utilisation of land** I inherited a lot of my dad's land interests. There are set out in a table attached to this brief as appendix A."	
1630	Move to 35, paragraph 35. **CONTINUES READING BRIEF OF EVIDENCE #R017** "A big issue for me is that I have never actually been able – I've never actually been able to live on my Te Rohe Pōtae lands. This is because it is all tied up in trusts or	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	incorporations. And I have always been quite disconnected from them even though my father did share with me as much as he could about them. There are heaps of owners in each block. And many of us are so removed from the whenua and from each other. This makes it really hard to come together to make things happen or make decisions about how to use or occupy our land." Move to paragraph 41. **CONTINUES READING BRIEF OF EVIDENCE #R017** "I currently have interests in Maraeroa C. These were left to me by my Dad. It always confused me why he only had shares in C but not A and B. I would have thought that if you were in one part of the block, then you would have interests in all parts of the block. But I now understand that this is a result of how the Native Land Court operated and it's an example of how the Native Land Court decided were my family were to sit. My interests in the Maraeroa C Block are also now under an incorporation. It saddens me to talk about our whenua in this way. It has been reduced to corporate entities, shareholdings and dollars and cents. It also means that we have less rangatiratanga over our lands and we cannot go and live on our whenua. I am a shareholder and not an owner. While the land might be making money, I am interested in the land." Paragraph 52.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	CONTINUES READING BRIEF OF EVIDENCE #R017 **"The Future** I would like to see a liquor ban reinstated and more restrictions around the sale of liquor. I also would like to see a law change which would allow us to have land to build houses on. The Incorporation is all good if its making money, but it is not enough sustain us. We need to live on the land. I would move back if I had enough land to live on. I don't need to own the land in a legal sense but it is important to me to know that my whānau can't be ever be booted off the land. Our matua Te Pēhi Tūroa said at a Land Court hearing "My mokopuna will only know their maunga and awa". How true those words are. I want my mokopunas and children to be proud about who they are and know where they come from. I want them to be able to access their whenua freely but more than that – I want them to be able to control their own land. I want them to be connected to the land. It is difficult to connect with our ancestral whenua or my Uenuku or Maniapoto identity without being connected to the whenua. If you can't live on your land you lose your wairua and whakapapa. The whakapapa is carried in the whenua. My father would say to me that whakapapa and the whenua go hand in hand. If you trace your whakapapa back through your matua tupuna you will always end up back to the land.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	To finish, I do not agree with this Tribunal process. I don't want to be here. I don't like being here because I feel like I am following in the steps of my ancestors yet going nowhere because the Crown has the control of this process. The Crown will always be the winner. But I challenge the Crown to honour their ancestral line and honour the promises that have been made." Kia ora koutou katoa.	
	CLARE SAVALI	
	Tēnā koe Ms Matthews. Thank you for that. If you could please remain where you are and answer any questions that my friends or the Tribunal may have for you?	
	GEOFFREY MELVIN	
	Tēnā koe Ms Matthews.	
	PATRICIA MATTHEWS	
	Tēnā koe.	
	GEOFFREY MELVIN	
	At paragraph 52 where you talk about the future. You say you'd like to see a liquor ban reinstated and more restrictions around the sale of liquor. Are you able to expand on your reasons for that because there's evidence from the past that when there was a prohibition on publicans	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	licences, it didn't work and do you – how do you see a liquor ban – the reinstatement of a liquor ban today actually working in practise?	
	PATRICIA MATTHEWS	
	I just think if the Crown has the power to dictate this process and to dictate to you guys, the lawyers, and whoever makes the law, surely they brought it in, they can just wipe it out again, just like that. Seems easy.	
	GEOFFREY MELVIN	
	Well it does in a sense, in one sense seem easy but in the practical sense, prohibitionary regimes generally fail quite severely and –	
	PATRICIA MATTHEWS	
	Is that because of money? There's lots of money to be made from it?	
	GEOFFREY MELVIN	
	I think it's for a whole complex set of reasons. Just one further question, do you see this ban as being limited to the Rohe Pōtae or do you see it as having wider coverage?	
	PATRICIA MATTHEWS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Wider.	
	GEOFFREY MELVIN	
	So you –	
	PATRICIA MATTHEWS	
	North and South Island perhaps.	
	GEOFFREY MELVIN	
	So a national ban.	
	PATRICIA MATTHEWS	
	Yeah that would be great.	
	GEOFFREY MELVIN	
	Kia ora, thank you.	
	JUDGE AMBLER	
	Other counsel? Tēnā koe, paragraph 18. I am just trying to understand what you are saying is the connection of Uenuku to our inquiry district. You are not saying that Uenuku has a mana whenua interest in the district?	
	PATRICIA MATTHEWS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	No. I think more than anything, maybe some of us have got land interest through our descendents, and that's it really.	
	JUDGE AMBLER	
	Yes because –	
	PATRICIA MATTHEWS	
	But I don't think Uenuku has mana whenua here.	
	JUDGE AMBLER	
	No. And the land interest that you ~~sight~~cite, come through your father, through his Maniapoto-Tainui whakapapa?	
	PATRICIA MATTHEWS	
	Yes.	
	JUDGE AMBLER	
	All right. Now at paragraph 32, you set out in the appendix, the shares. So are those your personal shares or are they in the whānau trust?	
	PATRICIA MATTHEWS	
	No, they're in an incorporation, so those are the – that's the block I'm talking about, just being a shareholder and nothing else. I may have owned the land, but I don't really. I'm just	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	a shareholder. That's my grievance.	
	JUDGE AMBLER	
	Well at appendix A, you have got shares in different blocks of land.	
	PATRICIA MATTHEWS	
	I see.	
	JUDGE AMBLER	
	You see that?	
	PATRICIA MATTHEWS	
	Yeah I do now.	
	JUDGE AMBLER	
	Yes, and I'm just trying to marry up what you say there, with the fact that your claim has brought in the name of a whānau trust. So are those the shares that you still hold or are those the shares that are in the whānau trust?	
	PATRICIA MATTHEWS	
	No they're shares that I hold.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	They are the shares you got.	
	PATRICIA MATTHEWS	
	Yeah.	
	JUDGE AMBLER	
	All right. And I just was not sure why you have not listed the actual shares in Maraeroa C which is incorporation.	
	PATRICIA MATTHEWS	
	They're on my paper.	
	JUDGE AMBLER	
	Sorry.	
	PATRICIA MATTHEWS	
	Maraeroa C?	
	JUDGE AMBLER	
	Yes. If you look at what you got from Maraeroa C you have got "unknown" for your shares, whereas with all the other – well some of the other blocks, you put the amount of your shares, and I wondered why you don't know what your shares are in Maraeroa C.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PATRICIA MATTHEWS	
	I do but they are just not here.	
	JUDGE AMBLER	
	All right that is fine.	
	PATRICIA MATTHEWS	
	And I cannot remember them off the top of my head.	
	JUDGE AMBLER	
	So you seem to be critical of the incorporation structure.	
	PATRICIA MATTHEWS	
	Yes I am.	
	JUDGE AMBLER	
	That is over Maraeroa C. Do you – do you not see that in 2014, you need some sort of legal structure for a block which has so many owners?	
	PATRICIA MATTHEWS	
	Seems to be.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	And have you been to any of the Maraeroa C AGMs?	
	PATRICIA MATTHEWS	
	Yes I have.	
	JUDGE AMBLER	
	Right. Thank you, ngā mihi ki a koe. Anything arising Ms Savali?	
	CLARE SAVALI	
	Just one question Sir. Ms Matthews, paragraph 18. His Honour asked you a question about your Uenuku whānau interest in Te Rohe Pōtae. Can you – is it correct that in that paragraph you are referring to a difference between legal ownership as in having shares in land versus an actual affinity with the land?	
	PATRICIA MATTHEWS	
	Yes I am agreeing.	
	CLARE SAVALI	
	Thank you.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Ka pai.	
	PATRICIA MATTHEWS	
1640	Kua mutu? Thank you very much to you all.	
	YASHVEEN SINGH	
	Kia ora Sir. The next witness presenting is Mr Robert Jonathon. He will be reading from the brief of evidence #R030. The brief of evidence was prepared for the named claimant Ms Bessie Jane Thocolich but unfortunately she's not here today and Mr Robert Jonathon will be reading on her behalf.	
	JUDGE AMBLER	
	All right, and Mr Singh you don't have anything you want to say by way of opening?	
	YASHVEEN SINGH	
	No.	
	JUDGE AMBLER	
	To place this in context, no?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	YASHVEEN SINGH	
	Yes Sir, while Mr Jonathon is preparing there, there's a little opening that –	
	JUSTINE PĀTEA	
	Counsel Pātea here Sir. So –	
	JUDGE AMBLER	
	Well if you come to the front if you want to make a brief opening. Is there something filed?	
	JUSTINE PĀTEA	
	Tēnā koutou katoa. So first of all we have – we appear before you on behalf of Bessie Jane Thocolich. Filed was #R030 and that brief of evidence will be presented by her nephew Mr Robert Jonathon. Due to her ill health she won't be able to present today and that claim concerns directly within Te Rohe Pōtae Rangitoto A60B Block. Following on from the brief of evidence of Ms Thocolich is the Wai 1196 joint brief of evidence. So this claimant group has been heard in previous inquiries notably dealing with the Tongariro Power Project Development Scheme, but they are here today to present the evidence in support of whānau, hapū and iwi within Te Rohe Pōtae affected by this scheme and just with reference to Tepora Owens who will be providing a supporting kaupapa which has also been filed	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	under – as R029(a) Your Honour. She'll present evidence regarding te reo, notably the differences between kōhanga reo structures in place today in comparison to mainstream pre-schools.	
	JUDGE AMBLER	
	Alright thank you. We'll hear from Mr Jonathon shortly. I understand how Ms Thocolich's claim fits but I don't understand and I've read the brief that's been filed for those that follow how the Tongariro Power Scheme which has been address by the National Park Inquiry on my understanding how that relates to what we're concerned with.	
	JUSTINE PĀTEA	
	Yes I understand. It's probably best if I let my claimant – he's summarised what – why they're here today with regards to that issue.	
	JUDGE AMBLER	
	Well no I think it's your role as counsel to just satisfy us as to what the connection is. We want to know what we should be listening out for when claimants come along particularly when they've presented their issue in another inquiry. What is it that connects them with this inquiry?	
	JUSTINE PĀTEA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	There have been – they've been indirectly – it's quite a fine line between the way they've effected other hapūs with who Ngāti Hikairo who are wanting to support today with regards to their claim if that makes sense, sorry.	
	JUDGE AMBLER	
	Well perhaps we'll come to that when the witnesses come to present, but we'll – let's hear from Mr Jonathon in terms of Bessie Jane Thocolich's evidence.	
	JUSTINE PĀTEA	
	Okay, thank you. Thank you Robert.	
	ROBERT JONATHAN	
	A, tēnā koutou katoa. Ngā mihi ki a koutou e te tēpu. Ngā mihi Judge Ambler me to kaitiaki o te Taraipiunara. Ā, tēnā koutou katoa.	Greetings to the Waitangi Tribunal. To you Judge Ambler and the guardians of the Waitangi Tribunal.
	May it please the Court. This evidence that I'm presenting is for Bessie Jane Thocolich who is my – actually my first cousin. Her mother and my father are both brother and sister just to set the record straight. So we have a very close connection to this particular claim. So we'll start with – I'll start with:	
	READS BRIEF OF EVIDENCE #R030	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	"Bessie Jane Thocolich, a descendant of Manganui Ngamoa. Goes on by saying, "I stand today to provide evidence in support of the Wai 2102 claim in this inquiry district. I bring this claim on behalf of myself, my whānau and tūpuna. The purpose of my kōrero today is to discuss the Rangitoto A60B Block which was taken from my whānau. I am the great granddaughter of Manganui Ngamoa who was one of the owners of the Rangitoto A60B Block. His daughter Hinenui-i-te-pō on slide 2 is my grandmother and it is through these connections that I make this claim to the Rangitoto A60B Block. **Rangitoto A60B** On slide 3 my journey to the Tribunal in relation to this matter began by chance when I on occasion several years ago stumbled over some papers while I was going through some of my grandmother's old things. On this occasion I recall that I came across references to the name and number of a block of land that had once belonged to our whānau. That block was Rangitoto A60B. It was the land upon which my grandmother been bought up as a child. Around this time our whānau went to the Māori Land Court to ask about the block and what had happened to it as although our relations had grown up there, our family no longer retained the land. We wanted to know why. At this time we were told that the land had been changed from Māori land to General land. This was a surprise to our whānau as none of us had any knowledge of our whānau	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	consenting to the taking of the lands nor would we have accepted them to consent to the taking of important whānau lands. So we dug deeper as a whānau, did research into what had happened to our land in Rangitoto which were of importance to our tūpuna that passed before us. However, despite our efforts to obtain answers, our research has turned up little and our questions remain unanswered. Indeed through the Māori Land Court records provided to me suggested the land was taken due to overgrowth of gorse and the fact that no one was living there. I dispute this as the whānau know that our grandparents lived on this land as children. Beyond this, the records are incomplete and there is no narrative regarding the taking of these lands or the true reason behind the alienation. Therefore, to assist the Tribunal the background to the block that we are aware of and the little information that we know following research is as follows. On slide 4 **The creation and alienation of Rangitoto A6B** On the 7th of September 1900 following the title investigation, Block A of the Rangitoto Block was awarded and 1040 owners. The block was sized at approximately 98,750 acres at the time.	
1650	Later on, the 14th and the 24th of March 1904, the Rangitoto A Block was partitioned. At this time Rangitoto A60 was described as approximately 3081 acres in size and awarded	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	to 12 owners. Between 1906 and 1920, further partition orders were issued. During this period Rangitoto A60B was created via an Act of partitioning on the 13th of April 1908. At this time it was described as 1781 acres, two roods, 11 perches in sizes. It was awarded to 15 owners. It is the block that our whānau laid claim to our descendants of Manganui Ngamo. Our claim is to the entire A60 (b) Block. At some time a number of Rangitoto A Blocks were alienated. Among those, these blocks that were alienated was our whānau land at A60 (b). However, as stated, despite our, our continued efforts, we do know when exactly this took place, nor do we know the reason for it. Although we do not know the details surrounding the, the taking of our whānau lands at Rangitoto, we have found that from research that both the northern and southern portions of the block suffered alienations of a little under 900 acres each." On slide 5. **CONTINUES READING BRIEF OF EVIDENCE #R30** "Crown Breach As far as I am aware, our whānau were never consulted over the taking of this land, nor did we consent to it being taken. The whānau also know that the land was not vacant at the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	time in which it was taken and that the Māori Land Court records are, therefore, inaccurate in that regard. That leaves us with the hypothesis that the Crown opted to take our families land away from us to suit their own purposes without explanation or consideration for the rights of the whānau. This is, in my opinion, I direct – and direct, flagrant breach of the principles and spirit of the Tiriti o Waitangi and they are actions that astounded and baffled our family to this day. We stress, that the Crown has obligations conferred upon them by virtue of Tiriti o Waitangi to protect our lands and our interests in them. However, despite these obligations, that is Crown actions and processes that have led us to losing our connections to the lands of our ancestor Rangitoto, where our whānau no longer have any land. These matters have since become a source of great sadness for our whānau who are alienated from our lands." On slide 6. **CONTINUES READING BRIEF OF EVIDENCE #R30** "Remedies. Therefore, we are as descendants of the original owners of the Rangitoto A60B Blocks seek the following remedies. An explanation as to why the Crown took without explanation or consultation to our whānau lands at Rangitoto A60B. The return of this land back to us as whānau and rightful	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	owners of this land. In the – even that the land cannot be returned, we seek compensation for the wrongly – wrongful taking of our whānau lands at Rangitoto. We also seek compensation for the loss of opportunities that have resulted from the taking and finally, any other reliefs that the Tribunal considers to be appropriate." And Your Honour that is the completion of my cousin's brief.	
	JUDGE AMBLER	
	Thank you.	
	JUSTINE PĀTEA	
	If you just remain standing if –	
	ROBERT JONATHAN	
	Ka pai.	
	JUSTINE PĀTEA	
	For any questions from the Crown, claimant counsel and, okay.	
	JUDGE AMBLER	
	Well, is your cousin going to be able to respond to some	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	questions in writing?	
	ROBERT JONATHAN	
	I would say so. Yes.	
	JUDGE AMBLER	
	This is land that you associate with as well I assume?	
	ROBERT JONATHAN	
	Yes.	
	JUDGE AMBLER	
	Might you have some of the answers?	
	ROBERT JONATHAN	
	I'll do my best.	
	JUDGE AMBLER	
	Well, we will just see if –	
	ROBERT JONATHAN	
	Yeah.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Crown counsel has anything for you.	
	ROBERT JONATHAN	
	Okay.	
	GEOFFREY MELVIN	
	Thank you, Sir. Tēnā koe, Mr Jonathan.	
	ROBERT JONATHAN	
	Mr Melvin.	
	GEOFFREY MELVIN	
	Just a general question really which you may be able to answer. From the evidence you've given it, it would seem that further research is needed –	
	ROBERT JONATHAN	
	Mmm.	
	GEOFFREY MELVIN	
	To really understand the alienation history of the block that you've talked about.	
	ROBERT JONATHAN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	That's correct, yes.	
	GEOFFREY MELVIN	
	So you'd agree with that?	
	ROBERT JONATHAN	
	Yes.	
	GEOFFREY MELVIN	
	And have you, or do you know whether beside the Berghan Report, the block is covered in any other reports on the Record of Inquiry?	
	ROBERT JONATHAN	
	If it was ~~It is was~~ it will be covered in the complete book of Rangitoto. However, this specific claim is just specifically with that block that shows on the slide. So, I'm not too sure whether it is, but we only, yeah, my cousin's only interest is in that, in the block that's, that's been named in the brief.	
	GEOFFREY MELVIN	
	Kia ora. Thank you.	
	ROBERT JONATHAN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Mmm.	
	JUDGE AMBLER	
	No other counsel?	
	JOHN BAIRD	
	Just one question, Mr Jonathan, approximately when did your grandparents have lived there?	
	ROBERT JONATHAN	
	It would have been in the, in the 1920s, 1930s, when she was very young.	
	JOHN BAIRD	
	When they were children?	
	ROBERT JONATHAN	
	Yes.	
	JOHN BAIRD	
	Yes, thank you.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Tēnā koe. I was busy reading some material and did not see all the slides, but I am just trying to orientate in terms of whereabouts Rangitoto A60B is because Rangitoto A was, in an enormous block. It stretches from Tokanui heading towards Maraeroa, so do you know the land itself that your cousin is talking about?	
	ROBERT JONATHAN	
	Yes.	
	JUDGE AMBLER	
	So approximately where is it?	
	ROBERT JONATHAN	
	As you can see, Your Honour, the – the block aligns adjacent to Wharepūhunga, Wharepūhunga, yeah.	
	JUDGE AMBLER	
	Yes, well that is the outline of the overall Rangitoto A Block.	
	ROBERT JONATHAN	
	Yes.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	From what I can see, so whereabouts, specifically, was Rangitoto A60B?	
	ROBERT JONATHAN	
	Perhaps if you go straight in, yes. Straight into that. (inaudible 16:58:30). Yeah. Just to zoom in. That's it.	
	JUDGE AMBLER	
	So help me. Where, whereabouts approximately is this?	
	ROBERT JONATHAN	
	It's actually south of – it almost borders the Waipā River, but the right-hand side of it, it borders the Porirua Forest.	
	JUDGE AMBLER	
	I see.	
	ROBERT JONATHAN	
	Mmm.	
	JUDGE AMBLER	
	So, Te Kūiti is to the northwest? No?	
	ROBERT JONATHAN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes, yes.	
	JUDGE AMBLER	
	All right. So it was out of your own whānaus ownership in your lifetime?	
	ROBERT JONATHAN	
	Yes, most definitely.	
	JUDGE AMBLER	
	All right. I am just trying to pick up what we can make out from the record.	
	ROBERT JONATHAN	
	Mmm.	
	JUDGE AMBLER	
	If I go to Jane Luiten's Report, #A24.	
	ROBERT JONATHAN	
1700	Okay.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	– on local government. At page 471 she lists Rangitoto A60B Southern Part as a block that was the subject of an application due to it being neglected for farming. There's a reference. This is obviously a spello to the Nganio family but that should be the Ngamoa family?	
	ROBERT JONATHAN	
	Ngamoa yes.	
	JUDGE AMBLER	
	And it had been developed and reverted but there was some sort of forestry or timber licence and in the end the application that was before the Court was dismissed and so I'm just trying to piece that together with what your cousin comments about gorse. She says at paragraph 11, "Indeed although the Māori Land Court records provided to me suggest that the land was taken due to overgrowth of gorse and that fact that no one was living there, I dispute this as the whānau know that our grandparents lived on this land as children." So what Luiten's report suggests that while with one half of the block there was an application to do with weeds; it was in fact dismissed, but what the Berghan evidence demonstrates is the block at some stage was divided into two, about 890 acres each, and then at some date it was alienated. So what I'm interested in – we don't have long left in this inquiry to take evidence.	
	ROBERT JONATHAN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	That's correct.	
	JUDGE AMBLER	
	And I think you need to talk to your cousin's lawyer about seeing what more can be found in terms of a record as to the circumstances in which the land was sold. That's really all I can suggest Jonathan.	
	ROBERT JONATHAN	
	Yip, that'll be fine. I do want to say it was at one time landlocked. I'm not too sure whether it is now and I know I've read through the brief – it doesn't say that but used to be landlocked and there was a problem with a road. I'm just going by what my father said at the time when my grandmother spoke about this particular block.	
	JUDGE AMBLER	
	Yes. The information you have up there...	
	ROBERT JONATHAN	
	Yes.	
	JUDGE AMBLER	
	So what's that taken from?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ROBERT JONATHAN	
1703	This is a whakapapa that was provided by my cousin and it shows in my brief of evidence also our connection to Te Maio versus son of Uenuku Te Rangi Kōkā, but we are notably Ngāti Apakura, also Ngāti Punga. And Ngāti Punga had a brother called Tipi, and my great grandfather at the bottom Te Manganui. It's just an illustrate – the link or the tūpuna who belonged to this particular block, no doubt the whole of the Rangitoto Block.	
	JUDGE AMBLER	
	Thank you. Can we just go back to the slides you had – no, the actual overheard slide rather than the mapping tool. Yes, and you had another slide showing the block?	
17:04:28	**UNIDENTIFIED MALE SPEAKER**	
	(inaudible 17:04:28)	
	JUDGE AMBLER	
	Yes. So where is that sourced from? That is a Māori land plan or some sort of survey plan?	
	ROBERT JONATHAN	
	Yeah that was in the database in Te Rohe Pōtae. CFRT provided that to us.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	All right, thank you. I think you will need to follow-up with your cousins lawyer.	
	ROBERT JONATHAN	
	Cool.	
	JUDGE AMBLER	
	Is there anything arising?	
	ROBERT JONATHAN	
	Nothing arising Sir.	
	JUDGE AMBLER	
	Mr Singh?	
	YASHVEEN SINGH	
	Thank you.	
	JUDGE AMBLER	
	Thank you. Well we have just come over 5 o'clock. We are not doing too badly in terms of time. We will start again at 8.30 in the morning. I am going to have a brief discussion with counsel when we have closed, so people do not mind if	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	you can quickly inquire, we move off and we will have a brief discussion.	
	Heoi anō i runga i te tikanga, te kawa o te marae, ka whakahokia te rākau ki a koutou. Tēnā koutou.	However, in a time honoured fashion, we return the speaking rights to the elder to close our day.
	KAUMĀTUA	
	E te Karauna, tēnā haere tonu tēnei (inaudible 17:06:05). Whakaotia mai tō mātou nei rā i tēnei rā.	Let us close our day with a prayer with a prayer.
	KARAKIA	
	(Inaudible 17:06:11)	Here we are Oh Lord. We prostrate ourselves before you, and thank you for the blessings you have bestowed upon us from the commencement of day unto this time. And we thank you for bestowing enlightenment and peace upon us, and care for our elders and our children, and those returning to their respective homes this evening. And ward off any benevolent spirits and may the Manage support at all times.
	HĪMENE	
	Whakaaria mai; Tōu rīpeka ki au; Tiaho mai; Rā roto i te pō; Hei konā au;	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Titiro atu ai; Ora, mate; Hei au koe noho ai; Whakaaria mai; Tōu rīpeka ki au; Tiaho mai; Rā roto i te pō; Hei konā au; Titiro atu ai; Ora, mate; Hei au koe noho ai; Āmine!	
	KARAKIA	
	Ki te māngai, me ngā anahera, Tokotoru Tapu, whakaurungia mai tō koutou aroha noa ki runga i a mātou katoa. Kia paiheretia mātou ki tō koutou rangimārie i ngā wā katoa. Heoi anō, ko te Māngai hei tautoko mai, āianei, ake nei, āe.	… you bestow Thy love upon us at all times, and may the Māngai support now and forever, āe.
	ALL PRESENT	
	Āe.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	HEARING ADJOURNS: 5.09 PM	

BEFORE THE WAITANGI TRIBUNAL

WAI-898

IN THE TE ROHE PŌTAE DISTRICT INQUIRY (WAI 898)

HEARING WEEK 11

WHARAUROA MARAE, TAUMARUNUI

Hui Commenced: Monday 31 March 2014 to Friday 4 April 2014

Tribunal: Judge D J Ambler
Professor Pou Temara
Dr Aroha Harris
John Baird

Crown Counsel: Geoffrey Melvin
Amy Williams

Lead Counsel:	Eve Rongo Glenn Tootill Kelly Dixon Mark McGhie Spencer Webster Tavake Afeaki Yashveen Singh
Witnesses:	Daniel Ormsby Deborah Owens Dominic Otimi Edward Emery Glennis Rāwiri Kevin Amohia Matiu Haitana Nyree Nikora Petuere Kīwara Rufus Bristol

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
0828	**HEARING RESUMES ON FRIDAY 4 APRIL 2014 AT 8.28 AM**	
0828:46	**MIHI (DANIEL ORMSBY)**	
	Tihei mauri ora. Ki ai wini, ki ai wano, ki ai mauri ora. Ko te whare e tū nei ko Hikurangai, tēnā koe. Te marae i waho rā, tēnā koe. E ngā mate, haere, haere, haere. Ngā kaumātua, koroua, kuia, hakakei, māmā, papa, tamariki hoki, rangatahi nā. Tēnā tātou, tēnā koutou, kia ora anō tātou katoa.	We say fairwell to losses. 8:29:08 Greetings to our elders and parents and children and young. Greetings everyone.
0829:30	**MIHI (HŌNE HENRY)**	
	Tihei mauri ora. E rua anō nei ngā taumata tīmata ngā kōrero. Kia (inaudible 08:29:50). Kia tau iho anō hoki ōna manaakitanga ki runga i te Kingi Māori a Tuheitia me tana whānau, ā, huri noa i te Whare Ariki o Pōtatau. Pai Mārire ki a rātou. E Mihi ana ki te whenua e tangi ana ki te tangata. Nō reira ngā mate, haere ngā mate. Haere ki te hāhātanga o Pipiri, te poututanganui o Rehua ki reira koutou moe mai, moe mai, moe mai rā. Kia hoki mai ki a tātou a kanohi ora o ngā mōrehu, kia ora huihui mai anō tātou. E mihi, e mihi te Rōpū Whakamana i te Tiriti. Kaiwhakawā, Matua Judge Ambler, te ahorangi e Pou, tēnā koutou. Tā koutou putiputi Aroha, Tākuta Aroha Harris, Mr John Baird, kia ora koutou,	In the time honoured fashion, praise to the Lord and may his blessings be bestowed upon King Tuheitia and his family and the royal house, Paimarie. Greetings to the land, lamentations, to the people. Farewell, farewell to those who have passed on and may you congregate the constellation of Antares and turning to we, the living, greetings, greetings, greetings. Greetings to the Waitangi Tribunal and greetings to you, Judge Ambler, Professor Temara, and the flower, Dr Aroha Harris, and Mr John Baird, greetings, greetings, and your support staff, and greetings to you, Geoff, and your flower, Amy and to the legal counsel representing claimants, greetings to you. And, to the representatives of the five iwi of

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	me ā koutou kaiawhi. E mihi ana ki a koe Mr Geoff Melvin, me tō putiputi Amy, kia ora kōrua. Huri noa ki te – kahui Kaunihera rōia, kia ora mai koutou. E mihi ana ki ngā iwi e rima kei roto nei, tēnei kereme mo enei kokora. Raukawa, Hikairo, Ngāti Hikairo, Tūwharetoa, Whanganui, Maniapoto me ōna hapū katoa kei roto, tēnā koutou. Nō reira tātou e whai nei, kia ora huihui mai tātou.	the claims of this inquiry districts, Raukawa, Ngāti Hikairo, Tūwharetoa, Whanganui and Maniapoto and all its constituent hapū, greetings. So, one and all, I greet you all.
	KARAKIA (HŌNE HENRY)	
	E Pā tēnei anō rā o mātou – āu pononga katoa e tuku atu nei i mua i tōu aroaro i tēnei wā. E inoi atu nei ki a koe kia manaakingia mai mātou i roto i te korowai o tōu aroha, te mea kua tae nei mātou i te mutunga o tēnei hui mō tēnei wiki, mai i te tīmatatanga tae nōa mai ki tēnei wā. Nō reira e Pa, tuku (inaudible 08:32:27) ki a koe, ngā mihi tonu ki a koe, i runga anō te inoa o tau Tama kotahi, tō mātou Kaiwhakaora ā Ihu Karaiti, kororia ki Tō Ingoa Tapu. Āmine.	Oh, Father, here we are frustrating before thee, and offering up our prayers that you may care for us and cloak us with your love, as we approach the end of our hearing week. So, Father, our entreaties to you. In the name of thy holy begotten son, Jesus Christ, glory to thy holy name.
	WAIATA	
	He hōnore, he kororia; Maungarongo ki te whenua; Whakaaro pai e; Ki ngā tāngata katoa; Ake ake, ake ake amine;	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Te Atua, te piringa; Tōku oranga, tōku oranga.	
	KARAKIA	
	Kia tau, kia tātou te atawhai o tō tātou Ariki a Ihu Karaiti, me te aroha o te Atua, me te whiwhitahitanga te Wairua Tapu, āianei, ake, ake, ake, Āmine!	Amen.
	JUDGE AMBLER	
	Tēnā tātou i te ata nei. Tēnā koe te matua, e Hōne me te reo whakamoemiti ki te Runga Rawa. Tātou, kua tae ki te ra whakamutunga o tēnei wiki. He nui ngā kaikōrero kei te toe, me te mōhio hoki hei te tina ka wehe atu a Pou ki te whai atu i – kaupapa kē. Nō reira, me kaua tātou e pōturi. Haere tonu.	Good morning everyone. Thank you Hōne, for the prayer this morning, and we who have come to the end of our hearings this week. We have several witnesses still yet to offer their evidence and knowing that at lunchtime, Professor Temara must leave us. Now let us not tarry. Advance our matters.
	Mr Singh.	
	YASHVEEN SINGH	
	Mōrena, Sir. The first brief of evidence that will be presented this morning is the joint statement that has the document number #R28(c). Mr Daniel Ormsby will read the brief of evidence and Ms Merle Ormsby and Mr Ormsby will answer the questions remaining. Only a few paragraphs will be read from the brief of evidence, Sir. The paragraphs that will be read will deal with the introduction of the claimants in	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the Ōhākī Tapu and the Kīngitanga.	
	JUDGE AMBLER	
	Yes, so to come back to the, the point I raised –	
	YASHVEEN SINGH	
	Yesterday.	
	JUDGE AMBLER	
	With Ms Pātea yesterday.	
	YASHVEEN SINGH	
	Yes, Sir.	
	JUDGE AMBLER	
	Obviously, that is the interest or the issue that Ngāti Hikairo ki Tongariro is raising or wanting to address in this Tribunal, that is right?	
	YASHVEEN SINGH	
	Yes, Sir.	
	JUDGE AMBLER	
	And we are not going to stray into those matters that have	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	been covered by other Tribunal Inquiries?	
	YASHVEEN SINGH	
	Yes, Sir.	
	JUDGE AMBLER	
	Ka pai. Kia ora.	
	YASHVEEN SINGH	
	Mr Ormsby, before you present, begin reading your brief of evidence, I see you've placed some taonga on the tables. Could you talk about them before you start reading your brief, please?	
	DANIEL ORMSBY	
	Hi. Kia ora, Mr Singh. First off, I have placed a close koro and koroua that was very involved in the lives of my whānau. It was my koro Kapi Adams. He was very, very close to my family, whanaunga and he was a prominent kaumātua of Te Rohe Pōtae.	
	MERLE MAATA ORMSBY	
	Also, our, our koro, he - our uncle and we call him Uncle Kapi, but he was our doctor for our family. I never saw a doctor until I had to – I went nursing, so and for a lot of families in the, in the Tokaanu/Tūrangi area, that was in	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	relation to our relationship to Te Rohe Pōtae. Even though our, our Uncle Kapi was a Māori doctor for, for the motu, but for us he – we had clinics at our home and I need to just share the – this is why we brought the photo of, it's our Ratana, or Te Ao Hau Rātana. He is the son of Tahupōtiki Wiremu Rātana. Now our uncle had had an accident and he became blind. So they took him to Rātana and Rātana actually blessed him and said from today on, you will be a doctor for your Māori people, so, you know, those gifts he went forward with until he died. So that's why we brought these photos. It's the whanaungatanga of us. We're not being whakahīhī to the whānau over, of this tūpuna. It's just to show that he played a very, very important role in our lives until he died and my son's brought the Paipera Tapu and Te Tiriti o Waitangi, and those were the kaupapa of Tauhupotiki Wiremu Ratana whereby our, our Uncle Kapi, actually managed his mahi from, from the time he started until he died. So that's why – they were very initial taonga for us. Walking with the Treaty in one hand. Those are the politics of man. That's what I was told and the Paipera tapu, and the other. Those are the politics of Ihowa nobody can change. What I was told was, the politics of man, just the flick of a pen and you can change it. But, the politics of Ihowa, you can't. So, tēnā koutou.	
	DANIEL ORMSBY	
	And also at the back I have a coil that Koro Kapi and my family, my Aunty Kiaho who is also a name claimant, my Uncle Manu and my nan and koro. Along with Uncle Kapi.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	They went and created the coil. Koro Kapi actually showed my whānau how to make the coil, what the coil represented. The coil itself is over here. You can have a look at it if you wish. That particular coil holds rocks in it. The rocks are to address a mineral imbalance that has incurred inside your physical demeanour and it may be responsible for any illness that you have.	
0840	So it brings you back to a point of balance with which you can then be awhi'd and aroha'd by your whānau in a safe mode in order to heal. The reason why I brought that taonga is because the rocks were collected from around the Rohe Pōtae, also throughout our area of the Tongariro, around the Tokaanu area, Mangonui o Te Ao, the Whanganui whānau. That's who all those stones came from. From awa, from specific wāhi tapu especially those points that Koro Kapi and my nan and koro were going around to neutralise as they become unsafe for whānau to transfer into. I brought those taonga because for me, we still use them. They're living. They have no end. They are always there. No reira. Kia ora nā tātou.	
	YASHVEEN SINGH	
	Thank you Mr Ormsby. Could you start reading your brief of evidence? Could you read paragraph 1, please?	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Taihoa. Homai tō ingoa e te whaea? Can we just have your name for the record? I know you are going to introduce yourself shortly, but.	
	MERLE MAATA ORMSBY	
	Aroha mai. Merle Maata Ormsby.	
	JUDGE AMBLER	
	Ka pai.	
	DANIEL ORMSBY	
	Mōrena tātou. Ngā mihi hōki anō, ki a koutou Kaumātua, te tēpu me te tūru, ngā kōrua, Karauna, ngā rōia hoki.	Greetings everyone, elders, Tribunal, Crown counsel, legal counsel representing claimants.
	READS BRIEF OF EVIDENCE #R028 "This is a joint brief of evidence for a claim in Te Rohe Pōtae Inquiry on behalf of Ngāti Hikairo and the descendants of Te Tāwhi-i-te-rangi Patena-Mariu and Mary Rauaiterangi Te Āhuru who are direct descendants of the land. We whakapapa to Ngāti Hikairo and to tūpuna within Te Rohe Pōtae. We maintain the unified living spirit of whakapapa, tikanga, kawa within te iwi Māori, established by te iwi-mōrehu.	
	Ko Tongariro te maunga;	Tongariro is the mountain;

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ko Rotoaira te moana; Ko Motuopuhi te pā; Ko Te Wharerangi te tangata; Ko Ngāti Hikairo te iwi”	Rotoaira is the lake; Motuopuhi is the pā; Te Wharerangi is the ancestor; Ngāti Hikairo is the iwi”
	YASHVEEN SINGH	
	Mr Ormsby, could yōu now read paragraph 9, please?	
	DANIEL ORMSBY	
	CONTINUES READING BRIEF OF EVIDENCE #R028 “My name is Merle Maata Ormsby (nee Patena-Mariu) and she born, was the first of 10 siblings born in a mainstream ‘Maternal Health’ setting at Taumarunui Hospital, 16th of March 1944. She lived at Kākahi and Kaharoa, Whangaipeke Block that was affected by the imposition of the Railway responsible for taking most of the land for that purpose and never returned.	
	YASHVEEN SINGH	
	Paragraph 14 now, please.	
	DANIEL ORMSBY	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	CONTINUES READING BRIEF OF EVIDENCE #R028 "In 1947 our whānau relocated to Te Pāhiko. Te Pāhiko is situated on the boundary of Te Rohe Pōtae being the awa Tokaanu and now lies within Puketī Block Survey District, Tongariro Number 1, as Tokaanu B2L, original part of the greater Ōkahukura whenua. The underground waterflow of the Wairehu into the awa Tokaanu makes it the most north-easterly confluence of the Whanganui i te Wainui-a-Ruatipa. On good days above the Tokaanu Reservoir, you can still hear the roar of the Wairehu and the occasional sound of rocks, depending on the depth of the flood waters, rushed and rolling toward the awa Tokaanu.	
	YASHVEEN SINGH	
	Paragraph 34.	
	DANIEL ORMSBY	
	CONTINUES READING BRIEF OF EVIDENCE #R028 "I will give evidence on the relocation of stories as told by my kuia as well as the impact of Crown and the New Zealand Government weeds some legislative amendment that have led to the land loss and the diminishing mana of my people. I would also like to present evidence relating to the Native Meeting that took place in Poutū, Tongariro in 1886.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	My parents told me that certain prominent family and ngā hapū o Tūwharetoa didn't want anyone to know that this meeting took place. These families are also my family through marriage and adoption.	
	YASHVEEN SINGH	
	Paragraph 49, please	
	DANIEL ORMSBY	
	CONTINUES READING BRIEF OF EVIDENCE #R028 "Native Meeting of Poutū, Taupō Attached and marked 'A' are 6 pages of the Native Meeting as reported by Inspector Scannell in 1886. This document is a point of reference I wish to be recorded within this inquiry.	
	YASHVEEN SINGH	
	Now, paragraphs 54 to 62, please	
	DANIEL ORMSBY	
	CONTINUES READING BRIEF OF EVIDENCE #R028 "My name is Daniel Whetū Ormsby. I am a direct descendant of Robert Ormsby and Mere Pianika Takiari, the parents of my koroua Kiripato Ormsby. His brother was John Ormsby. He became the first chairman of the Kāwhia	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Native Committee which was a success for Ngāti Maniapoto, Ngāti Hikairo, Whanganui Iwi, and te iwi-māori and te iwi-mōrehu. John Orsmby's prominence in the 1880s as a protégé of Wahanui Huatare, and therefore Ngāti Maniapoto, Ngāti Hikairo and Te Rohe Pōtae. The Kāwhia Native Committee was seen as the most active and successful of those elected under the 1883 Native Committees Act. Although John Ormsby is young and junior in whakapapa the authority of leading rangatira supported his chairmanship. They were keen to utilise his considerable skills in speaking and dealing successfully with European officialdom. John Ormsby's duties were to investigate and report on land issues, succession and title, and settling disputed claims of payment. In 1884 John Ormsby and others successfully petitioned Parliament to permit Wahanui Huatare to address the House on Māori land issues. John Ormsby accompanied Wahanui to Wellington. Their main concern was seeking lawful empowerment as an equal Treaty partner to the Crown, into dealing with the many land issues because of Government intention to build a Main Trunk Railway Line within the King Country. This more often than not resulted in their land being subject to the many prejudice and bias acts and proclamations utilised to alienate the unextinguished Aboriginal title from recognised Māori landowners. This was done through the New Zealand Government promoted land sales to any non-Māori rather than the Crown.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	The visit bore fruit when a meeting was arranged between native minister John Ballance and representatives of Ngāti Maniapoto, Ngāti Towharetoa, Whanganui iwi, Ngāti Raukawa and Ngāti Hikairo at Kihikihi on 4 February 1885. In his duty as chairman, John Orsmby presents their many concerns. They were committed to protect te iwi-Māori from further loss of land, through rates and mounting private debt, and consequent freehold sale, but they were prepared to grant leases. John Ormsby obtains agreement that the powers of the Kāwhia Native Committee be progressively expanded, and that the operation of the Native Land Court breathe a reformed respect, and te iwi-Māori maintain individual rights over the mining operations of their minerals. The most important concession being no rates be levied against the land until it was either in production or leased to Pākehā settlers. Minister John Ballance rejected John Ormsby's argument for increasing the number of Māori MHR's to eight. The Kihikihi agreement was a success. John Ormsby was delegated to discuss amending legislation with Government, but endeavoured to encourage te iwi-Māori to seek a righteous means to remove the many weeds of Government legislative amendments that covered the true spirit of goodwill and natural justice of Te Tiriti o Waitangi. The Land Court hearings proceeded without the drunken debasement or the outrageous practises that Ngāti Maniapoto, Ngāti Hikairo, and te iwi-Māori had noted in Cambridge. The Kāwhia Native Committee collected royalties from contractors, for the right to take timber and minerals. The	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Committee issued licenses to keep billiard rooms, granted temporary occupation rights to Pākehā storekeepers and railway contractors and liaised with the Government. It also continued to administer Ngāti Maniapoto rohe and other lands.	
0850	Māori land was leased to Pākehā settlers on 21 year leases with five year rent reviews and no compensation for improvements. In 1887 Ngāti Maniapoto engaged with contractors attempting to avoid royalty payments owed. A Government native agent investigated and recommended that no further action be taken. John Ormsby seems to have mediated that conflict, and the agreed payment. In 1920 he supported the establishment of the Kīngitanga Movement marae at Tūrangawaewae. He also was an advisor to the Māori King, Te Rata, and assisted Te Puea Hērangi to pioneer differential voting techniques to ensure the election of other Māori to local bodies. Ngāti Hikairo has always supported our tūpuna in their works. I have presented an origin for our whānau claim –"	
	YASHVEEN SINGH	
	Thank you, Mr Ormsby. Could I ask you to read the last paragraph that you were going to read which is paragraph	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	67, please.	
	DANIEL ORMSBY	
	Āe. **CONTINUES READING BRIEF OF EVIDENCE #R028** "We, the uri o Te (Māori 08:51:06) seek a successful settlement package here within Te Rohe Pōtae, for and alongside Ngāti Rangatahi, Ngāti Maniapoto, consisting of a Crown land exchange package and a belated monetary compensation package of with which both packages are to be derived from within Te Rohe Pōtae. Ngāti Hikairo supports the spiritual and physical commitment of Te Ōhākī Tapu Compact and the Tiriti o Waitangi to pursue an elusive Treaty partner in order to become confirmed and to be the respectful entity of goodwill and natural justice that is accordingly provided for under Article 2 of Te Tiriti o Waitangi, and that is individuals rights guarantee. Nō reira, tēnā koutou."	
	JUDGE AMBLER	
	Tēnā koe, Mr Ormsby and thank you for the very skilful way you took us through that evidence. Mr Melvin.	
	GEOFFREY MELVIN	
	Tēnā koe, Mr Ormsby. Thank you for your presentation. We don't have questions for you, thank you.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Other counsel? No.	
	DR AROHA HARRIS	
	Mōrena and thank you for your evidence this morning. I've only got one question and that's back in your paragraph 61. I wonder if you can explain to me what it meant that John Ormsby assisted Te Puea to pioneer differential voting techniques. It's that last, the last part of the last sentence on paragraph 61.	
	DANIEL ORMSBY	
	My thoughts on that particular essence was that John Ormsby and Te Puea Hērangi pioneered differential voting techniques was to actually allow the voting process to be inclusive of women right across the board, right throughout. Not only in the national level, but also – because, 'cos kui had a very big influential part to play with regards to her organising te kuia to be prominent and to, to be prominent in their support, to have Ngāti Maniapoto elevated to a, a face of consultation.	
	DR AROHA HARRIS	
	Is it more than consultation though because it –	
	DANIEL ORMSBY	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	It is more than consultation.	
	DR AROHA HARRIS	
	Yeah, because it reads to me like she's trying to get people onto local bodies?	
	DANIEL ORMSBY	
	Āe. It is more than consultation.	
	DR AROHA HARRIS	
	Okay. Okay, thank you.	
	JOHN BAIRD	
	Thank you, Mr Ormsby. Just in 63, you've said, this promoted the communal house arrest of the undisturbed Aboriginal inhabitants. Can you just explain what that all means, please?	
	DANIEL ORMSBY	
0855	In that area I'm referring to a – in that area I'm referring to a specific action of my own koroua who was placed under house arrest and that is my Te Heuheu whānau, my Tūwharetoatanga. That's my reference to that.	
	JOHN BAIRD	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Thank you.	
	JUDGE AMBLER	
	Tēnā koe. Tēnā koutou. Paragraph 14, where you speak of Te Pāhiko and I know you explained where it is, but I, I cannot visualise where that is. So, is there a map just to show that?	
	DANIEL ORMSBY	
	Number one, number two.	
	JUDGE AMBLER	
	Mmm.	
	DANIEL ORMSBY	
	This is, oh, this is the Bay of Te Huri. The Bay of Te Huri is located along the southern end of Lake Taupō.	
	JUDGE AMBLER	
	Yes.	
	DANIEL ORMSBY	
	Next door to the Waihī Village turn-off, before we go to Turumakina and it is right on the, right on the lake front on	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the river mouth of the Tukanu Stream.	
	JUDGE AMBLER	
	Okay, ka pai. And, at paragraph 49, you have attached the report by Inspector Scannell from 1886, and you have noted that, "This document is a point of reference I wish to be recorded within this inquiry." So what is the significance of that report?	
	DANIEL ORMSBY	
	The significance of the report is the fact that the meeting took place. It also has its own reference explanatory within itself, but because the meeting took place, I have other whakapapa to assist that. My aunty wanted to make it known that the meeting did take place, they – she asked for that to be filed, recognised, and was hoping that I would assist it with the whakapapa that we were left. The whakapapa I was left with regards to the Poutū meeting was that at the time that the Kīngitanga was going around to be established, they all – the Waikato whānau came to Poutū meeting. At the Poutū meeting, it was there that Tūwharetoa, Ngāti Hikairo, Ngā hapū o Tūwharetoa were looking to place a rangatira, a face for the Tongariro Maunga. So, whakapapa had to be a leading factor in that choice and of that choice, the koroua Kepa Puatata, Te Kepā Puatata was chosen to be that succeeding rangatira. He was asked at that hui if he would look at taking on the mantle of the Kīngitanga. I will bring this up because my	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	koroua found it very hard even to take the mantle of responsibility for Tongariro. The reason why he chose and said that was because he had no issue with which to pass that rangatiratanga down to. Not only was it in that essence, but my koroua states firmly at the hui, "I am a farmer, me and my wife, Marā, with our family." He was a feeder of people. That is the type of rangatira that he had. He was not that encouraged in himself to be the face of the consultation for the Tongariro as what they were asking him to be. It took quite a bit of convincing himself to suffer, and how I mean that is, in the days that they were asking him,	
0900	The meeting took place over a period of time and for the first three days he was tired and lashed to a pou at the pou tū area. Every time they woke up in the morning, 'cos the old people were tying him there, trying to get him to say, "Yes," but he refused, and every time they woke up, he was untied. Now, there are many explanations but one of them that we heard was that I heard my whanaunga, Tāmi, speak about a koroua of ours. His name was Tiririo. Those that were under that mantle of that rangatiratanga of Patupaiarehe, were supportive of his declining to be utilised in such a manner or other purposes other than the rangatiratanga of feeding his people. On the –	
	JUDGE AMBLER	
	Can I just – you have taken us back to, I think, the 18 – about 1856 in terms of the hui over the Kīngitanga, but what I just wanted to know is this is a discussion of a hui in 1885.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	So what, just what is the significance that we should take from that hui in 1885?	
	DANIEL ORMSBY	
	The significance of that hui in 1885 is that it surmounted to the opportunity for our people to look at relieving themselves of statehood. Not to be stuck in rangatiratanga but actually to look at embracing a nationhood of ourselves. That is what I get from that –	
	JUDGE AMBLER	
	Ka pai.	
	DANIEL ORMSBY	
	Particular document.	
	JUDGE AMBLER	
	Thank you. And just in terms of the evidence that you have given from paragraph 54 on, there is some very clear statements about what occurred with the Kāwhia Native Committee and so forth and I just wanted to know is what you have taken from some of the research that is on the record of this inquiry, or is this kōrero that you have researched yourself, or so where does that material come from?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DANIEL ORMSBY	
	You are right. That material does come from the collective research but it has, it has our – we have whakapapa to assist with that. It makes sense to us with regards to how it has fallen into place.	
	JUDGE AMBLER	
	Yes.	
	DANIEL ORMSBY	
	But the whakapapa that we have was that at Tokaanu, at that time, the committee of Kāwhia, the example that was set, it was noted by my families to look at seriously taking it on board.	
	JUDGE AMBLER	
	Mmm.	
	DANIEL ORMSBY	
	And doing exactly the same for our people there.	
	JUDGE AMBLER	
	Ka pai. Kua mārama. Kia ora. Ngā mihi ki a koutou. Any thing arising Mr Singh?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	YASHVEEN SINGH	
	Nothing arising, Sir.	
	JUDGE AMBLER	
	Kia ora koutou.	
	YASHVEEN SINGH	
	Thank you. Sir, the next witness is going to be, Deborah Owens. Her document number is #R029 (a).	
	DEBORAH (TEPORA) MAY OWENS	
	Tēnā koutou. Ngā mihi, ki a koutou katoa. **READS BRIEF OF EVIDENCE #R029 (a)** "My name is Deborah (Tepora) May Owens. I give this evidence in support of Te Wai 1196 claim. I have been a teacher of Te Reo Māori using Te Ataarangi method for 18 years. I am currently 48 years of age and I live at 22 Bell Road RD4 Taumarunui. My whakapapa is as follows; Toi Te Huatahi married Takahurinauri, and had Waikauri Te Huatahi, and she married Fredrick Cribb and they had Christina Cribb, and she married Ernest Owens, who had my father, Stanley Owens, and he married Ruby Te Rupe	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	and had me. I am Deborah Owens, Tēpora.	
0905	I understand I whakapapa to Ngāti Hikairo through Ngāti Waiwai. However, because our whānau were not brought up on that side and it was, well, never a concern for them to know these connections. I am unsure of the exact connections and how exactly I whakapapa to them.	
	Whakamaumahara E ngā mana e ngā reo e ngā kārangaranga maha ngā mihi ngā mihi.	Greetings to all present.
	Ko taku nei take e hāngai ana ki te reo.	My matter pertains to the language.
	E toru tekau taku pakeke te wā i tīmata au ki te whai i taku reo rangatira i Rotorua.	I was 30 years old when I began to learn Māori at Rotorua.
	I ohorere au ki ngā āhuatanga tā te iwi Māori he ao anō he tino ātaahua te ao Māori ngā tikanga te taha wairua te taha manaaki ngā mea katoa e hāngai ana ki taku taha Māori, ahakoa taku wā ako kāore anō au kia oti ki te ako. He huarahi roa engari he huarahi tino pai rawa atu ko au tērā ka aro atu ki ngā āhuatanga Maari ahakoa ko tēwhea huarahi.	I was surprised at the Maoridom that I glimpsed and it is a beautiful world which is the Māori world. The spirituality, manaakitanga and all this pertaining to Māori. When I was learning I still not have completed my learning mission. It is a long road but it is a beautiful path that I travel.
	Heoi anō pōuri ana taku ngākau nā te mea kāore mātou ko ōku tungāne ōku tūāhine i tipu ake i roto i te reo Māori, kāore hoki ōku mātua ōku kuia ōku koroua me ōku mātua kēkē ōku whaea kēkē, kāore ōku tīpuna i ako te reo i te mea ki te kōrero Māori i roto i te kura Pākehā ka patuhia ngā	However, my spirit is dark because myself and my siblings did not grow up in Te Reo and my elders, my parents, my grandparents, my uncles, my aunties and my family did not assist us to learn the language because at Pākehā school

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	tāngata e kōrero Māori ana e ngā māhita.	they were punished for speaking Māori by their teachers.
	Kua hoki au ki te kāinga, kāore au i te mōhio pai ki te taha o Hikairo, Ngāti Hikairo, mōhio au he rerekē ngā tikanga, kawa, karakia whakapapa, whakataukī, hītori, kōrero, kupu. I te wā whakahaere kura au ki Taumarunui i taku karaehe tētahi akona me taku kī ki a ia kei hea tērā wāhi?	I would return home and I was not sure about my Hikairo Identity. I knew that customs were different and sayings were different and words. When I ran my classroom at Taumarunui School, they asked me –
	Background I was 30 years of age when I first started my journey to find and understand Te Reo Māori. There are many differences pertaining to Te Reo Māori, tikanga and kawa. I was saddened to learn that our Māori language was prohibited from being spoken in schools and the actions taken if caught was dealt with in a severe and unjust manner. This injustice saw the teachings of our language as a heathen practice and to be stricken from this land. I personally do not understand how the Crown can be so cruel towards Māori culture and beliefs and will not teach their children Māori culture me ōna tikanga. I am one of those many children who did not have my language as I grew up and struggle to understand why Māori language is a second language in the current education system. These are just some of the things I have learnt on my journey to learn my Māori history and language which has given me identity and connection to my Māori culture, values and believes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I believe that Māori people should not have to pay to learn their own language as it was not our tūpuna at fault as to why our reo was nearly extinct. I also am saddened to see our culture being abused by those who have not had the full understanding and opportunity to grow within Māori society and understand the value of Te Reo Māori fully. I am so saddened that I do not carry the historical kōrero to be able to pass on to my children and mokopuna. My siblings and I were not taught these learning's, therefore, we as a family do not have that kākano that should have been instilled in us as to which role we play in our taha Māori. I feel we have lost our identity. As a child growing up, I was not aware there were two different cultures having not been taught Te Reo me ōna tikanga. I would have loved this path and would have loved for my children to have followed this path too. We unfortunately have missed out on a lot of knowledge due to the fact that my journey started in Rotorua under another side of my whakapapa and the kaumātua that have passed on and others that were not around to teach because I was not in the knowing of wanting to learn. In my opinion, it was my birth right to expect that recognition of my reo should have been instilled through the generations of my parents and my grandparents and so on. In saying this, they did not learn nor were they able to hand this taonga down as I believe my reo was stolen and ripped away from me by the Crown, that consequently impacted	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	upon my whānau. Some of those impacts upon my whānau were on our identity, impacts upon our relationships, impacts upon our knowledge base of Hikairo waiata, Hikairo karakia, Hikairo dialect et cetera and all those things where Te Reo is used to identify who we are and where we are from. I believe the Crown has taken away our reo me ōna tikanga through enforced punishment of learning Pākehā to distract our tūpuna from their mana motuhake. This enforced process is the reason why today we have to pay to learn our own reo, our own Māoritanga and, for the majority of our people, the reason we are not acquainted with our own indigenous language. An example is where parents of our tamariki, mokopuna who are at Kōhanga Reo are unable to learn with their tamariki, as these parents have to work and are unable to learn Te Reo Māori me ōna tikanga along with their children. In my view, we have other nationalities willing and keen to learn our reo and have always reminded us of how important our mother tongue is with all the spiritual and traditional taonga that go hand in hand with our own identity to keep our own mana motuhake. I believe the language of our Māori society is rich in poetry and deep in philosophy and was an important taonga; a part of nature that was gifted to us with tikanga set in place through and within karakia, whakapapa, whakataukī, whakatauākī pepeha, hītori, mātauranga, kīwaha, whakairo,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	tā moko, waiata, rongoa, mahi toi, pakiwaitara, māra kai, through which each whānau, hapū and iwi identified themselves. Colonisation stopped Te Reo from being spoken at kura and with western ways was taken out of kura and changed through the education system. The people were forced to enter into a colonial society for work and other needs, taking the people away from their homes, their people, their marae, their tikanga, their Māoritanga. Today, we have to pay to learn our mother tongue. We have not got the full 100% Māori knowledge and old school ways of Māori knowledge practices. The perceived loss of power of the tohunga, along with the missionary preaching, forced many Māori to accept the processes of the Pākehā in what was to become yet another destabilising factor to our traditional Māori way of life. **Conclusion** We must be able to uphold and maintain our rightful customs as tangata whenua of the land so our tamariki moko can hold on to Te Reo me ōna tikanga me ngā taonga that has been handed down over generations and generations. We must be able to ensure a future where we can live in harmony without social injustice and the Kāwanatanga domineering our culture by further allowing our people, hapū and iwi to maintain and up skill themselves along with their taonga without having to pay to learn their	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	rightful language. I understand that the right to learn and use one's language is an internationally recognised human right. Human rights treaties and declarations refer specifically to rights and responsibilities in relation to indigenous languages, minority languages, and learning and using one's own mother tongue.	
0915	To understand te reo is to speak te reo Māori. The greatest tool for me in Te Reo is to have had the knowledge that was lost and to be able to hold onto for further generations. The depth of my beautiful, rich in poetry, deep in philosophy reo Māori is an asset and a vital tool that most importantly provides for my family and my own cultural identity and survival. In summary, traditional Māori reo, practice, values and principles need to be recognised and preserved for Māori cultural identity and most importantly, preserved for future generations. I ask that the Tribunal find the Crown breached its obligations and duties under the Treaty of Waitangi based on all the wrong doings it has caused to my people, and direct the Crown to restore to mine and all Māori our rights to speak, learn, live and identify as Māori as fluent first language speakers of Māori me ōna tikanga. Tēnā koutou katoa"	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Mr Melvin.	
	GEOFFREY MELVIN	
	Tēnā koe Ms Owens.	
	DEBORAH OWENS	
	Kia ora.	
	GEOFFREY MELVIN	
	We don't have any questions for you but thank you for the evidence you have given. Kia ora.	
	JUDGE AMBLER	
	Other counsel? Karekau ā mātou pātai engari e mihi ana ki a koe.	We have no questions but thank you very much for your evidence.
	DEBORAH OWENS	
	Tēnā koutou.	
	MŌTEATEA	
	Tū mokemoke noa ka kī ki Tongariro; Ka titiro iho ka haere mai ngā iwi ka rongo; Ka tuki i te manawa, huia mai ki Taupō-nui-a-Tia;	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Pakipaki mai te tau o tōku moana; Whakarongo ki te taringa **(Māori inaudible 09:17:06)** o te rā; Tū mai Tongariro hei ārahi ake; Te hahau o te tonga e pupuhi mai nei; Kei hinga auē, kei mate aue, kei takoto tonu auē hā. Kia ora.	
	HEARING ADJOURNS: 9.17 AM	
	HEARING RESUMES: 9.18 AM	
	MARK McGHIE	
	Tēnā koutou katoa. Morning to the Tribunal, everybody in the wharenui. **READS BRIEF OF EVIDENCE #3.4.075** "My name is Mark McGHIE. These are the opening submissions for Wai 1073, Wai 1738, Wai 1388 and Wai 1197. We have three witnesses this week, they are sitting here, Petuere Kīwara, Matiu Haitana and Rufus Bristol. Mr Haitana will be giving evidence on behalf of Wai 1197 which was a claim on behalf of Ngāti Tumanuka and Wai 1388, the claim on behalf of Ngāti Tamakana, Ngāti Maringi and Ngāti Ruakopiri.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Mr Haitana will speak on behalf of these hapū who had interests across the whole Waimarino Block, and into the southern Rohe Pōtae district. Mr Haitana did give evidence in Week 1 of the Inquiry. His brief there was #H011. He spoke in some length then on the enforcing of aukati on the Manganui o te ao River which was an example of the political influence of the Kīngitanga going well south of the petition boundary. This is map 10 of the map book. You can see why the southern boundary line has been drawn as it is. It's just drawn on top of the block which has gone to the Land Court for like Rangipō Waiū, Murimotu and Kirikau and all these were Land Court claims. The Crown had made advance, paid advance purchase money on Ōwhango Raupatu.	
0920	So it was really a land boundary. It was drawn to exclude anywhere where the Crown might have interests, but it didn't reflect the area where the Kīngitanga had political influence among the, the hapū. I have attached a, a map to my opening submissions which is been given a number #3.4.75 (a) which is a map of a memorial rock in the main street of Taumarunui. It's quite impressive. It's a large rock with a top hat on it and it says, "Taumarunui is the heartland of the King Country," and it has a map there of the King Country, what was thought to be the King Country, and which goes down almost to Wanganui. So I'd suggest that that map there really represents an area where the Kīngitanga had political influence.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Mr Haitana deals with the issue of the North Island Main Trunk Railbeing constructed over a wāhi tapu at Waikune. It's a few miles south of the petition boundary. It's in an area – on plan 10 it would be around Ōwhango an area where the Crown had made advance payments so it couldn't be included in the, in the boundary of the petition. The location of the urupā can be seen on maps which are, which are going to be shown later as a backdrop to the presentation of the briefs, and there's been evidence given in previous weeks of the North Island Main Trunk Railcrossing urupā close to the Ongaruhe River that's been referred to in briefs in week five and week 10. This is somewhat different as it appears Māori here were offered some money to move the graves, whereas Rongarui, there was no talk about payments. Mr Rufus Bristol's claim which is #R015, is focused – is on behalf of the non-sellers, the Waimarino Block. His brief focuses on a number of documents which Mr Bristol considers in terms of the actions of the Crown in breaching the Rohe Pōtae boundary with the Waimarino purchase. These documents are the Declaration of Independence, the Treat itself, the 1883 petition from the four tribes and the non-sellers list for the Waimarino Block. The Crown agents were deeply involved in the process of establishing the boundary of the Waimarino Block as it was when it was taken to the Land Court and the failure to respect the external boundary of the Rohe Pōtae is viewed by these claimants as a breach of tino rangatiratanga	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	guaranteed in the Treaty, and although the original 1883 petition has been lost, Whanganui iwi was named as one of the four iwi who prepared and put the petition to Parliament. So, many chiefs from Upper Wanganui are likely to have signed. Mr Kīwara's claim is on behalf of the descendants of Te Kerengatierua. Te Kere was on Ngāti Tū and his brief speaks of, or considers Ngāti Tū support for the Kīngitanga as well as Te Kere's personal involvement as a tohunga and advisor to King Tāwhiao. Te Kere was staunchly opposed to the Native Land Court which meant himself and his followers lost their land interests in the Southern Rohe Pōtae District. I have attached some correspondence to the opening submissions because the supporting documents just can't be read. We print them and scan them back in and they're impossible to read. So, there's a transcription there of the, that correspondence between Te Kere and then the reply from the Crown.	
	JUDGE AMBLER	
	Sorry, I did see those somewhere. What are the document reference?	
	MARK McGHIE	
	It's been, been given the number #R16 (b)(1).	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Thank you.	
	MARK McGHIE	
0925	And I think it's in the document bank #R16 (b), page 23, 27. Te Kere put forward petitions on the award of title and sale of land in the Waimarino and Opatu Blocks and the location of Opatu Block can be seen on plate 10 of the map book which is immediately below the petition boundary, 10. Opatu's over here. I think Mr Kīwara quotes in his brief a report from a land purchase officer who said that this region Rētāruke, Kirikau, Opatu where the Crown had made purchases and had made advance payments, was the heart of the King District, and this was the 1870s. So it's below the petition boundary, yet this has been talked of as the heart of the King District. There are going to be a number of maps shown as a backdrop to the presentation of the briefs which might make it easier to follow. Mr Bristol is going to start the presentation of the briefs. Mr Kīwara is going to follow and the two would answer questions jointly, then Mr Haitana will present his brief. Did you have any questions?	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes, well it is the same issue that I've –	
	MARK McGHIE	
	Yes, Sir.	
	JUDGE AMBLER	
	Raised with other counsel, and I realise that with some of the evidence there are blocks within our inquiry district where your clients can claim interests but for the large part, their presence here, am I right, is really to look at the wider kaupapa of Te Ōhākī Tapu and how it originally included their people –	
	MARK McGHIE	
	Yes, Sir, I –	
	JUDGE AMBLER	
	Who now lie south of this inquiry district?	
	MARK McGHIE	
	Yes. There might – most of their land is interest do, although some of their hapū, Ngāti Maringi was said to have interests in Pukuweka.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes, I have heard that.	
	MARK McGHIE	
	There, when I'm speaking about land issues, they just want to talk about the politics, the connection of Upper Whanganui Hapū with the Kīngitanga and from there.	
	JUDGE AMBLER	
	Ka pai. And just the example of the Waikune Urupā is it, wāhi tapu?	
	MARK McGHIE	
	Yes.	
	JUDGE AMBLER	
	That is south of our district.	
	MARK McGHIE	
	That is south of our district, yes.	
	JUDGE AMBLER	
	Is that in the Ōhura South Block or?	
	MARK McGHIE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	No. It's in the Waimarino Block, Sir.	
	JUDGE AMBLER	
	All right. (Māori 09:28:04). Thank you.	
	MARK McGHIE	
	Mr Bristol will lead off.	
0928:20	**RUFUS BRISTOL**	
	READS BRIEF OF EVIDENCE #R015 "Kia ora, tātou. My name is Rufus Tairoa. I'm commonly known as Rufus Bristol. I have previously given evidence in the Whanganui District Inquiry and at Ngā Kōrero Tuku Iho o Te Rohe Pōtae Hearing on 27 April 2010. At that Hearing I explained that the WAI 1738 non seller claim concerned Aboriginal, customary ownership rights in the whole Waimarino Block, which stretches from Raetihi to Taumarunui, and from the Whanganui River to the summit of Mt Ruapehu. I claim my own rights through Taurerewa Tūwharetoa and his father Uenuku Tūwharetoa, who had interests in the Upper Whanganui including Waimarino, Taumatamahoe, Taurewa and other land blocks. Tamakana, Tamahaki, Rua Taranaki are the common ancestors. Ruatipua is the great ancestor for the whole	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	region. The non sellers were objectionists to the Crowns land purchasing process. They believed that their land was theirs for as long as they wished and desired, sorry, as long as they wished to retain it. I would like to speak on some documents which I think are relevant to the claim: 1835 Declaration of Independence / He Wakaputanga o Te Rangatiratanga. The declaration claimed absolute authority for the heredity [sic] chiefs and heads of tribes in their collective capacity. All sovereign power and authority within the territories of the United Tribes of New Zealand is hereby declared to reside entirely and exclusively in the heredity [sic] chiefs and the heads of tribes in their respective capacity, who also declare that they will not permit any legislative authority separate from themselves in their collective capacity to exist, nor any function of Government to be exercised within the said territories, unless by persons appointed by them, and acting under the authority of laws regularly enacted by them in Congress assembled. Although Whanganui chiefs did not sign the declaration, the principle of rangatiratanga residing with Māori people applied to the whole country. The declaration contained an invitation to southern chiefs to join the Confederation of United Tribes, and Tainui chief Te Wherowhero later signed the Declaration.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	The principles of the Declaration were known and approved of by tribes in the Central North Island, which was demonstrated when the flag of the United Tribes was flown at Pūkawa in April 1857 when the King was chosen. **1840 Treaty of Waitangi** The preamble acknowledges that lawlessness among the European population was becoming a problem which needed to be dealt with. Maori still had their own customary laws at that time. Article 1 - The way I think our old people saw this clause was that Māori allowed the Crown sovereignty over their own unruly subjects. Article 2 Where the Crown confirmed and guaranteed what was recognised and acknowledged in the Declaration of Independence - Māori tino rangatiratanga. The Crown guaranteed full exclusive undisturbed possessions of our lands and estates, forests fisheries and other properties, which we collectively or individually possessed for as long as we wish and desire. Article II clearly identifies the terms and conditions for alienating Māori lands; their estates and other properties. Maori gave the Crown first right to purchase the land that Māori may wish to sell if they agreed to the price. It's very clear the Crown have to purchase the land - the Crown can't confiscate the land by Acts of Parliament - that's not treaty compliant. That's not how our old people of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the Waimarino area understood it. Article 3 – Māori to have same rights as English people. This allowed Māori – this allowed Māori to have the right to go to Court to challenge the Government. **Petition of the Four Tribes June 1883** The petition was signed by a number of Whanganui/ Waimarino chiefs which indicated general support among Upper Whanganui Hapū for the petition What the petitioners sought was rangatiratanga over their lands consistent with Article II of the Treaty. That Parliament will pass a law to secure our lands to us and our descendants forever, making them absolutely inalienable by sale. That we may ourselves be allowed to fix the boundaries of our - the four tribes mentioned, the hapū boundaries in each tribe, and the proportionate claim of each individual within the boundaries set forth. The boundary stated in the petition included land which would later become the Waimarino Block. The Crown failed to respect the petitioners and chiefs who created the boundary when the Waimarino Block was purchased. **Waimarino Block Non Sellers List** The non sellers stood up to Crown pressure to sell their land, as the Crown was determined to acquire the Waimarino. Our claim is for the non sellers and also those who were owners but were not included on ownership list.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Many missed out because they did not think they had to go to Court because their land was in the Rohe Pōtae, or because they thought their land was protected by Article 2 of the Treaty.	
0935	The Non-sellers understood their land was theirs so long as they wanted it. They did not know they had to go to Court to confirm ownership. They did not attend Court when the block was partitioned, and did not have a say in where their share was allocated. The decision on the reserves for the non-sellers was made by Crown agent William Butler. Eight reserves were created for the non-sellers in the Waimarino Block – three of these within the petition area – Wai 6, 7 and 8. The total area of these three reserves was 2,360 acres. Of the 88,000 acres in the overlap of the Rohe Pōtae and the Waimarino Block the non-sellers received only these 2360 acres –or 2.7%. The North Island Main Trunk Railway runs the length of the overlap area, and it's not difficult to conclude that the Crown wanted that 88,000 acres included in Waimarino so they would own the land around the railway line. The non-sellers were the same people who had opposed the railway survey – as well as some like Pēhi Hītaua Tūroa of Ngatokoerua who had agreed to support the railway, but couldn't bring themselves to sell their land. The non-sellers rejected the allocation of land by the Crown – the main reserve in the petition area Waimarino 6 was deliberately set back from the Whanganui River to allow the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	North Island Main Trunk, room to go through on Crown land. The chief Tūao was allocated land in Waimarino 6. He did not accept this and wrote to the Government on behalf of himself and other non-sellers Tanoa and Taituha that as they had not taken the Government's money the whole of the Tūhua belonged to them: *Taumaranui June 11th 1887* *The Government of the Colony of New Zealand.* *Friends,* *Greeting. We Tūao, Tanoa and Taituha, that is the persons included in the sale of Waimarino, have never participated in the money for it, and consequently we take Tūhua into our hands so that it now belongs, that is, it is a portion of the Aotea Block.* *Sufficient* *From Tūao.* Because the non-sellers refused to sell, and did not accept Crown money we say – as Tūao said, 'The non-sellers remain owners in whole Waimarino Block.'" Kia ora.	
	JUDGE AMBLER	
	Mr Kīwara is going to present and then we will have questions.	
	RUFUS BRISTOL	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Okay, āe.	
	MARK McGHIE	
	Now Mr Kīwara's brief is #R016(a).	
	PETUERE AWATERE KĪWARA	
	Kia ora. Ēnei taonga, koinei ngā mauri studies. Tēnei nō runga i a (inaudible 09:38:01). Tēnā - tēnei ngā kōhatu nō runga i a Ruapehu. Koina ngā mauri rongoā e tiaki nei i a mātou nei.	...stone is from Mt Ruapehu. These are our mauri stones that care for us.
	Te Ahi Kā o te Kere. Nō hea te kakara e hau paroa nei. Te auahi o te ahi kā o Te Kere. Ka huri ngā tawa wakauru au, auē. Te Rangikiri, matua, e kui mā, e koro mā, manaakitia mātou i tēnei reanga kia tū tangata, e Pai mārire. Whai atu au ki te ia Whanganui. Piki ake ki te maunga ko Te Hīnau. Tūtahi rā, waihotanga mō ake, ngā hau o Tāwhirimātea purea ana. Kīhai mātou e huri kē ngā mahara te whakapono, tūmanako, me te aroha e. Tihei mauri ora.	Where is the scent that reaches my nose? It is the smoke from the burning fire of Te Kere. And turning to the sheltering trees alas. To the elders, care for us of this generation that we may stand as men and in peace and I follow the current of Whanganui River and ascending the mountain to Te Hīnau, a legacy in perpetuity for the winds of Tāwhirimātea that buffet us. We will never forget in faith and love. I rise.
	Kia ora e te Kaiwhakawā Ambler, tēnā koe. E te tēpu, ngā mema o te Taraipiunara, kei te mihi, ā, kia ora koutou.	Greetings Judge Ambler and your members of the Waitangi Tribunal, greetings. Greetings to you all.
	E ngā rōia, kia kaha i ō koutou nei mahi, ā tēnā rā koutou.	Oh the Crown counsel, be strong and be steadfast in your work.

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	E te tangata whenua o Te Rohe Pōtae, tēnā koutou, tēnā koutou, tēnā koutou katoa.	To the people of Te Rohe Pōtae, I greet you, I greet you one and all.
	READS BRIEF OF EVIDENCE #R016(a) "My name is Petuere Awatere Kīwara. My cousin Chris Ngātaierua lodged the Wai 1073 claim, and participated in the Whanganui and National Park inquiries. I became a claimant in Wai 1073 in 2009 and have been participating since then in the Rohe Pōtae District Inquiry. I gave evidence at the Ngā Kōrero Tuku Iho o Te Rohe Pōtae hearing at Ngāpūwaiwaha Marae, Taumaranui on the 27th of April 2010. At that Hearing I spoke of Te Kere's life and his philosophy. His main role was a tohunga of peacemaking at Whanganui and in the Rohe Pōtae. Te Kere strongly supported the Kingtitanga, and assisted in maintaining the aukati on the Whanganui River. I spoke of that too at Ngāpūwaiwaha. This claim Wai 1073 was filed for and on behalf of all the descendants of Te Kere Ngātaierua and his father Te Kura Te Huaki. Te Kere's father Te Huaki was a non-seller and so is covered by the non-seller claim, and so in one respect Wai 1738 (non-seller claim) is a senior claim to Wai 1073. Te Kura Huaki is No. 15 on the list of 101 Waimarino Block non-sellers. We also claim through his son Te Kere Ngātaierua who is not in the ownership list but should be as he had interests in the land."	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And then the whakapapa follows after that. **CONTINUES READING BRIEF OF EVIDENCE #R016(a)** "Wai 1073 also claims for and on behalf of followers and supporters of Te Kere who are owners in the whole Waimarino Block. For this Inquiry our claim is in the Northern Waimarino, where Ngāti Kahukurapango were interested and where they were granted substantial land in the Waimarino E subdivision which is within the petition boundaries. Kahukurapango was a grandson of Te Kowhaikura – see whakapapa chart above at paragraph 6. As to the nature and extent of Te Kere's tribal, hapū and individual interest within the Rohe Pōtae Inquiry District, we can say that Ngāti Tū were noted at Land Court title hearings as having interests in the Mōhakatino ki Paraninihi and Umukaimata blocks. **Te Kere and Tāwhiao Hīkoi** In 1881 King Tāwhiao invited Te Kere and his Ngāti Tū tribe to live with him at Whatiwhatihoe. Te Kere and a number of his followers from Whanganui moved there to be close to the King.	
0945	Ngāti Raukawa, Rangitāne, and other tribes supported Te Kere as well. Te Kere's taonga to Tāwhiao was Ruatipua whakapapa. Ruatipua is our original ancestor whose whakapapa demonstrates the original inhabitants association with all waka whakapapa to confirm unity.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Te Kere gave whakapapa for kotahitanga and Prophecy for inspiration. Te Kere said his prophetic powers would stop Crown taking land – the words themselves were an inspiration. He also created the Paetiuhou Movement to preserve past, present and future sovereign and governance matters over Māori territories. In 1883 with whakapapa, prophecy and Paetiuhou, Te Kere travelled the North Island with Tāwhiao and others, creating sacred Pou – spiritual posts. This was a peace mission to ensure ancient Māori wisdom was preserved and sanctified. (refer to the map). Te Kere and Tāwhiao began their hīkoi in the Waikato. They travelled firstly to Parihaka where they participated in a ceremony to sanction and preserve ancient Māori wisdom. They also set up pou to honour the prophets there. From Parihaka they journeyed to Pūtiki where they met with Whanganui hapū, and also Colonel McDonell at the request of our lower Whanganui relations. They travelled next to Rangitīkei then to Manawatū, Wairarapa and Pōneke. And at each of these locations they met with leading tohunga and Rangatira. It was then on to Heretaunga (Hawkes Bay) – there a pact was made and taonga was given, a greenstone by local Kahungunu people to Te Kere. The nature and extent of the giving I am unsure. From Heretaunga they would travel back to Waikato, probably through Tokaanu. In 1884 Te Kere made an application to the New Zealand	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Government for a piece of land at Mangapiko, near Alexandra. He was asking for land for hapū of the Ngāti Tū tribe to live on. He wrote: *Whatiwhatihoe* *29th September 1884* *To the Government,Greeting. This is a word (application) from myself and hapus to you, that a piece of land at Mangapiko near to Aexandra may be given to us – the hapus of the Ngāti Tū tribe – to cultivate for our use.* *If you accede to these words (this request) be quick to reply.* *From* *Te Kere Ngātaierua.* George Wilkinson – the Native Agent in the area wrote a commentary on Te Kere's letter for the Undersecretary: This tribe (the Ngāti Tū) belongs to the Whanganui District. They were bought here by Tāwhiao some three years ago, after his visit there. The ostensible reason for their coming was to catch and preserve birds for consumption at Native meetings, at which they are said to be proficient. But the real reason was, I think, that they might swell the numbers of Tāwhiao's followers and supporters, also perhaps to assist him in prophesying and foretelling events, at which business their chief (the writer of the letter) is said to be adept. They have so far shown themselves to be remarkably temperate and law abiding people."	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Taken as read from in – to district on that same line. I carry on. **CONTINUES READING BRIEF OF EVIDENCE #R016(a)** "But they are not wanted here, as by their presence and numbers they help to give the Kings party an importance that it would not otherwise possess, and I think it would help to further the final settlement of the King Question by the Government, if these people were to return to their homes. The only land the Government has at Mangapiko is a block of about 19 acres that was offered some time ago to certain members of the Ngāti Apakura tribe under 'The Waikato Confiscated lands Act 1862'. But with the exception of one Native (referred to in my last annual report) they have not occupied it or shown they have appreciated the Government, offer of land in any way. It is this block of land that the writer refers to, I think. After taking instructions from the Native Minister T W Lewis replied to Wilkinson: *In reply I am directed by the Native Minister to inform you that as these Natives do not belong to the Waikato District they have no claim to be provided with land under the Waikato Confiscated Lands Act and to request that you will be good enough to inform them to that effect – at the same time you might take an opportunity of suggesting to them the advisableness of returning to their own district where it is possible they may suffer the loss of lands to which they may have a claim by their tribal lands being dealt with by their relations who have*	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	remained in the district.	
	Over the next few years Te Kere focused on his healing Ministry which was based in the Upper Whanganui-Tokaanu Region. Te Kere did not appear at any of the block hearings in 1886 of land within the petition area and adjacent to the boundaries of the Rohe Pōtae District. By not appearing at Court Te Kere and his followers were not included in ownership lists for the lands they were living on. Around this time Te Kere attempted to persuade Te Heuheu not to gift the mountain peaks to the Crown but without success. In 1887 Te Kere and others made petition to the Government stating their interests in Waimarino Block was sold without their knowledge or consent. Te Kere also petitioned on the adjacent Opatu Block on the grounds the land had been sold to the Government by Māori who had no rights on the land. Both of these petitions failed to progress past the Native Affairs Committee. The Opatu Block was across the Whanganui River from Rētāruke. Crown agents had made advance payments on the land until this practice was stopped in 1881. Crown purchase agent Booth wrote in 1881 on the reasons for Crown purchasing land in that region in the period 1875-1880. This block is situated about 200 miles up the Whanganui River and is close to the purchased blocks Kirikau and	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Rētāruke. The idea was to acquire a large block and form a settlement in this the Tūhua country which a few years ago was the heart of the King District; owing however, to the murder of Moffatt which was committed in that neighbourhood there is no immediate prospect of completing the purchase of this block. I would therefore move the Court to declare the interests of the Crown in the block. Te Kere approached the Government on this matter, and was encouraged to put forward lists of names of individuals and hapū who were not included in ownership lists for the Waimarino and adjoining blocks. Te Kere did this, compiling lists for individuals of Ngāti Tū, Ngāti Rongomai, Ngāti Taipoto and Ngāti Ruru some of the hapū to be excluded in Waimarino owners lists. These hapū had interests in the Northern Region of Waimarino where there was a general awareness among chiefs that a boundary had been drawn for the Rohe Pōtae and that meant their land was protected from Crown purchasing. The Native Minister instructed that Crown purchase agent William Butler was to examine the lists and report if any of the Natives mentioned would have been entitled had they chosen to appear before the Court when the cases were being heard. Although Butler acknowledged the instruction, any investigation did not lead to a reopening of the lists for the Waimarino or adjacent blocks.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
0955	At the Ngā Kōrero Tuku Iho hearings in 2010, I tabled the Ruatipua whakapapa charts. This shows marriages between those with waka whakapapa and the original inhabitants. I would like to table another whakapapa of Ruatipua, this one from the JPS showing descent from Matirehoahoa to chiefs Tōpine Te Mamaku and Tūao Ihimaera. Tūao gave the opening evidence for Whanganui at the Aotea Rohe Pōtae hearings in July 1886. He was a non-sellers in the Waimarino Block, and many letters to the Government protesting about the inclusion of land within the 1883 petition boundary in the Waimarino purchase. He wrote to John Ballance on August 9th 1887: *Greetings, what have you done in regard to our kōrero at Ōtorohanga respecting the Aotearoa Block which has since been broken into by the sale of Waimarino.* *When you spoke to me you referred to Waimarino outside the Aotearoa Block, whereas I referred to the land included therein, and it now appears to me that I was right, as I have now received a notice notifying me of the quantity of acres for me therein. I do not desire that he should set apart for me the quantity of acres for me from that land, for it is not his but mine, and besides I did not accept his money, but told him to return it to the Government for it was a wrong proceeding... the real owners of the land refused to accept that money, as I preferred the land to his money.*	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Conclusion Te Kere said "He moni makuu kei roto i te wai, kei roto i te mētara, kei roto i te kirikiri." There is money for me in the water, in the metal, and in the sands. He expected an economic benefit from the river resources. Te Kere told his people that eventually about eight generations later, the river people would gain recognition of their kinship with and stewardship of the river. Te Kere spoke of a time, "In days that come when my mokopuna will carry on the work of my God and establish my Government." He named a number of whānau in whose time that recognition would not come, and indicated those who would bring it about. It would be achieved with help of Pākehā and benefits will accrue. I believe Te Kere's prophecies are fulfilled today in the Waitangi Tribunal claims, notably those such as the non-sellers claim which focuses on recognition of tino rangatiratanga." Kia ora tātou.	
	JUDGE AMBLER	
	Mr Melvin.	
	GEOFFREY MELVIN	
	Thank you Sir. Tēnā kōrua. Thank you very much both of you for your briefs of evidence. I have one question which relates to Mr Kīwara's evidence, and it relates to paragraph	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	11 where you talk about Kīngi Tāwhiao in 1881 inviting Te Kere and his Ngāti Tū tribe to live with him at Whatiwhatihoe. And I just wonder if you have more kōrero about the reasons for King Tāwhiao making that invitation?	
	PETUERE KĪWARA	
	Absolutely whakapapa. Te Kere had a whakapapa, pēnei te whakapapa.	
	Ko Tūrangapito ka moe ki a Hinemoana, ka puta ko Tutaiaroa. Nāna ko Porete, nāna ko Whaiteiwi, nāna ko Ngātaierua, nāna ko Pūtere, nāna Te Kere. Koina te whakapapa.	Tūrangapito married Hinemoana and begat Tutaiaroa who begat Porete, who begat Whaiteiwi, who begat Ngātaierua, who begat Pūtere, who begat Te Kere. That is the genealogy.
	That is one of the reasons, is that all right.	
	GEOFFREY MELVIN	
	And are there other reasons you're aware of?	
	PETUERE KĪWARA	
1000	Absolutely. As I said before, the King requested whakapapa. The King requested prophecy. Those were the other two reasons why he brought him up. Those were the main reasons I've cited in my re – those are the reasons.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Kia ora. Thank you very much.	
	JUDGE AMBLER	
	No other counsel?	
	PROFESSOR POU TEMARA	
	Tēnā koe Mr Kīwara, kōrua.	
	PETUERE KĪWARA	
	Kia ora.	
	PROFESSOR POU TEMARA	
	I have a – he pātai tāku māua Mr Kīwara.	I have a question of you Mr Kīwara.
	PETUERE KĪWARA	
	Mmm.	
	PROFESSOR POU TEMARA	
	We talk about Paetiuhou Movement.	
	PETUERE KĪWARA	
	Yes.	
	PROFESSOR POU TEMARA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Can you explain that movement?	
	PETUERE KĪWARA	
	Mmm. It was in the ONT Report done by, put an explanation in there.	
	PROFESSOR POU TEMARA	
	Okay.	
	PETUERE KĪWARA	
	The Paetiuhou was, the sovereign governance entity for the non sellers. I can't say it better, actually, than Mr Scannell. I have a paper here that I could read out that actually answers it beautifully, that question. Could I read it?	
	PROFESSOR POU TEMARA	
	No, no. I – you've pointed me to, to a reference and I'll, I'll look it up.	
	PETUERE KĪWARA	
	Okay.	
	JUDGE AMBLER	
	So that's in Mr Pātete's report?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PETUERE KĪWARA	
	That's correct, Your Honour.	
	JUDGE AMBLER	
	Tēnā kōrua.	
10:02:17	**UNIDENTIFIED MALE SPEAKER**	
	Kia ora.	
	JUDGE AMBLER	
	Firstly, Mr Bristol. At paragraph 24 you have set out a letter from Tūao. This is Tūao Ihimaera?	
	RUFUS BRISTOL	
	I'd say it was Tūao off the non sellers list, I'm not sure of that.	
	MARK McGHIE	
	I believe it yeah, it is, Sir, yes.	
	JUDGE AMBLER	
	Yes it is just Tūao Ihimaera I think is referred to in Mr Kīwara's evidence.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PETUERE KĪWARA	
	Oh, yeah.	
	JUDGE AMBLER	
	So, it is the same person.	
	MARK McGHIE	
	Yes, it does seem like it. Yes, it does, Sir.	
	JUDGE AMBLER	
	And is that letter in our Record of Inquiry?	
10:03:02	**RUFUS BRISTOL**	
	Mr McGhie might be able to answer that.	
	JUDGE AMBLER	
	Mr McGhie?	
	MARK McGHIE	
	I think it's in the supporting documents, Sir. I will get a reference for it, Sir.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And I am particularly interested if we have the letter in the reo.	
	MARK McGHIE	
	The letter is number two in the supporting documents but it's just the translated version we have here. We can see if the original can be located.	
	JUDGE AMBLER	
	When you refer to the supporting documents, what are you referring to Mr McGhie? What …	
	MARK McGHIE	
	#R016 (b), Sir. Page 2.	
	JUDGE AMBLER	
	Yes, yes. I am with you but that is just the, the transcription.	
	MARK McGHIE	
	That's the translation, yes, Sir.	
	JUDGE AMBLER	
	Well I think I'd like you to try and get that –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	MARK McGHIE	
	Yes, Sir.	
	JUDGE AMBLER	
	– the original and the original translation on the record please. But my question, Mr Bristol, and for both of you is, where he talks about, "Consequently we take Tūhua into our hands." We have heard quite a bit about Tūhua this week, the maunga, and I just wonder do you know what he means taking Tūhua in our hands in terms of what sort of area was he talking about?	
	RUFUS BRISTOL	
	I believe there was more than just the Waimarino Block, Your Honour.	
	JUDGE AMBLER	
	Mmm.	
	RUFUS BRISTOL	
	But southern end of the Rohe Pōtae Inquiry at least. I can't give you anymore than that.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Mr Kīwara, you cannot help? It is just that in your evidence Mr Kīwara, you refer at paragraph 25, to a letter from Booth.	
	PETUERE KĪWARA	
	Mhm.	
	JUDGE AMBLER	
	And he talks about the idea was to acquire a large block and a form of settlement in this, the Tūhua country, and he's talking there about the Kirikau and Rētāruke Blocks.	
	PETUERE KĪWARA	
	Yes.	
	JUDGE AMBLER	
	Which seem a reasonable distance south of actual Tūhua maunga. So I just want to get an understanding of, in the 1880s, when they are talking about the Tūhua District, what – how big a district is that? If you do not know, just –	
	PETUERE KĪWARA	
	Yeah, I'm not –	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	That is fine.	
	PETUERE KĪWARA	
	Sure, Your Honour.	
	JUDGE AMBLER	
	No.	
	PETUERE KĪWARA	
	But I'm, I'm picking it's the best part of the Southern Rohe Pōtae Inquiry area.	
	JUDGE AMBLER	
	All right.	
	PETUERE KĪWARA	
	Could be a lot bigger than that.	
	JUDGE AMBLER	
	Ka pai. Now, Mr Kīwara, in terms of your evidence a matter of clarification. There is reference to Ngāti Tū. Mr Haitana, I think, has a claim on behalf of Ngāti Tumanuka but that is a sep – different hapū?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PETUERE KĪWARA	
	Yes, that's correct.	
	JUDGE AMBLER	
	At paragraph 19, there is the George Wilkinson letter which talks about Te Kere going to Tāwhiao to assist in prophesying and foretelling events.	
	PETUERE KĪWARA	
	Yes.	
	JUDGE AMBLER	
	And so he is a significant tohunga isn't he?	
	PETUERE KĪWARA	
	Yes.	
	JUDGE AMBLER	
	And is that one of the –	
	PETUERE KĪWARA	
	Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Would you agree with what Wilkinson says there, that that is probably the primary reason why he goes to be with Tāwhiao? To be a tohunga?	
	PETUERE KĪWARA	
	Absolutely.	
	JUDGE AMBLER	
	And at paragraph 21, after this correspondence from Lewis, I get the sense that Te Kere does move back to the Whanganui District?	
	PETUERE KĪWARA	
	Yes.	
	JUDGE AMBLER	
	Is there – do you think that is in response to what Lewis says or is that just because Te Kere's following his, his own kaupapa?	
	PETUERE KĪWARA	
	Yeah, the reason for that is and we all know that Te Kere was noted by the – recognised by the Crown as a boycotter, and that was the position right up to 1888. It was no longer	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	needed to boycott because they had been recognised. What mattered more was to have that recognised and register of owners and that's why in 8080 – 1888, he went to the Under Secretary and gave the list of names.	
	JUDGE AMBLER	
	Ka pai.	
	PETUERE KĪWARA	
	To be included in those lists, Your Honour, yes.	
	JUDGE AMBLER	
	Mmm. And just coming back to the 1883 petition, we – we only know of the three signatories who are shown on the paper and I think it is 412 altogether.	
	PETUERE KĪWARA	
	Yes.	
	JUDGE AMBLER	
	And there is little evidence about who else might have signed.	
	PETUERE KĪWARA	
	Yes.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Is there any tradition as to whether Te Kere signed the 1883 petition or not? Are you not aware?	
	PETUERE KĪWARA	
	That I know of, I don't know of any signature.	
	JUDGE AMBLER	
	No.	
	PETUERE KĪWARA	
	What I can say is that he supported the terms and conditions of the petition in regards to the Treaty of Waitangi, it's ref – direct reference to the Treaty of Waitangi and the contents of Article 2 and 3 in the Treaty.	
	JUDGE AMBLER	
	Ka pai he mārama. Anything arising Mr McGhie?	
	MARK McGHIE	
	No, Sir.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Tēnā kōrua. We will just take a five minute break and we will return and hear from Mr Haitana.	
	PETUERE KĪWARA	
	Kia ora.	
1009-40	**HEARING ADJOURNS: 10.09 AM**	
	HEARING RESUMES: 10.13 AM	
	HOUSEKEEPING (DANIEL ORMSBY)	
1013:42	Kia ora anō tātou, he pānui. Outside where the tent that is taking diabetic checks for our whānau, so please utilise the health services that are available from our people. Thank you.	
	MARK ORMSBY	
	Sir, the next witness is Mr Haitana whose brief is #R010. Good morning to you Mr Honour and the beautiful and handsome panel. Good morning to you my adversaries the Crown. Good morning to all the lawyers. Good morning to all our whānau here, tēnei te mihi ki a koutou katoa.	
	MATIU HAITANA	
	READS BRIEF OF EVIDENCE #R10	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	"Piki te ora, piki te marama, piki te kaha ki a koutou katoa. He kororia, hōnore hareruia ki a Ihoā me ngā mano Matua, Tama, Wairua Tapu me ngā Anahera pono, me te Māngai hei tautokomai mai i ngā tūmanakotanga katoa āianei ake nei, āe. May it please the Tribunal. Ko Ruatipua te Tupuna Ko Ruapehu taku Koro Ko Hauhungatahi taku Kuia Ko Waimarino, Ko Manganui a Te Ao rāua ko Whanganui e ngā waiora eee. Te Kāhui Maunga taku tūrangawaewae Ko Ngatokoerua taku papakāinga Ko Ngāti Ruakopiri, rāua Ko Ngāti Tumanuka, taku hapū Ko Uenuku taku iwi Ko Matiu Haitana taku ingoa I am a child of the rainbow. The only Whakapapa I will give today is from My Great, great grandfather Te Tawhero Tupakaa (and that's him up there on the screen). Who begat Taura Te Tawhero Who begat Mare Taura Te Tawhero Who begat Rangiroa Te Tawhero	Life, enlightenment and strength to you all. Glory and honour and haleluijah to Jehovah of the myriads, the Father, the Son, the Holy Spirit and the company of angels. And may the Māngai support the aspirations of all people now and forever, āe.

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Who begat me, Matiu Haitana. I was named by my whāngai father Henare Kairimu Haitana who descends from Hōri Pōtae Whenua Haitana Te Tawhero, who descends from Haitana Te Tawhero (Who we don't have a picture of) who descends from this man, Te Tawhero Tupakaa. I am not giving anymore whakapapa beyond this point as I believe the Crown are only obligated to the descendants of Te Tawhero Tupakaa, whom they dealt with in the 1887 Waimarino purchase. I wrote a brief of evidence for week 1 on the Inquiry and spoke to that brief at Te Kūiti. That brief was given number #H11. It dealt with several issues at length including John Rochfort's surveying trip for the NIMT in 1883, so no kōrero on that topic today. The hapū I speak for had interests across the Waimarino Block, and into the Rangitoto-Tūhua Block at Pukuweka. One focus of my claim in Te Rohe Pōtae begins here at Ngatokoerua. This is the Urupā at Ngatokoerua that is the resting place of my great, great grandfather Te Tawhero Tupakaa #97 on the 1887 subdivision Waimarino Non-sellers List.	
1020	Te Tawhero Tupakaa was one of those noted as an obstructionist by John Rochfort at the 1883 Hui in Papatupu (on the Manganui-a-te-Ao, and this picture illustrates that place).	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Haitana Te Tawhero (AKA) Haitana Te Kauhī was responsible for writing to the Minister of Works on behalf of himself and nine others. I have been told that this Urupā which you see is the resting place of Pēhi Te Kore #98 on the 1887 subdivision Waimarino Non-Sellers list. You will notice this Urupā sits between State Highway 4 and the Main Trunk Railway Line. Ngatokoerua was the home of both Te Tawhero Tupakaa and Hītaua Te Kore (AKA) Pēhi Te Kore of Ngāti Ruakopiri. Pēhi Te Kore wrote to John Ballance 19 December 1887 from Ngatokoerua: *Hon. John Balance* *Friend greeting to you. This is a word from me to you with reference to the persons who are sharing the money which is said to be that for Waimarino, but no it is for his own lands and not my Waimarino, I do not approve of that kind of work my way is to keep quiet for God does not make land for me twice.* *Sufficient* *Pēhi Tūroa and Tribe* These are the areas where the Crown and their Kūpapa, Kingite counterparts chose to run their wretched railway line through. In the letter to the Native Minister referred to above at para	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	25, the Undersecretary Mr H J Edgar wrote: *On April 25 Hohepa Kāwana wrote from Raetihi objecting to the Railway at Waimarino (101m 14ch) encroaching on Māori graves. Matter has been reported on by Mr Louch Resident Engineer at Piriaka, who advises that Māori s should be induced to remove graves receiving usually £5 compensation, as it would be difficult to divert line of railway. Mr Brown today refers matter to me. Could you settle this difficulty on your way through?* The Minister later issued instructions: *Tell the Natives the line cannot now be altered. Government regrets very much having to interfere with graves. They have better remove the remains. The Government will pay them something and give them reasonable compensation* This urupā sits only a few kilometres below the petition boundary for the Rohe Pōtae District Inquiry. The NIMT rail line was constructed from north to south and the correspondence shows the process developed by the Crown during construction for dealing with Māori when the surveyed railway line crossed an urupā. This Tribunal has made it clear that it will not hear any land matters pertaining to other District Inquiries. Wai 1388 and Wai 1197 are not claims on land alienations, or Public Works confiscations et cetera. Wai 1388 and Wai 1197 are claims purely on the political	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	issues which resulted in many injustices to Whanganui Kingites. The influence of the Kingtitanga in Whanganui went well south of the petition boundary as early maps of the 'King Country' show. However, the Crown had purchased land in the Rētāruke and Kirikau Blocks in the 1870s, and Wahanui and the Whanganui chefs who signed the petition of 1883 drew the boundary to the north of Kirikau so as to exclude this land which had already been acquired by the Crown. **Parliamentary Legislation** These are the political issues which were the beginning of my koro's end. The Native Land Act 1873 and the Acts which followed allowed anyone and everyone to be able to sell their individual shares of land, to the Crown, without having to go through the local Rangatira. The Native Land Alienation Restriction Act of 1884 which gave the Government the right of pre-emption over lands within a prescribed district, which included the Rohe Pōtae and the remainder of what was to become the Waimarino Block.	
	MARK McGHIE	
	Mr Haitana, perhaps you could move on to paragraph 42 where you start personal account again.	
	MATIU HAITANA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	CONTINUES READING BRIEF OF EVIDENCE #R010 "The North Island Main Trunk Railway Loan Application Act 1886 was passed authorising the use of up to £100,000 from the Public Works Fund for the purpose of purchasing land along the main trunk route. This fund was used to purchase the Waimarino Block - the land of my tūpuna. I am a mokopuna of a rangatira who supported the Kingship and its ideals in 1883. I am now of the opinion that those rangatira I spoke of in week 1 had very little knowledge regarding the construction of the railway, which was a reneging on the supposedly 'Sacred Compact' and a breakdown of the Kingtitanga itself. I am convinced that the Crown were behind the opening up of the interior for the Main Trunk Rail, and the breakdown of both the 'Kingtitanga' and the 'Sacred Compact'. I am convinced the Crown purposely mislead Kingite rangatira into helping support the progress of the British Empire's imperialistic ideals. I am convinced the Crown supported any method possible both legal and illegal, in attaining lands for the creation of the Main Trunk Rail. Surveyor John Rochfort wrote to Bryce after being stopped at an aukati on the Manganui-a-te-Ao: I will also send a messenger down the river with a telegram to Bryce, and ask him to send 30 troopers from Taupuae Haruru and time their arrival at Waimarino… Your coming	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	through will perhaps draw some of the Hauhau out after you, and they can be taken and punished. I am convinced that a lot of my people were killed during this period hence the small numbers on the Waimarino Non-Sellers List. I am convinced the Crown cares as little for us today as they did back then: *...tell the natives the line cannot now be altered. Government regrets very much having to interfere with their graves. They have better remove the remains. The Government will pay them something and give them reasonable consideration…* Today I am a mokopuna of a non-seller who supported the kingship ideals and refrained from selling his interest of lands to anyone. I am of the understanding that a deal is a deal whether it is verbal or written. I have two written 'contracts' both pertaining to our peoples land and their principles, the 1883 Te Ōhākī Tapu, and the 1887 Waimarino Non-Sellers list. I also have a written Treaty of Waitangi, the very terms and conditions which guarantee me full and exclusive undisturbed possession over my lands, rivers, forests and estates should I chose not to sell my interests to the Crown. The Ōhākī Tapu Compact has been disrespected and smashed completed into pieces, by the Crown.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	The Waimarino purchase was the fallout from the breaking of the Sacred Compact. The Whanganui Kingites have been totally abused, insulted and lands virtually stolen by the Crown. To the Crown and all those who supported the roads and railway line I refer you back to picture. Take a good look at what you have done to my people. Do not take your eyes off it. These are the taonga or gifts from you the Crown which you promised would bring a better future and this is an outstanding picture of our better future. **Vision of future** I would like to see those Iwi who were part of the Sacred Compact come to the table, and voice your opinions, let us heal what was started in respect to great Kingite leaders. I would recommend that the Crown also attend. I would like to see the Crown deal specifically with non-sellers as a large natural grouping rather than its preferred melting pot methods it currently uses. Thank you for allowing me to speak in this week. Thank you to this Tribunal for giving me the opportunity to share the story of my rainbow coloured coat with you. I know now that the best I can achieve from this Tribunal process is a favourable report which I am grateful for. I also know firsthand the Crown don't really give a hoot about the Tribunal Reports or the endless mahi we put in,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	and that their political aims are the priority for settlements. The Kūpapa still outnumber us 80 to 26 as they did when my tūpuna opposed Rochfort and his supporters. Our Lands are still being stolen and given to others. Our people are still marginalised and dying. There is nothing the Crown are currently offering, or have ever offered that can heal pictures that I have shown you and the beautiful kōrero behind them. What should be offered will never happen?	
1030	Like 1883, today I am threatened with, join this process or risk being left out and receiving nothing. Full and final settlements are nothing but re-sales of our lands which we have to buy back. This brief of evidence presented here today is my last stand for my rangatira, kaumātua, Kaunihera and the brave 101. I refuse to take any monies offered for my Waimarino like Te Pēhi said in his letter, "God does not make land for me twice." I dedicate this brief to all the dead people who were moved due to the Crowns selfishness and utter lack of consideration for humanity and I refer you back to the insulting evidence I presented in my supporting documents of week one of Te Rohe Pōtae District Inquiry, "Te Ōhākī Tapu", The Sacred Compact. ... Maoris should be induced to remove graves receiving usually 5 pound compensation, as it would be difficult to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	divert the line of rail …" Kia ora koutou katoa.	
	JUDGE AMBLER	
	Mr Melvin.	
	GEOFFREY MELVIN	
	Tēnā koe, Mr Haitana. Thank you for your kōrero. We don't have questions for you.	
	MATIU HAITANA	
	Kia ora.	
	JUDGE AMBLER	
	Other counsel, no?	
	DR AROHA HARRIS	
	Kia ora, Mr Haitana.	
	MATIU HAITANA	
	Kia ora.	
	DR AROHA HARRIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I'm quite keen for you to take us through the images just in the last part of your presentation. They were coming up while you were finishing. So if we can go back to, oh actually, there was a – there was an earlier panorama shot like that but of a different place and I was wanting to know what that was. Yeah, there.	
	MATIU HAITANA	
	This place? This place in Ngatokoerua or what's left of it. It's all that native stuff, all the, all the native trees that you can see, yeah. All the stuff you see in front of it, it had a forest in front of it. I'm actually taking it from my great, great, great grandfather's urupā. So, the urupā was, I mean, the village was a big village in the day.	
	DR AROHA HARRIS	
	Right.	
	MATIU HAITANA	
	But that's all we got left of it today.	
	DR AROHA HARRIS	
	Okay, kia ora. And if we can go forward now to the, you got – you were at the right place that originally, but I think it's another – yeah. So let, can we start from there and can you just step us through the rest of the images?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	MATIU HAITANA	
	This is the resting place of my great grandmother, Te Kahuharariki and she was one of the kuias I mentioned in brief 1, in week 1, that presented arms and fired at Rochford. So this is her resting place and that's at a place called Karaka on the Manganui-a-te-Ao, straight across the river from Papatupu where the hui was that I was talking about. This one at, just mokopunas - this is my grandmother and she was a mokopuna to the lady that's resting in the grave, and this lady here, my Uncle Rufus' mother, that's his mother. My other family are there. My cousin, Poki Hirote Te Ora Kairakau's whānau, they're all Ngāti Maru. They all relevant. They all were part of Te Ōhākī Tapu and these are just the people who set our pathway forward.	
	DR AROHA HARRIS	
	And do you know what the event – was there some kind of event they were at that day? Do you know much about –	
	MATIU HAITANA	
	I'm not too sure about it, but what I do know is, and what I can only imagine, is because I see my koro's there and he's always got his Rātana, his Rātana emblem on, so from my point of view I know that back in the day, all our whanaus would get together and we'd have karakia and you know, we'd have church and whakamoemiti, so, and that's in Raetihi and apparently a place called Mangamingi and a	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Mangamingi Marae at Raetihi.	
	DR AROHA HARRIS	
	Kia ora.	
	MATIU HAITANA	
	This is, this is Pēhi Tūroa. He was the paramount chief of Whanganui. And there's –	
	DR AROHA HARRIS	
	Sorry. Do you know where that image is from? The source of it because –	
	MATIU HAITANA	
	Yeah, I got that off eBay. It was going for like $2. It was a little lantern. It was a little lantern, but I mean this is just – it was a little lantern. That's our – that's our taonga. But this –	
	DR AROHA HARRIS	
	Yeah.	
	MATIU HAITANA	
	Was the type of stuff being sent and sold all over the world and that's where it came from. As you can see, it's got New Zealand Government on it. It's got writing on it, but that was	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	actual – it was a, a lamp. A beautiful little lamp that you put candles in and it was – found it on eBay. That was found at about eight years ago, so, I thought I'd take the image before that's all we got of it. And, this one's Tōpia. They called him Te Mutumutu, up there at the Kīngitanga. This is Tōpia Tūroa. He was, he was the main man that brought Kīngitanga down in to Whanganui and he was supported by his Uncles Tahana. I mean, like I say, my whole claim's not land but politically, we were invited to Whanganui, I mean, Tahana Tūroa, was responsible for raising the king flag at Kaiwhāiki and that's, that's almost down in Whanganui and, and I know and I appreciate it, it's not in this inquiry but for me, politically, it's got everything to do with this inquiry, so, this is the last picture that I have and that's Tōpia Tūroa. He was the man responsible.	
	DR AROHA HARRIS	
	Thank you.	
	JUDGE AMBLER	
	Ka pai. And, can I take you right back to the beginning of your images. There were just some big panoramics.	
	MATIU HAITANA	
	That's the first panoramic.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Oh, there was a – there were some photos of the –	
	MATIU HAITANA	
	Oh.	
	JUDGE AMBLER	
	Maunga, yes. Just so.	
	MATIU HAITANA	
	Yes. This one's taken from Ōhakune and it's looking back at our maunga, like Ruapehu. There were, now people, that lived below Hauhungatahi, with this one.	
	JUDGE AMBLER	
	Yes. I was going to ask of Hauhunga –	
	MATIU HAITANA	
	Hauhungatahi.	
	JUDGE AMBLER	
	– tahi.	
	MATIU HAITANA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	So our kōrero is from where we are, that's the wife of Ruapehu, so they're very, very important people to meet, that's the Main Trunk Rail, that's half of the whenua, but again, it's outside (inaudible 10:36:15).	
	JUDGE AMBLER	
	Yes.	
	MATIU HAITANA	
	I thought I'd just show you the impact of that, that train.	
	JUDGE AMBLER	
	Ka pai and in terms of the urupā that you had images of which again is, is outside of our district, but is that the, the one that Mr McGhie mentioned known as Waikune or not?	
	MATIU HAITANA	
	Yes, yes. Oh, Waikune's like, just like a modern name for Ngatokoerua. We go back to the original name which was the papakāinga there, but yeah, Waikune is, is what it's known today.	
	JUDGE AMBLER	
	I see.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	MATIU HAITANA	
	Yes.	
	JUDGE AMBLER	
	Ka pai. Ngā mihi ki a koe.	
	MATIU HAITANA	
	Kia ora, kia ora.	
	JUDGE AMBLER	
	Anything arising Mr McGhie?	
	MARK McGHIE	
	No, Sir.	
	JUDGE AMBLER	
	Ka pai.	
10:36:58	**WAIATA**	
	He Kororia hareruia; Ko Ihoa ngā mano; Ki te Kāhui Ariki Wairua;	Glory and haleluijah; To Jehovah of the myriad; And to the God's of the spirit world;

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Mā te Māngai hei tautoko mai; He Ārepa, he Ōmeka; Tautokotia mai te rōpū nei; Piwiritua a Hamuera; Ka puta ka ora eee; Āmine!	And May the Māngai support; Oh the Alpha and the Omega; Support this group; Piwiritua and Hamuera; That we may emerge into the light;
	KARAKIA	
	E te Māngai hei tautoko mai, āianei, ake nei, āe. Kia ora.	
	GLENN TOOTILL	
	Sir, a slight change to the timetable now. We will now hear from Ms Rongo's claimant, Ms Glennis Rāwiri.	
	EVE RONGO	
	Tēnā koe, Sir. Ms Rongo on behalf of Wai 1824. I've filed the opening submissions and they are given the number #3.4.76. The Wai 18 –	
	JUDGE AMBLER	
	Just pause for a moment, please.	
1040	Thank you I have your submission now.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	EVE RONGO	
	Thank you Sir.	
	READS BRIEF OF EVIDENCE #3.4.076 "The Wai 1824 claim is a simple claim. It is a simple claim brought by Glennis Rāwiri for and on behalf of her whānau, and this claim highlights the impacts of Crown acts and omissions on this particular extended whānau ("whānau"). Ms Rāwiri (who's the sole witness for 1824 this morning) will highlight the impact of Crown acts and omissions in relation to: • Loss of whenua; • Te Ao Māori; • Education; • Alcohol; and • Socio-economic conditions. The Wai 1824 Claimant's tūpuna whenua included Rangitoto A60B and Puketarata 4E2B. Their whenua was of great significance to them, due to its history and because it was land that was passed to them from their tūpuna.' Today the whānau have small land interests in Te Rohe Pōtae. Ms Rāwiri can't tell you how her other whānau land	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	was lost because her whānau just don't know? The claimants contend that the Crown has failed to actively protect the Māori way of life, te ao Māori, in particular, the everyday customary practices of Te Rohe Pōtae whānau. **In terms of Rongoā** The evidence to be presented will describe the effect Crown actions have had on rongoā, traditional Māori healing, including the passing of the Tohunga Suppression Act. Ms Rāwiri will describe how this Act forced her mother to keep her art hidden, and practiced underground. Ms Rāwiri will also share how her mother was forced to treat her patients in private; including how she healed broken bones and how she worked with the body to dislodge foreign objects. **In terms of Patupaiarehe** The evidence will address issues regarding the impact of extensive land development on Patupaiarehe. The evidence of Ms Rāwiri is that before European settlement of Te Rohe Pōtae the Patupaiarehe roamed free. There existed a respect between Te Rohe Pōtae Māori and the Patupaiarehe. Ms Rāwiri will tell you that due to extensive land development in Te Rohe Pōtae the Patupaiarehe have been forced into hiding. The evidence to be presented by the Wai 1824 is that her whānau are uneducated and poor. Notwithstanding this Ms Rāwiri is critical of the negative impacts of the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	unemployment benefit on her whānau. The evidence to be presented will also address the positioning of power pylons through the whānau Totorewa urupā. The evidence shared today will highlight the effect that alcohol has had on whānau. Although Te Rohe Pōtae Māori and the Crown had negotiated the exclusion of alcohol, the Crown still allowed it to enter the rohe and the claimants contend that alcohol has had a devastating impact on whānau. Ms Rāwiri will share evidence concerning the importance of harakeke to their whānau, particularly their unique strain that her whānau are trying to protect.”	
	Sir, if there are no questions, I’d like to call our next witness.	
	JUDGE AMBLER	
	Ka pai.	
	EVE RONGO	
	Ms Rāwiri.	
	GLENNIS NGĀWAI RĀWIRI	
	Kia ora, ngā mihi nui ki a koutou.	
	READS BRIEF OF EVIDENCE #R004	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	May it please the Tribunal. My name is Glennis Ngāwai Rāwiri. I stand before the Tribunal today to give evidence in support of the Wai 1824 Claim in this district. This claim is made for and on behalf of my whānau, my mother, my father and their tūpuna. My evidence will touch on my experiences growing up in Raglan, and the life that my mum and dad lived and the effect of having land taken from my family/whānau without any explanation or consideration for my whānau. **My Background** My dad was whāngai to Tewi Kīngi, his great grandfather. They were lumber jacks working in the forest. Tewi took him all around Kaingaroa forest, Ōngarue and Waingaro where they used to fell logs. He lived there for a short time then they moved to Taranaki. Dad later worked on the Raglan Wharf and then for the Raglan County Council building roads in Waingaro. Dads homestead is called Kaingaiti and is below the Waingaro Marae on the Waingaro Landing Road. We have our own urupā, our puna. We have a creek and the marae is just up the hill, the Waingaro Marae. We have a bach by the beach on the Parakata Peninsula. Mum and dad used to go around in convoys doing the season sharing, rousing, fencing breaking up Te Ākau and Waingaro for farming or cultivations, bush work and even broke in horses. To get around we had a team of draught	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	horses. We ended up with only one in the end, named Jumbo. After that we got a truck. Everybody would hop on our truck and we would travel from quarters to quarters. Most of their hard work has gone back to gorse, gone back to gorse. No one has done anything to the land. I was born in Gordonton but grew up in Waingaro. I went to Ohautira Māori Native School and went from there to Raglan District High School. Mum was a faith healer. Injured people would come to our home to be healed by my mother. She would use water and karakia. She sometimes boasted because she could use water from the roadside puddles or paru water where some could only use clean water, tap, river or stream water. Later the people would come back with meat or vegetables (they had no money) to thank my mother. I remember my mum healing my brother's girlfriend that was hurt. My cousin's son had swallowed a 5 shilling piece, she took him to the Waikato River and he brought it up even though it was lodged deep in his throat, she healed Wairangi me te pōrangi. She would heal broken bones as well, like when I got my foot trodden on by a horse. The Tohunga Suppression Act stopped my mum from practicing in the public eye for fear of being put in jail. But she practiced her healing amongst the family. She practiced right up until she died at age 52 years. I was too young to learn. I was only 20 years old when she died.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	She didn't hurt anyone that she practiced on, healing on. I know that she could have easily hurt people that she thought deserved it, but she never did. Everyone that came to the house knew she was there to help them. As a child I was used to it. It is a shame that my mum was forced to hide her art. It is now a lost art. Takatoroa, my son's namesake, was a tohunga from Waingaro and it's not practiced anymore. My family has lost our birthright. **Patupaiarehe** When mum and her sisters got together they would talk all night long. I'd stay up and listen to their stories about when they were growing up in Rangitoto. They'd talk about patupaiarehe. Mum taught me that there were three types. They were the fairy people, the spirit people and the little people. Some were in the bush and some in the air. They would call the fairy people to come – the fairy people would call them to come and play. They knew they weren't allowed – they had to be indoors before night fell. The spirit people were the men, women and children walking in a row in the air along the path leading to Spirit Bay in Tai Tokerau. The ones that walked in the air you could see them clearly as day. They had their bags. They looked like normal people. They were on their way to the spirit bay on the track that runs right from the bottom of the South Island. It passed through Gordonton where we would spend time as	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	a youth, you could feel them as they passed. The little people were similar to those you see on TV programme. My mum's sister, that's the grandmother, saw them. She was working alone in her garden and went into labour. The little people came and tied her up on the ground. They came to help mum's sister as she gave birth to a daughter. That was their purpose. Mum was very involved in this world.	
1050	All the Patupaiarehe have gone now. Forests were all cut down, too much development. They have hibernated somewhere else. They're hiding because they have nowhere to go. I haven't ever seen them, but I have felt them. I listened to mums and them's stories and were aware of the Patupaiarehe. **Flax** Flax was really important to my mum and her sisters. Mum was a weaver. She worked on korowai, wharaki, kete, and things they needed at the time. It was her job to look after the flaxes. Today, my family in Gordonton are still looking after the flaxes. They are trying to preserve our pā harakeke. We have a different variety that we're trying to continue. It would be good if the Waitangi Tribunal could help us preserve our strain of harakeke. **Rangitoto A60B** I got my licence at 15 years old. I used to drive my mum	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	around, all over the place even all the way up north. I remember driving my mum from Ragan to Gordonton. She had a letter, I can't remember what exactly the letter – who it was from but it said something was going to happen with Rangitoto. My mum's brothers and sisters knew Rangitoto was going to be taken. They said, "We are too dumb, we're too old, we're too broke. We don't know what to do." That is what got me started on this journey. And Rangitoto was important to my mum. Mum lived on Rangitoto when she was young. They had a house on it, their papakāinga, and they would live there part of the year then they would move around. They lived between Rangitoto and Kihikihi. I've been to the Māori Land Court and have papers saying Rangitoto A60B was transferred to the Māori Trustee in 1953. I know from research reports that just under 900 acres was alienated into private ownership in 1966. I want to know what happened. Did the Māori trustee sell our land? Our family were moving away from the area for employment and for health reasons. No one could afford to put money into the land. Today I don't have any land in Rangitoto. It is all gone. Mum kept going on about that place. Her and her sisters would tangi over this when they got together. They cried because they lost their connection, their mana. Dad would jump out the window, he didn't want to listen. I cried too. Mum had moved away from this area to have her family. There was no one there to help my whānau retain land that	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	was taken out of our hands and there was nothing we could do. My whānau were uneducated and poor. The loss continues to be felt. **Puketerata 4E2B** I succeeded to Puketarata from mum. We have 101 acres in total. There were 12 original owners, and after us all succeeding to interests there are 21 today. There is a small section where – there is a small section on there. It's calledTotorewa urupā. I was amazed to see power pylons so near to the urupā. First time I went to the place I saw them. I thought, "What are pylons doing there?" It was cold – it was odd. I didn't understand why they couldn't have built it somewhere else, even just a little away from the urupā. At Puketarata, the Maungārongo Creek ends at – and the Waipā commences. It starts off as a small trickle of dirty brown water. This area is of great significance to us. Raureti and his warriors would go down on their flying fox to the Waipā River to surprise their enemies. The enemies didn't know where they were coming from. Today a farmer grazes cows there. The farmer had a 99 year lease. We don't know how that happened. Who decided 99 year leases, who decided the rental amount? Three generations later the farmer's family are still there. Mum was getting $30 three times a year for that land when it was under the 99 year lease. She died in 1978. The 99 year lease finished in 1980s, so we were finally able to raise	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the rent. Now if mum was alive she would be getting $3000 a year. We don't know what happened to the rest of the land that we used to own. I had to work on the Pūnui and Waipā Rivers in the 1980s as part of the PEP Scheme. Twelve buses would arrive from Temple View to Tokanui. Everyone that participated were on Government benefits. Every corner and every bend on river, the two Māori bus drivers, would do a karakia and we would go behind them cleaning. I would feel the ihi. Mum and her sisters walked these same areas to collect flax, and looked after their gardens. This was their track. We have significant sites here that I want protected. The power pylon is close to our urupā. The Waipā and Pūnui River originates on our land – the Waipā originates on our land, shouldn't that be protected? This river was important to mum and them. They travelled it. They walked it for sustenance and living. **Alcohol** Manganui (my grandfather) lived behind the then Kihikihi Hotel. They owned the land behind there, it was Māori freehold land. They had been there for decades. We used to go there in convoys. All the kids would sit at the back of our Jag, and we would go to Kihikihi to land meetings. We took our kai from the gardens (like pumpkin and kamokamo), fruit from our orchards (like peaches) and kaimoana (like pipi). Manganui and whānau lost that place behind the pub due to alcoholism. My whānau would drink	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	and built up massive debts with the pub. My whānau are hurting. Maniapoto didn't want alcohol here. Rewi didn't want alcohol but the Government allowed it in. There was a lot of it around throughout my life and before then. I saw abuse. I can't drink because of what I've seen in my life. **Unemployment** The Government brought out financial assistance. It didn't give people a reason to get a life, we had a weekly income. We would stay home. I would just stay home and get drunk. It was the worst thing I ever did was to get, get on that hand-out. It was security, handy. But it didn't force people to support themselves. **Health** When I was young, mum and I had our own garden. We grew vegetables and fruit including potatoes, kūmara and pumpkin. We didn't have a garden in Raglan though. I think mum died early because of the change in foods. She was used to the organic grown, home grown kai. But when we moved to Raglan we ate differently. We had fish and chips, Chinese food, fatty foods. Mum and dad put on a lot of weight. Mum was only 52 when she died. Dad had cancer and died when he was only 50. I knew my whakapapa growing up. I was lucky enough to meet my parent's brothers and sisters and my grandfather's sisters. But they all died at young ages in their 50s. My brother died when he was 60. He is buried at Kaingaiti	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	with my mum and dad. **Home life** I was brought up in a ponga house with a dirt floor. Although we didn't have much we always had food on our table, we were warm and dry. We then moved to Dad's sister's house in Waingaro. This was a Māori Affairs home bought with the family benefit. I was raised with everything that I needed. We didn't have flash toys or bikes. Dad would have to save up for everything and we wanted like watches or guitars. But I didn't want for anything. We were content with what we had. I don't know of whānau selling land when I was growing up but I know that whānau are selling land today. They need the money.	
1100	**Education** It was a huge culture shock when we moved from Waingaro where I went to Native School to Raglan District High School. There weren't Pākehā around when I grew up in Waingaro but there were in Raglan, there were Pakehas. They were different from us. There was no manaaki. I didn't have much to do with them. We Māori kids were in one corner with the Pākehā kids in the other. Us Maoris would stick together. I didn't have any Pākehā friends at school. At school Māori were treated like dummies, academically we	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	were dumb. But when it comes to sports and haka we were awesome. We took out all sports and haka competitions."	
	EVE RONGO	
	Ms Rāwiri could I just get you to explain this photo and the one after it?	
	GLENNIS RĀWIRI	
	That was Uncle Dave Manahera. He's our – **CONTINUES READING BRIEF OF EVIDENCE #R004** "At the school we have – oh, at the native school we used to get hot chocolate, which was cocoa, supplied by the Government. Then they stopped the cocoa and we just got the milk bottles. District Health nurses would come around with ice-block sticks checking for kutus. We knew who had kutus because they were the ones with the note at the end of the day to give to their parents. We used to walk to school until we got a bus. It was about 3-4 ks away. There was one nice Pākehā teacher at Raglan School that was good but the rest treated us differently, from assembly right through to in class."	
	JUDGE AMBLER	
	Kia ora, Ms Rāwiri we are going to take the morning break. Ka pai. We will return at 11.20, kia ora.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	HEARING ADJOURNS: 11.02 AM	
1121	**HEARING RESUMES: 11.21 AM**	
	DANIEL ORMSBY	
	Kia ora no whānau. Please may you turn your phones off while you're in here and please keep the noise down to a minimum while the people are giving evidence, thank you.	
	JUDGE AMBLER	
	Tēnā koe. I think you were at paragraph 51.	
	EVE RONGO	
	Ms Rāwiri, before you commence could you tell us a bit about these photos that are on the PowerPoint now?	
	GLENNIS RĀWIRI	
	That's Dave Manuhera with his daughter Dawn and that was when Bledisloe came over to Tūrangawaewae.	
	EVE RONGO	
	And the next photo?	
	GLENNIS RĀWIRI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And that's Te Ako-o-Waingaroa haka team. Wherever they went, we would go from the school, our native school. We would follow them. That's all the tūpunas, my mother's and their – at the back.	
	EVE RONGO	
	Thank you. I think you were up to paragraph 51.	
	GLENNIS RĀWIRI	
	CONTINUES READING BRIEF OF EVIDENCE #R004 "Where my whānau are concerned, we have suffered a lot. There is a lot of the Crown needs – there's a lot the Crown needs to do to make this all right. If I was to have a wish list to deliver the Waitangi – to deliver to the Waitangi Tribunal this is what I would look at: I would like the Crown to give our land back; If the Crown cannot give our land back then I want compensation for the land that they have taken and for all my, for all the mamae my tūpunas and whānau have suffered and missed out on over the years; We want to find out what happened to Rangitoto A60B. Why was it sold? Why didn't the Crown – why didn't the whānau know about it? These are things that plague my whānau and we want answers; I want power pylons – I want the power pylons that are we – that are close to my urupā to be moved away from our	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	urupā; I want an apology to my tūpuna and to my whānau; The whānau want an acknowledgement that the Crown breached the Treaty, and we want a guarantee that the Crown will live up to their Treaty obligations; I want alcohol to be abolished. It has done too much harm and no good has come from it; I want the Crown to help us protect our unique strain of harakeke; and I want free health care for Māori. We are suffering and the Crown needs to look after my whānau. I would like to take this rare opportunity, of standing before you today, to make a few acknowledgements. I would like to acknowledge all those that have walked before me, all those that are coming through and all those that are walking with us today, especially new friends and lost relatives that I have met throughout the Waitangi Tribunal process. Kia kaha, kia manawanui. I'd like to thank the researchers, the kaimahi, the caterers and all the marae that have – that we have been to, kia ora. To the Waitangi Tribunal panel and staff. You have listened to all the people. Now make sure all out grievances haven't been for nothing. Thank you for all you have done. To the Crown, I thank you for listening to the cries of the people. Take our pleas and make correct the wrong doings of the Crown of the past.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	A big thank you to my lawyers for all your hard work. My whānau thank you one and all. But the glory must go to our creator who gave me strength to move this kaupapa along. Kia ora, no Glennis Rāwiri.”	
	JUDGE AMBLER	
	Mr Melvin.	
	AMY WILLIAMS	
	Tēnā koe, Ms Rāwiri. Ms Williams for the Crown. I had a couple of questions about the urupā and the power pylons. Can you tell us when they were put in, the pylons? Do you know when they appeared?	
	GLENNIS RĀWIRI	
	No.	
	AMY WILLIAMS	
	When was the first time you noticed that they were there, do you remember?	
	GLENNIS RĀWIRI	
	Last year we had a meeting on the block.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	AMY WILLIAMS	
	And that's the first time you noticed that they were there?	
	~~**GLENNIS RĀWIRI**~~	
	~~(No audible answer 11:27:01)~~	
	AMY WILLIAMS	
	And do you know who's land the pylons themselves are on? Are they on Māori land or are they on the next door neighbours land?	
	GLENNIS RĀWIRI	
	The pylons go right through from the bottom of the South Island, so it's got to cut through some land I sup~~'~~pose, they chose ours.	
	AMY WILLIAMS	
	But do you know whose land they're physically located on? Is it – it's not on your block?	
	GLENNIS RĀWIRI	
	Yes.	
	AMY WILLIAMS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Is it on someone – is it actually on your block?	
	GLENNIS RĀWIRI	
	Yes.	
	AMY WILLIAMS	
	And that's still in Maori ownership?	
	GLENNIS RĀWIRI	
	Yes.	
	AMY WILLIAMS	
	Still in your ownership. Do you know if there were any, if there was any notification about the pylons being –	
	GLENNIS RĀWIRI	
	No. This is the land we lease out. We lease this block, Puketerata.	
	AMY WILLIAMS	
	Okay.	
	ROBERT JONATHAN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Can I answer to that question. That power lines or pylons that have gone past the urupā, that's the 220KB line that was erected in 1987, and that's the electrification line that, that powers up the, the main trunk line.	
	AMY WILLIAMS	
	Okay.	
	ROBERT JONATHAN	
	From, from Stratford to Manuanui, Manuanui right through to Huntly Power Station, and that was put in, in round about eight – 1985, right through to '87, '88.	
	AMY WILLIAMS	
	Do you, just a little bit of information about the urupā itself, is it fenced off?	
	GLENNIS RĀWIRI	
	Part of it is. The farmer can't get – the cows can't get up there.	
	AMY WILLIAMS	
	Yeah, so it is –	
	GLENNIS RĀWIRI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	It's p~~P~~retty rough, but part of it is fenced off. We asked them to fence it off about 10 years ago.	
	AMY WILLIAMS	
	Okay. And are there headstones in the urupā? Is it …	
	GLENNIS RĀWIRI	
	Not so much headstones. They're frame musk, yeah.	
	AMY WILLIAMS	
	Yeah, yeah, I think I know what you mean.	
	GLENNIS RĀWIRI	
	But all the headstones are broken.	
	AMY WILLIAMS	
	Okay.	
	GLENNIS RĀWIRI	
	And that's where the Waipā commences, right there.	
	AMY WILLIAMS	
	Just on the research that you've done on the Rangitoto A60 (b) Block, at paragraph 26, which is page 4 of your brief, you	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	talk about having gone to the Māori Land Court and getting some papers about the block?	
	GLENNIS RĀWIRI	
	Yeah.	
	AMY WILLIAMS	
	Are you planning on putting the papers in as evidence at some point for the inquiry so that we can see what …	
	GLENNIS RĀWIRI	
1130	Well all these lands I had claim for, I'd given them to the researches.	
	AMY WILLIAMS	
	Okay.	
	GLENNIS RĀWIRI	
	And nothing came back so I just stuck with Rangitoto and Puketarata, and those were my mother's claims 'cos I had amended my minutes from my mother's and added my father's in, but nothing come off it, yet.	
	AMY WILLIAMS	
	And my next question's just about the sites that you want to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	have protected. So that's just over a page on page 5, and it's paragraph 35. So you talk about the power pylon being close to the urupā and that the Waipā-Pūnui River originates on your land. I just wondered if you know if any steps have been taken to have any of those sites of significance protected under the Historic Places Act?	
	GLENNIS RĀWIRI	
	Well, when we had the meeting last year, I warned the farmer leasing the place that this is – this block was under the Tribunal – I was doing this with the Tribunal, but the least [sic] he has to deal with your ~~r~~ fellas, the leaste, the better he likes it.	
	AMY WILLIAMS	
	So are all the sites of significance that you're wanting to protect, are they all on that one block?	
	GLENNIS RĀWIRI	
	Yes.	
	AMY WILLIAMS	
	And I just – the other thing I just wanted to check to see whether you were aware of was the – you say that – you talk about the river and wanting that to be protected. I just wondered if you were aware of the 2010 deed between Maniapoto and the Crown that dealt with co-management of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the Waipā River. Are you aware of that?	
	GLENNIS RĀWIRI	
	No.	
	AMY WILLIAMS	
	Might be something to have a look at because I think it may help a little bit with what you're talking about in that respect. Sorry I just needed to go back to the urupā and the pylons just quickly. Can you tell us a little bit about how far the pylons are away from the urupā, just to give us a little bit of context?	
	GLENNIS RĀWIRI	
	Well I thought they were on the urupā. The urupā's a hill. You know you got flat land and you got these hills, goes like that. And I thought the uru – pylons was right on that urupā, but I think it's a little bit off the urupā.	
	AMY WILLIAMS	
	Can you give us like an estimate of distance like from the fence to –	
	GLENNIS RĀWIRI	
	About from me to the Judge.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	AMY WILLIAMS	
	So not very far at all?	
	GLENNIS RĀWIRI	
	Not very far at all.	
	AMY WILLIAMS	
	That's all we have for you today. Thank you very much for that. It's very helpful.	
	JUDGE AMBLER	
	Other counsel, no?	
	DR AROHA HARRIS	
	Kia ora. Thank you for your evidence this morning. I just got a question about the Puketerata Block. So there's an ahu whenua trust on that block? There's a –	
	GLENNIS RĀWIRI	
	The Māori Trustees are the trustees for that block. What's the name, Maureen (inaudible 11:33:38). She's our –	
	DR AROHA HARRIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Oh, okay. I've gone and looked it up and it's – that wasn't clear to me that it's the Māori Trustee. Oh yes sorry you're – yes it is. They've got it – Trustee flipped around. Okay, well I wasn't expecting that. So do – does the Māori Trustee hold regular or annual meetings with the owners or anything like that?	
	GLENNIS RĀWIRI	
	Nah.	
	DR AROHA HARRIS	
	Okay, well that kind of blows the rest of my questions because I was going to ask about the opportunities to talk about protecting different sites on the block and that sort of thing. Is there any other owners organised in any way to be able to negotiate becoming trust – you know replacing the Māori Trustee at all?	
	GLENNIS RĀWIRI	
	Not at the moment.	
	DR AROHA HARRIS	
	Not at the moment.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GLENNIS RĀWIRI	
	They have been working on getting some – getting our own trustees on there.	
	DR AROHA HARRIS	
	Okay. Okay I'll just leave that there, thank you.	
	JUDGE AMBLER	
1135	You look a bit sceptical about getting your own trustees on to the block.	
	GLENNIS RĀWIRI	
	I don't have any faith in some of the trustees that are going out at the moment.	
	JUDGE AMBLER	
	All right. Well that is probably a kaupapa for Judge Clark so I'll leave that.	
	GLENNIS RĀWIRI	
	Yes I was suppose to deal with Judge Clark today in Hamilton.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	All right.	
	GLENNIS RĀWIRI	
	So if he is your friend can you put in my apologies.	
	JUDGE AMBLER	
	Yes.	
	GLENNIS RĀWIRI	
	This is our third sitting today with him.	
	JUDGE AMBLER	
	Yes.	
	GLENNIS RĀWIRI	
	It was very important.	
	JUDGE AMBLER	
	Firstly, ngā mihi ki a koe, a very well written evidence and I get a very strong sense that these are very much your words. Can I just take you through a few issues? At paragraph 11 where you talk about the Tohunga Suppression Act and your mother no longer practising in public. So can we just place	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	your m other in terms of a timeframe, when would she have been born?	
	GLENNIS RĀWIRI	
	She died in ’78. She was 52, you take that off ’78.	
	JUDGE AMBLER	
	So she would have been born in 1926?	
	GLENNIS RĀWIRI	
	Something like that.	
	JUDGE AMBLER	
	Okay. So the time when she would have been practising these gifts would have been after the Second World War, 1950s and 1960s probably? Does that sound right?	
	GLENNIS RĀWIRI	
	Yeah I think so. That was normal to them. That was a normal thing to them to do that, to heal.	
	JUDGE AMBLER	
	Yes. Did she ever talk about the Tohunga Suppression Act or is this what you have assumed what was the case?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GLENNIS RĀWIRI	
	No, I knew she was frightened of the law. That's all they know, they scared of the law, getting caught. But whether it was Supreme thing Act, Tohunga Act or thing, I don't know what they were scared of.	
	JUDGE AMBLER	
	Now paragraph 24 when you are talking about Rangitoto A60B, the southern part of the land, you talk about your mother having a letter, so can you just place that in time. Is this when you were 15 or yes?	
	GLENNIS RĀWIRI	
	Yes.	
	JUDGE AMBLER	
	All right. I am going to ask you the hard question –	
	GLENNIS RĀWIRI	
	I was 15 and I'm 58 now so take that away, how old was I then?	
	JUDGE AMBLER	
	I don't you. So what year were you born?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GLENNIS RĀWIRI	
	16, I would have been 16.	
	JUDGE AMBLER	
	You would have been 16.	
	GLENNIS RĀWIRI	
	Yes.	
	JUDGE AMBLER	
	So what year were you born?	
	GLENNIS RĀWIRI	
	’56.	
	JUDGE AMBLER	
	All right. So that dates that at about 1972. We just don’t know exactly what happened with Rangitoto A60B southern. Mr Jonathan is your cousin?	
	GLENNIS RĀWIRI	
	Nephew.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Nephew, all right. And so Bessy Thokolich is a niece?	
	GLENNIS RĀWIRI	
	Yes.	
	JUDGE AMBLER	
	All right. And Mr Jonathan read her evidence out yesterday –	
	GLENNIS RĀWIRI	
	Yes.	
	JUDGE AMBLER	
	– and we were just trying to work things out. So the trip that you went on, do you think that was to do with the Rangitoto A60B land?	
	GLENNIS RĀWIRI	
	It was.	
	JUDGE AMBLER	
	In 1972, all right. But you say a bit later that the land was alienated in 1966 so I am just trying to marry that up. If the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	land had already been sold what was the hui she was going to?	
	GLENNIS RĀWIRI	
	That would have been before – that would have been the getting off – the place got noxious weeds and nobody living on the premises.	
	JUDGE AMBLER	
	In 1966 do you say?	
	GLENNIS RĀWIRI	
	I think so.	
	JUDGE AMBLER	
	Yes it is a bit puzzling because Jane Lieutan discusses this block in her report and she talks about an application dealt with in 1954 to do with noxious weeds and the Court dismissed the application so there was no taking of the land.	
	GLENNIS RĀWIRI	
	Yes I read that book too and the words on there was N-G-A-M-U, Ngamu so I stopped reading that book because I thought, “Oh well that’s not us, we’re Ngamo.”	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes I think it is a typo because it is spelt N-G-A-A-N-I-O as well.	
	GLENNIS RĀWIRI	
	Yes.	
	JUDGE AMBLER	
	But, all right. So – but you think the land was vested in the Māori Trustee in 1953?	
	GLENNIS RĀWIRI	
	The papers – I'll have to look through my papers. I've got them in the car.	
	JUDGE AMBLER	
	These are the papers that you also gave to your – to the researchers?	
	GLENNIS RĀWIRI	
	The researchers, yes.	
	JUDGE AMBLER	
	Have you given them to your lawyer to look at?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GLENNIS RĀWIRI	
	Yes and the researchers too.	
	JUDGE AMBLER	
	Well –	
	GLENNIS RĀWIRI	
	They only pinpointed that one thing out of there, was that trustee one. But like there was a tramway, an easement. The things was all written on there. That was communications with the Māori Land Court and the developers I suppose.	
	JUDGE AMBLER	
	Well I would like you to sit down with your lawyer today –	
	GLENNIS RĀWIRI	
	I don't think it was of any significance why they didn't put it in?	
	JUDGE AMBLER	
	Well I do not know if it is of significance or not but I would like you to sit down with your lawyer today and take her through those papers and just see if there is anything that	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	sheds further light on this, all right?	
	GLENNIS RĀWIRI	
	Okay. You better sit with us too.	
	JUDGE AMBLER	
	Just turning to the Puketerata 4E2B land. You have explained sort of where it is but just can you orientate me in relation to Te Kūiti and Ōtorohanga.	
	GLENNIS RĀWIRI	
	You know the Tokanui Hospital?	
	JUDGE AMBLER	
	Yes.	
	GLENNIS RĀWIRI	
	If you follow that road to Ōtorohanga to the end of the road, well the farm is right there.	
	JUDGE AMBLER	
	So the farm is right beside the main trunk line and the highway?	
	GLENNIS RĀWIRI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	No this is the back road. The Tokanui Hospital you go straight up and you will come out to Puketerata. If you go that way you are going to Wellington.	
	JUDGE AMBLER	
	I see.	
	GLENNIS RĀWIRI	
	Aye, coming down here this way, Taumarunui.	
	JUDGE AMBLER	
	So you head west?	
	GLENNIS RĀWIRI	
	Head west? Yes.	
	JUDGE AMBLER	
	Okay.	
	GLENNIS RĀWIRI	
	Yes it runs along the Waipā River.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And you have answered the question about the Māori Trustee being the trustee of that block. You say it was a 99 year lease that finished in the 1980s and I just want to check if that is right because 99 year leases are pretty rare. What was a common was a 21 plus 21 year lease, a 42 year lease.	
	GLENNIS RĀWIRI	
	Yes I think that came out after theirs. Mum and them lost their – after mum and them died then the 99 year lease ran out aye?	
	JUDGE AMBLER	
	Well you are saying it ran out in the 1980s but if it was a 99 year lease that would take it back to the 1880s and I do not know if that quite marries with what was happening with the land. So why do you say it was a 99 year lease?	
	GLENNIS RĀWIRI	
	That is what they say – they couldn't get their land back so that's – oh it's a 99 year lease, you can't get it back.	
	JUDGE AMBLER	
	Okay.	
	GLENNIS RĀWIRI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	It might have been a saying.	
	JUDGE AMBLER	
	It might have been a saying referring to a long lease.	
	GLENNIS RĀWIRI	
	Long lease, 99 –	
	JUDGE AMBLER	
	But in any event the lease ended in the 1980s?	
	GLENNIS RĀWIRI	
	We – yes, we – me and my brother we went to the meeting in the ‘80s and then we put the lease up then.	
	JUDGE AMBLER	
	And finally, paragraph 45, you say, “I don’t know of whānau selling land when I growing up but I know that whānau are selling land today.” So are you saying that that is Māori land or is that?	
	GLENNIS RĀWIRI	
	Yes, Māori freehold land.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Okay. Well that is a rare thing today.	
	GLENNIS RĀWIRI	
	Yes but it is being done. That's – when I finish here that's my take I'm doing when I go back.	
	JUDGE AMBLER	
	I see. So is there an application in the Court to sell the land?	
	GLENNIS RĀWIRI	
1155	No my cousins are selling land and I'm going to try and stir the pot.	
	JUDGE AMBLER	
	All right, ka pai. Well we might hear from you a little bit later in the day, just depending on what you are able to work out with your lawyer. Kia ora. Anything arising?	
11:45:28	**Eve Rongo**	
	No Sir.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ngā mihi ki a koe.	
	WAIATA	
	Te aroha; Te whakapono; Me te rangimārie; Tātou, tātou eee.	
	TAVAKE AFEAKI	
	E te Rangatira tēnā koe. E te tēpu, huri noa tō tātou whare, me te papa kei waho me ngā tīpuna e rārangi mai, e mātakitaki tonu ai mai. Ā, moe mai, moe mai, moe mai. Te Kaurauna, tēnā kōrua. E aku hoa, e ngā kuia, koroua, ā, tēnā tātou, ā kia kaha mai tātou katoa.	Greetings Judge, fellow members of the Tribunal, people here in our house and the Courtyard without. And the ancestors who have congregated amongst us, rest in peace. Greetings to the Crown counsel and to my fellow lawyers and to the lawyers and home-people.
	Afeaki appearing Your Honour for Wai 849. Before I start Your Honour, I just like to welcome – the claim was made by Mr Randolph Rū Takuira Coburn. He passed away in 2008, but Ms Coburn, Harriet Coburn is here today and his daughter Hinemoa is – I don't know if I can – can I ask you to stand Whaea? Kei te pai. This is Hinemoa and this is Harriet, tēnā koutou. Kia ora.	
	As I indicated earlier in the week, Sir unfortunately, e kore e taea ngā kaumātua kia haramai i te rangi nei. Māuiui rāua tahi, kia kōrero.	…the elders could not attend 'cos of their poor health to give their oral evidence.

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	So I suppose I would start by asking if there are any questions from the crown or from other parties or from the tribunal. If they could be put in writing and perhaps I could endeavour to get answers to those from Mr Takuira and Mr Ngakume. Their evidence numbers are 898 #R011(a) and #R011(b). This morning your honour i filed a document which your staff kindly allocated a tribunal document number of #3.3.77 to – i distributed – sorry?	
	JENNA-FAITH ALLAN	
	#3.4.77	
	TAVAKE AFEAKI	
	#3.4.77. Thank you very much Jenna-Faith. I'm not going to traverse all of that Sir but I'd like to start us perhaps at paragraph 7 on page 1 and I'm going to take us through, not read this verbatim hopefully.	
	I note that many of the others who had Kōrero Tuku Iho from the Tohengaroa Family have passed away and many have also migrated to other cities and increasingly to Australia because they have little or no land left here and have no – they have to have paying work to support their whānau, tamariki, mokopuna. So that's a theme of this claim, that the nearly stateless, landless state of affairs should not have happened, and that the Crown should've provided active	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	support to ensure that the claimants had sufficient whenua to support their hapū and the expectable future sustenance. At 9, I talk about the Crown's greed valve for Māori lands. When that opened up, it increasingly consumed and took – I did write nearly every scrap, but it left some scraps, and that's partly what this kōrero is about. At paragraph 10, we talk about the Public Works Act and I'll be relying Your Honour on David Alexander's evidence and his extensive technical evidence, but really, the point of that will be about the Crown not needing to take quite so much land under the Public Works Act, and if there was anything left, or not used for the purpose taken, then give it back. In my view, it's not simply – it's not good enough to simply return it to the Crown's tamariki. In submission, the local councils, the boards, or other friends of the Crown to keep it for some other undetermined future purpose.	
	Pai kia whakahoki atu ngā whenua rā.	
	Such Crown approaches in my submission warp and denigrate the gracious Ngāti Maniapoto and other Rohe Pōtae tribal nations, who removed the aukati after arrangements were made with the Crown to safeguard their interests. In their tikanga, their tikanga is to return whenua after not using it from a Tuku. At 13, I say, "Sadly the claimants have been displaced by successive Crown acts," and over the page, "The economy	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	has fallen away and people have to move away to support and feed their babies. At 14, "A tragic consequence of those Crown breaches is the systematic undermining of the once powerful south-south-western frontier Rohe Pōtae hapū such as Ngāti Waiora and their kindred hapū." And they were the ones who held the borders and protected Maniapoto Hapū from all manner of incursions for centuries, including more recently from the Crown and the land eating surveyors. At 16, I continue about the Crown's commitment in the Ohure area. It dried up as soon as the money was not as flush or easy to come by, and the tangata whenua who by now had very much less land than ever before, found that they had nothing much left to stand on. At 17, I talk about the diaspora, the movement of the people away from their homelands. As the economic avenues pressed down on those least able to copy, those without land, without much education, with no access to finance or the ability to access any of those things, the most effected were the tangata whenua. So at 19, I talk about the challenge of the transmission of the knowledge, the whakapapa, the tikanga, the reo and the mātauranga. And most of the mokos and the mokopuna-rua now live in other places, but their tūrangawaewae of a 1000 years is disappearing still and the tribal nation structures are harder to maintain. The Crown's juggernaut of laws,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	officials, resources, is still able to make compulsory alienations of their whenua. It's my submission Your Honour that the Crown did not do its duty to use its best endeavours to protect the claimants land-base, their educational and their economic opportunities, their tikanga, reo rangatira me ō rātou tino rangatiratanga. Their generosity of opening up after Te Aukati and Te Ōhākī Tapu was repaid by – and I've listed things there, but I just want to get down to number 5, "Racist policies implemented favouring settlers over Māori." And number 6, "An increasing arrogance and an enormous sense of entitlement by the Crown and its officials. This example from those Crown officials filtered down into the attitudes of many in the community." And that's borne out in the evidence of the two kaumātua. The heading next is "Reasonable Expectations". It is the Claimants reasonable expectation and that of their tūpuna that they would have their tino rangatiratanga that they would have equal rights and opportunities and privileges of – as British subjects under Te Tiriti, te mea tuatoro. The next section I talk about at para 23 is really about timeframe of the evidence. Now both Rewi Takuira and Mr Ngakume, their grandmother was the first in their whole hapū to marry a Pākehā. Robert Pou Coburn came into the Rohe Pōtae in the 1890s from what we can tell. But he was the first allowed to marry into them and the first to live in	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	their people. Now within that – from that time, the 1890s into this generation of these Koro who are still alive, the last of them, the massive dismantling and alienation of land happened, and as a result, we are touching very closely in Rohe Pōtae, and this is a case study of it, you know, the impacts of that landlessness. To para 26 and I'm talking about tikanga.	
1155	The tikanga of mutual support of tuakana teina has been transformed by land loss. Whereas once the teina would have been provided for because the hapū held abundant lands. The fragmentation of the tribal estate had led to the current situation where the teina and their mokopuna increasingly don't have land to live on and so they have to go elsewhere. Both of your witnesses don't live on their tribal land and they haven't for decades. And with the passing of each kaumātua such as Mr Randolph Coburn, his eldest sister Freda and the other brothers, the kōrero tuku iho, whakapapa, mātauranga and tikanga is further dissipated. I want to take you at para 29 to some of the kōrero from Mr Takuira. He was named after Rewi Manga Maniapoto, defender of Rohe Pōtae and this Rewi was a soldier in Malaya in 1950s and has estates in his evidence. He was defending New Zealand and our allies. He then describes his later disappointment that when he came back he found that while he was away defending the country the Government was still taking Māori land for Public Works and	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	projects. In his words, using the law to buy in low and sell for profit, sell high for profit. He describes that we were still being treated badly by the red necks hiding behind official names or businesses in bed with Government. And, the Government we fought to defend overseas were still pinching our lands and treated us as second class citizens in our own land. I take us over the page to para 33. He mentioned the land blocks in his – which his whānau had interests in and they are listed there. However, the knowledge of those lands was gleaned from his tuakana Randolph and Mr Takuira says he didn't know more about them so I'll provide further information about those in closings and that will be in reliance on the technical evidence before the Tribunal. Likewise, Your Honour, the original claim was about the four schools at Tūhua or Tangiwai, Nihoniho and Ōhura. It turns out from the records that the land for the first three schools was taken from settlers between 1905 and 1910 and returned to the descendants of those settlers sometime after the closure of the schools late 20th Century. The Ōhura School on the other hand is still open but it is a lot smaller now and it is those lands which were said to have been gifted by the claimants tīpuna for a Native school. Now, information is still being sought on that. Mysteriously, the earliest certificates of title to that school appear to have disappeared. Council has advised that there is some information about this from which may be in a whānau file to be handed to one of the claimants this weekend in Auckland being sent over from Australia which might shed some light	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	on it, Sir. And if there is anything relevant in those documents, I would seek leave to file that in writing if it was going to assist to supplement your inquiry, Sir. But to go back to Mr Takuira's observation, you know, he said, "That from Rohe Pōtae having two million acres of land to having…," what he says, "…a pittance spread out amongst their whānau and hapū…," leaves him to say, "...how were we going to get along without whenua? Our whānau grew and numbers increased, where were we to live? What were we going to eat?" The next witness evidence is Te Haumiri Takuira Tohengaroa Ngakume and his evidence describes his life and times in Ariā/Ōhura formative years scrub cutting in the bush, working on the farm, the Tatū Coal Mine. He was in there for nine and a half years until it closed in I think 1971 and then many years on the railways. He is disturbed by the scale of Government land takings and in his words at paragraph 41: *I know that the Government took huge areas of Māori land in Te Rohe Pōtae. Although I do not know the technical details, I understood they did it by making their own laws. They used those laws to buy land cheap, load it up with debts and sell it for profit. They used Public Works land to take land for railways, roads, offices, schools, quarries, Government works, county and city councils and all sorts of boards. Those boards took our lands too. They call it progress. Our tūpuna understood the need for the Government to have land, we just didn't*	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	expect them to take all the land. They grew up in a farm in Kahakaha with his kuia, Kino Moetū Tohengaroa. He describes quite a humble life, a hardworking life but they always had plenty of kai. They always had plenty in the bush, plenty on their farm and plenty in their gardens. He describes in terms of kaitiakitanga and mātauranga that he worries for his townie mokopuna who have no idea where food comes from and where to grow it. They are displaced from their whenua and it impacts on their tikanga and as he says, "This means the kaitiakitanga is not being passed on to the mokos, much has been lost." He talks about tuku and the closure of the Ōkahukura to Stratford line which he worked on 41 kilometres of for decades. But he said, "That in our tikanga if you are given something – and what he was discussing was the Crown firstly in the '90s, I think, selling the railways and he was saying, "It should be given back." And then he said, "But then they brought it back. But in the first place they didn't give it back to the kaituku...," who he is saying, "...were the whānau of those lands. So in our tikanga if you are given something you give something in return but when you tuku or gift land to someone it is theirs to use but when they stop using it, it returns to the giver and this is what should happen with our lands. The Crown took lands for different stuff, reserves, scenic reserves, Public Works, roads et cetera, if they didn't use it whakahoki whenua mai." There is a beautiful piece of evidence he concluded with and	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	it is his hopes and dreams: *I hope and dream that our people, our mokos will have land to live on, a good education so they can learn to earn, work, jobs, businesses, kai, good health and lots of loving tamariki mokopuna. I want our mokopuna to be happy, proud and successful. I want them to be treated with respect.* *I would like the Tribunal to hear our kōrero, our whānau, our hapū and tell the Crown it is not good enough to take without giving. I ask that the Crown hear us out and be honest about what it has to do. Hear us and work with us, not against us. And finally, I ask the Crown to return our lands.* I will finish there Sir. I won't traverse the rest of it which is detail about what I will be relying on and some legal issues. But Sir, I would also seek some leave to file just some photographs of some of their maunga, some of their farms and some map references which was going to be presented today with the koroua.	
	Huri noa kāti rā aku kōrero. Nāku te hōnore ki te tū ake mō koutou whānau whaea Hinemoa a koutou mā and unless Your Honour has any questions those are my opening submissions, Sir?	That concludes my evidence. It was my honour to represent your kin Hinemoa and others.
	JUDGE AMBLER	
	Ka pai. Thank you Mr Afeaki.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	TAVAKE AFEAKI	
	Nō reira tēnā koutou. Koia nei te oti o ngā kōrero o Wai 845. Ngā mihi ki a koutou whānau, e te whaea, te tuahine.	Well that concludes Wai 845 evidence whānau.
	Your Honour, I seem to have been appointed amicus curiae for Mr Edward Emery. Mr Edward Emery had distributed a document which has been given the number – thank you staff – number #R031. I propose that I go and sit over there Sir and I call Mr Emery. The kōrero in here is a series of headings and I would ask him to stand and I will try and assist Mr Emery as well, as we go through his kōrero to ask if he can illuminate a bit more for the Tribunal in that area.	
	JUDGE AMBLER	
	Look, that is greatly appreciated Mr Afeaki. I do not have it electronically yet? No? That is fine.	
	TAVAKE AFEAKI	
	Nō reira haere mai.	
	EDWARD EMERY	
12.04.11	Kei te tu ake nei ki te tautoko atu. E te koroua e John Henry e tuwheratia tā tātou nei karakia. E tautoko atu i runga i tēnei te para a te Pai Mārire mō tēnei wāhanga. Pai Mārire.	I stand here to endorse. I thank you John Henry for our prayer this morning and I add my Pai Mārire chant.
	KARAKIA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	He kororia, he maungārongo ki runga ki te mata o te whenua. He whakaaro pai ki ngā tāngata. Arohaina ki ngā tēina me ngā tuākana e wehe ana ki te Atua. E whakahōnore ana ki ngā taonga nei i runga ki tō tātou nei Kīngi. Nō reira e koro tā ko koe te arawhata, te tohunga wairua rā kaua e noho mai rā i tō wā hinga. E tiakina i te akai piki a ia a Tāwhaki ki ngā rangi toa a Ngākuru. Ēnei mātou te tuku atu o mātou whakamoemiti whakawhetai a koa atu ki a koutou ki te toenga rangi ki te tupua tapu i a Io-matua-nui, nā Io-matua-atawhai.	Honour and glory to God. Peace on earth. Goodwill to all people. The younger siblings and the older siblings. Glory to the Lord. Honour to King Tuheitia. Oh you are the connecting branch to our Lord and you protect the pathway of Tāwhaki to the utmost heavens. We offer up our prayers and entreat these to you, to the utmost heavens, to Io Matua Kore.
1205	Nō reira e te atua, e te wāhi ngaro, te atua o runga tūpuna, Ihoā o ngā mana, ēnei mātou o pononga tāne, pononga wahine, ngā mōrehurehu o tēnei ao, matemate, te inoi atu nei ki a koe. Kia tukua mai te wairua mahaki, te ngākau whakaora ki a mātou e kūpapa atu nei. Ko mātou ēnei muru katoa i ō mātou hara ki mua ki tō aroaro. Kia manaakitia mai mātou i roto i ō mātou Te Rohe Pōtae i tukuna atu ngā kōrero a kui mā, o koro mā.	And so oh Lord, the Lord of our ancestors, here we are Thy servants male and female the people of the mortal coil that you offer up a loving words for us and take away our sins and care for us in Te Rohe Pōtae as we offer up this evidence.
	Nau anō hei whakamarumaru ai te whānau i raro i te Kingtitanga, ērā katoa kia whakaorangia mātou i roto i ō mātou māuiuitia ana. Ka puta noa i tēnei ao hurihuri, tēnei ao matemate hoki. Nōu hoki te rangatiratanga te kaha me te kororia, ake tonu atu, rirerire hau. Pai mārire.	And shelter us under the Kingtitanga and give us long life, and for those who are poorly in this mortal world. For Thine is the Kingdom the power and the glory, now and forever, rirerire, hau.
	EDWARD EMERY	
	Me tīmata te kōrero māku i raro i tēnā. E te waka Tainui, tau atu ki te tauranga. Ā Kāwhia Moana, Kāwhia Kāinga, mai	We commence this under the holy waka Tainui, the sacred waka Tainui resting at Kāwhia. And the man – ancestor

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	taua – te waka ko te tangata tēnā a Hoturoa, ā Hotuoku, ā Hotuawhio a Hotumatapu, ā Moetai Uerakaka ki Tāwhao Tūrongo, Raukawa, Rereahu. Ko Tuwhakaheke, ā, ko (inaudible 12:06:22)Tuhoputae, ko Wakawhenua, ko Taetuha, ko Kahatuatini. Ko Kahatuatini, ko Putange, ko Te Okiokinga, ko Hura, ko Te Ringitanga.	Hoturoa, Hotuoku, Hotuawhio, Hotumatapu, Moetai Uerakaka ki Tāwhao, Raukawa, Rereahu, Tuwhakaheke, and unto Wakawhenua and Taetuha and Kahatuatini. Descending through to Kahatuatini, Putange, Te Okiokinga, Hura and Te Ringitanga.
	Koina e tuwheratia mō tātou e te whanaunga nei, te uri a Te Wehi Te Ringitanga.	That is the whakapapa line that opens up our evidence for this descendant of Te Wehi Te Riongitanga.
	Ko ahau te mokopuna o Te Taro e tau atu i runga i a koutou, ngā tātou. E te iwi e tau atu ki runga ki tēnei, ka hoki ki tō mātāpuna e tau atu, e awhitia nei, nō tātou katoa Te Rohe Pōtae.	I am the grandchild of Te Taro who stands here before. Ladies and gentlemen, return to your spring, return to your origins in Te Rohe Pōtae.
	JUDGE AMBLER	
	Tēnā koe e te rangatira. Engari homai tō ingoa?	Your name Sir?
	EDWARD EMERY	
	Ko Tūtahanga Eric Rākena Tēpu. Tēnā koe e te Rangatira, te Rangatira o te Kōti tēnā koe.	Tūtahanga Eric Rākena Tēpu.
	Judge Ambler I just like to kanohi k te kanohi on behalf of my family of Ngāti Rereahu of Tuwhakaheke as the māngai to come and bring the injustice of Rereahu to the (inaudible 12:07:37). As a part of restorative justice in the District Court, in the High Court, it should be easier for us to come to an	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	agreement to be amicable about it for the way forward is those we sit in L-A-W.	
	Tēnā koe te tautoko te kōrero of L-O-R-E te kanohi te kanohi to L-A-W, tēnā koe te rangatira, tēnā koe.	Thank you supporting the face to face contact.
	Tēnā koe te rangatira Pou, to tātou, te whanaunga – tātou te whawhai of all battles, of all battles with Maniapoto. Tēnā koe e te rangatira.	Thank you Pou. And we acknowledge the Kingship ties between Maniapoto and Tūhoe at the Battle of Ōrākau.
	Tēnā koe tātou te kupu of the mana wahine of Te Kooti of one of many wives. I will come back to the wife that lived in Rereahu that seeks out back in Miringa Te Kakara. I'll get back to you. Tēnā koe te rangatira.	And to you the – and we will speak -
	Tēnā koe te rangatira kanohi te kanohi to tātou – te raruraru, kia tau te rangimaria. We come in peace, come in peace, tātou te whakarongo te kupu of the tūpuna, Te Ringitanga.	
	Tēnā koe te Mana wahine, tā tātou – te raruraru o te motu o Te Rohe Pōtae. Tēnā koe, tēnā koe.	
	Tēnā koe te upoko waha of L-A-W the mokopuna of our mother the Queen. Tēnā koe.	
	I hear her mokopuna is coming over here to Aotearoa. Maybe she can get a letter to her so she can give back the Rereahu taongas. Give it to Prince Andrew to give to the whānau of Rereahu. Tēnā koe e te upuko.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Tēnā koe te paepae. Uncle, I just want to acknowledge for sharing your story about your koroua Wahanui. Kōrero tūturu. Tēnā koe te rangatira for all the whānau past, present. Just makes me really aroha mai for where I come from, the whenua of Te Nehenehenui, to come and listen to all our whānau about the lands that they haven't got. I feel quite humbled to come back here knowing that my whenua of 18,000 hectares.	
1210	Yōu're wondering what I'm still doing here to come and talk to the Crown. It's about the injustice to my tūpuna. I haven't come here to trample. I've just come here to talk about the things to do with Ngāti Rereahu Tuwhakaekeao to tautoko my tūpuna of what had happened to our people. So when I speak about trust, other dignitaries, it's just the impact that had happened in ngā rohe o te Nehenehenui of Rereahu, up in the Whare Wānanga o Miringa Te Kakara. I'd just like to acknowledge all our whānau. Tēnā koe te rangatira. I'm just gonna point out to my tūpuna taonga, Tuwhakahekeao. Tuwhakahekeao, my tūpuna changed his name from his real name 'cos his real name he used to kill people. When they all became a pack of the Rohe Pōtae, my tūpunas put down the taonga. To put down the taonga, they changed the ingoa. Each kaitiaki of our rohe that picks up the taonga is going to be kia tau te rangimarie in remembrance when our tūpuna put down the patu, te mere, it was to pick up the pen to come and fight LORE, kanohi to kanohi to the LAW.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	So, tēnā koe all my whāngai whānau. I'm just gonna add three more wakas to the whakapapa o te wakapapa just to make sure that nobody's left out so when we have a kōrero. Kia ora. The tūturu whāngai of the whakapapa is old tangata, i a Abel Tasman on the waka Sea Hen when he come to New Zealand. The second whāngai waka is my tūpuna of Thomas Bengully when he arrived here in 1836, but he is a hīkoi of the second waka, tangata, what have you, James Cook, on the Endeavour. Third and final waka, I'd just like to mihi out there to our whānau when we told you fullas to wait in the islands, we'll be back, Air New Zealand. Mihi a koe to ngā kingdom of Tonga, the next speaker, thank you very much for coming here to be my waha. The points that I'm gonna point out is my tūpuna, but before I get to my tūpuna I just got to give you a little story on how my tūpuna got the taonga. The taonga of Rereahu, how he accompanied him. I'd just like to refer to what my cousin Tama Tūwhāngai was talking about when his tūpuna come to the Nehenehenui to back up my tūpuna Rereahu, Whakatere, and Tamaio when these tūpunas, they went around and someone was invading our territory, my tūpuna used to say, intruder alert, intruder alert, and then they brought our tūpuna Tuwhakaekeao in. It was Tama-i-o, got a kōrero by his Uncle Raukawa that	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	nothing ever better happen to his son. So in the big battle of the Nehenehenui when we were chasing the Hā brothers, they travelled through our whenua from Otua up to Rereahu, Paharahara, and then they went to Taupō. I'd just like to let the whānau know that that was my tūpuna. Rereahu was the part with Whakatere. That's how we got our mana whenua. That's where we are today at Miringa Te Kakara, the whenua of Tiroa, the maunga of Hurukia. Mōkau te awa. While I speak wholeheartedly of these because we always hear the kōrero of Maniapoto. No one ever talk about the kōrero of Tuwhakaekeao. I'm just gonna let you fullas know one thing. It was Tuwhakaekeao, that did the utu of Rōra when he got killed in Te Kūiti. That's when Maniapoto had to relieve the mana to his younger brother to do the utu, utu tūturu. When you fullas travelled through Te Kūiti then you're gonna see my tūpuna standing on the street to wait for the Crown. His name is Tuwhakaekeao. This is our tūpuna, taonga Tuwhakaekeao. My uncle was 80 and he was dying and then he told me that he's gonna give me a taonga. I told him I didn't come here for a taonga. I come to sit with my koroua. My koroua, he made my promise that when I pick up the kaitiakitanga of our whenua of Rereahu, that I gotta touch all the punas, all the taonga tuku iho. All the punas to a lot of our rivers actually begin up at Rereahu. I'd just like to show you what my tūpuna told me when I go up to the puna, I	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	gotta sneak up there and when I look into the puna, my koroua told me that I will see the reflections of my tūpuna, the tātou te kāinga. I'd just like to listen, and let my whānau know that this is how we are in Ngāti Rereahu Tuwhakaekeao when we go round and touch our taongas. So kia tātou whānau. I'm just gonna point to the Judge, my koroua. (inaudible 12:15:27) Te Whare Wānanga, Miringa Te Kakara. This is the whare of the kuia that had, had the kai karakia in the later years. There's the younger brother Te Taro Te Ringitanga. He's standing here. He's in white in his pyjamas. He had been let out of hospital. The constable pushing – he broke his leg and that's where my koroua come from, the hospital to take a photo at Waimihia with the rest of the whānau. In my briefs, we're gonna talk about what had happened. I got all the information in my kete but these other – all the tūpuna taongas, these are my nannies and korouas, help fixing Miringa Te Kakakara when they were – back in the days in the 20s and the 30s, I'm – I'm sorry I couldn't take any photos. I went back to Rereahu to take some photos of some tūpuna taongas. The camera was pakaru. Couldn't – they didn't come out. They come up all blue. The reasons why I didn't bring out taongas in because all these taongas come from different tūpuna whare, the Whare Wanangā, Mangapehe Te Hape.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	The kōrero is with my tūpunas that we could never ever put the photos together because they have raruraru. It's true. I put the camera in, in with the car with the photos of Miringa and some of my koros. So my koro showed that I'm not allowed to take these photos so I couldn't bring it here to the Tribunal. I didn't want to take any photos and put them up on the screen because I know they pull these blurred faces. So I'd just like to let you fullas know this. There's other pictures that I'm gonna go along to and actually explain so I can carry on with my kōrero. Kia ora. My brief is pretty similar to everyone else throughout the motu. Before I could go onto these other things, I have to come back to the tūturu problems that happened to my tūpuna, the Te Ringitanga brothers. In my briefs it shows that the tūturu whare wanangas, Miringa Te Kakakara that's still on ngā mana whenua that we still hold to today. The tūturu whare of Rereahu is at Mangapehi. The rangatira of the whare at these days was Wehi Te Ringitanga. We all know where Te Ihingarangi is. We all know who was the rangatira, the kai waha. I'd just like to acknowledge my Uncle Harry. All my other uncles that have passed over and my cousin, Piripi. All big kai wahas. We all are the same now. There's no one else to speak but me, to speak about my family issues regarding our hapū, our hapū. I'd just like to talk about the Tohunga Suppressions Act because when these Acts come in, they carried right on to the 1920s. My koroua, Wehi, and his brothers, when they	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	become the mantle of our whānau, be the māngai, that they were caught up in the Tohunga Suppressions Act and they had been trespassed from their whānau. Our tikanga of Rereahu, is never to take the woman and children around when you're travelling to do this mahi. This mahi has always been men. It makes me proud that I'm sitting here with the uri of the tūpunas of Wehi, Tūtaki Te Taro, to sit here and tell the Tribunal about the crimes of the Crown.	
1220	My tīpuna Wehi Te Ringitanga, he was actually what we called driven to the ground. Any major decisions that they had, the Crown come along and they put them in the pocket. It ended up killing him and his brother Tūtaki. As I am just going to get on is that the Crown has an answer for the Tohunga Suppressions Act. Some of these answers is that I'm going to bring it up in the last – in the final of my brief. Constable Pusing as I showed you the photograph of my koroua Tetaro Te Ringitanga in his pyjamas holding onto his horse, the constable had broke his leg. They had broke his leg because he asked for timber for the Temple not Miringatekakara, the Temple I'll point back again. The Temple was up in Te Hape. When our koros had an agreement with Ellis & Burnand that is when these lands up in Maraeroa were getting milled, the agreement was is that they will pay our family's revenue. The revenue never really come. They actually just send the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	railway cars past our korouas. They breached their agreements. Hence, the reason why my Koro put some wood down on the tram tracks, he stopped them from going up. And what had happened Constable Pusing, he come up into our rohe Otiro. My Koro was, he was 64 when he had the fight. So for our family we draw the line, you have to be 65 and under, you have to go out there and stand up and be kia tau te rangimārie, kōrero, kōrero. That is the waha of my tūpuna. He set the bench mark. After he got his leg broken, a few months later there was a terrible accident on the tram tracks, my koroua got killed. They killed him on the tram tracks. He was always a ngāngara against Ellis & Burnand. He didn't like what he was doing. He would never ever tell his people to go out and do things. He was the head of the family. After his brothers died he had to do it. And after he got killed nothing ever happened to those fellows on the tram track, Ellis & Burnand. The inquiry, accident. But my korouas they always had tram jiggers, that is how they got around the motu. If it wasn't on the tram jiggers it was on the hōiho. He was a skilled man. It was purposely done. It was purposely done because my nanny's and that they talked about it. They talked about it with me when they use to go up to our urupā and we got a vault where they use to pull out his bones and then they polished them and then they talked about him. This is the aroha of my nanny to their koroua. In these that I remarks in the Crown is that for all the wood that had been milled, I don't have to give you an actual estimate on how many cubic metres because Ellis &	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Burnand they wrote a book and they talked about the numbers of timbers and the hundreds of thousands of cubic metres that they cut. I suppose we can use that as something to work on for cost back to our family. These costs back to our family doesn't come back through a Trust or Corporation but I will get back to that later. That is something that I would like the Tribunal to direct some sort of awhi back to our family. I am just going to move right back along to our Nannies. I think you saw our nannies sitting on the railway tracks back at Waimiha. I think you fellows asked the questions of who were those nannies and my cousin said they didn't know. They were my nannies. They were my Koros. I've got the names in this historical evidence. I would just like to point out that while looking in the archives I found it very difficult to find things regarding Wehi Te Ringitanga and his brothers. I could only find Court documents from the archives but when going through the archives I found that there was a lot of missing documents. After my Koro had been killed my tīpuna Pouaka Wehi, he become the next big kahuna I call him, the next speaker for our family and he was pictured with my nannies sitting on the railway tracks. My koroua Pouaka Wehi, he was my great great grandfather. My great grandfather was my nanny's father. You will see them sitting on the railway tracks. They were sitting on the railway tracks because all their lands, they were protesting about the income from the trees, is that we had all these Public Works Act's. They were all making up these companies. I think the terminology	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	of companies these days they called them "Window Companies" because one day they are there; they use all the administration money; spend it all up but they haven't got enough money to give the owners not shareholders, the owners some pūtea. And then when they run out of money on those Public Works Act's, they close that company down and then the whānau gets nothing. Those are one of many, many Public Works Act's that come and invaded the rohe o Rereahu. I would like to make it quite clear, it is the Crown, the Crown are the ones that put all these things on my family. It is the Crown that has to address these things. There is many raruraru that we want to bring in but I just thought I will only bring in one case study because that is the door opener on how the Public Trust come into our rohe. The Public Trust has been (eg, Council),(eg, being MAF), (eg, being a timber mill), (eg, being power companies). They all done the invading into our rohe. I would like to go through this list because these lists actually protects on what really happened in the rohe o Rereahu. I think my whanaunga he is going to put up a map and he is going to show you where I'm talking about from Puketutu. Within these Public Acts there is also the railways. I would just like to let you fellows know that the railways come through our rohe is because our whānau supported the pardon for Te Kooti, the pardon for Ngātai, the pardon for Tūkino. There is also another fugitive that lived in our motu too he was called the King. I don't want to name all the other whānau that was in the rohe of the Rohe Pōtae while	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	being fugitive because they are the only ones that people talk about. They don't talk about the mass support of the Nehenehenui. Just regarding our King, of one of many beating hearts of the Nehenehenui, our whānau supported the Kīngi in mauri, in awhi, in kai, so he can be our māngai. So when our Queen Mother comes into the rohe, that he will take our rarurarau to him because that is why he was a King. There is many reasons why he left the Rohe Pōtae, I would just like to tell you why he left our part of the Pōtae. It is because our family supported, as I said, the pardon of Te Kooti.	
1230	And that's why I would like our train station back at Mangapehi, open. The Crown – doesn't matter if you sold the assets, that the Crown – you got it back now. I would like some back. When? Because we all know at the Waimiha Hearing, that there was all these radicals that never got paid. From Puketutu, that's where Wahanui and the big kahuna. We don't need to mention his name that that's where their mana had ended. That's where the mana of Tuwhakahekeao carried on to Mangapehi. I like to just highlight these things about the railways because with us, in good faith from my tūpuna on giving the railways, that it was promised that we'll be able to utilise the railways e.g. being – putting stock to sell in Otara up in Auckland. E.g. selling our kai down in Rātana and also in Taranaki and down wellington. That was the kōrero that	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	was given to my tūpuna. My tūpuna, we all know about the badges that when ngā koroua had a badge, he was able to travel with his family free on the train and get empty carriages. We were allowed to fill them with our kai. Those are the breaches that I want the Crown to rectify. After they rectify the breaches of the railways for the back-rent, the back pūtea that we never got, I'll be able to use that money for something else but I'll take tell you later on. I just like to go back to – carry on with the other Public Works Act they call the telephone line. The telephone line emptied the Rohe Pōtae up in our part of the rohe, up in Maraeroa through – they needed a phone line for the people up in Maraeroa just in case there was some hostile natives, they'd be able to ring up for backup. That's why they put the telephone line there. That was the first telephone line to get into our rohe, up at Maraeroa. And from that telephone line comes power pole lines, and then I'm gonna bring up the killer to the motu of Taumarunui. We call them line rates, line rates. I think they only put the line rates in the Rohe Pōtae because we are the tūturu resistance, code name "Kīngitanga" because we hear that throughout all the companies like the railways, the Government had sold off our Crown jewels to everyone else but they forgot to pay us. Like Waimiha, I told my Uncle Harry, he should blow up the (inaudible 12:33:52) rail bridge (AKA) being the tunnel. But	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	he says, "No, it's better to come and tell them to pay the back rent." So I'll give that to you, the upoko waha of the Crown. I like to go on to the environment. As I referred to, with all the taongas, the taonga tuku iho when I'm going into the environment. I like to talk about the all the taongas that have been touched, desecrated. Like ourselves, all the trees were taken off, a ngahere. It was turned into mud. All around the Maraeroa, it's hard for you to believe unless you know where Maraeroa is. My korouas, they had to come up – a decision is, if they didn't start planting pine trees we would've had real bad erosions around our – 'cos we're hillbillies. We live up in them hills, so my koros had to plant trees to save the awa. It's the only reason. There's a lot of things that have been done in the environment, the ones that was just recently. We all know about the Crafar farms. We all know about the dirty farming. We're the ones from Rereahu that went to go and tell the council about the dirty farming. Is that up in the Crafar farms that they were chucking all their dead cows and calves in the awa and it was just up from our swimming hole. Our family when we were going to this part of the awa on the Waimiha between the Crafar farms is that when our kids were swimming, we could smell the water that there was something wrong. We told all our kids to hop out of the awa then I got my cousins, they are not here today, but it's okay to drop their names. My cousin was Kelvin Stanley Rangi	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Whatārangi. They accompanied myself to travel the awa of the Waimiha to find the paru. The paru was all these dead cows that the Crafar farms and those calves that you saw it all on the news. It was us that kept on moaning. It was for five years we moaned with the council and the farmers. The council had given the farmers five years to get themselves in order. They bought two farms in our rohe. Two of those farms, they make us run through the Court for five years. The council did nothing. Out of this, because we raised so much hara about these dead cows and calves, when it got on to TV they stopped collecting the Crafar milks. I like just to share this with my family. If I would have known that by moaning to the council about the Crafar farms, I don't think we would have done it if we would have known that this was going to be the beginning of the farm being sold to the Chinese. These places where they were putting all these dead things in our awa, they were in our tūpuna kāinga Rereahu where he passed away. Because we are the kaitiakis of our rohe, we went – we thought to the appropriate people, being the council RMCs. RRMC supported the council to let them keep on farming and paruing the water until, until finally one day we had enough. I took the law in my own hands and I punched out a couple of the farm managers. I don't know you fullas. It wasn't very funny 'cos I had to go	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	back home to the marae and answer my aunties and uncles about taking the law into my own hand. They told me, "Take it to the Court." We lost our tīpuna farm. We tried to buy it back. My family was saying, "Let's not buy it back. Let's just get them to give it back." And I was saying, "Kāo, kāo because it will be like everyone else." We tried to buy the farms back for $45 million. We ask our family (inaudible 12:39:03) Maraeroa to put our whenua up so we can buy our taonga back before it's gone for good. My family left it up to these trustees on our farms, and our trustees, they takahi'd the deal 'cos they made a bold decision without the people. So with the environment, like everything else, it was the Crown. The Crown gave the tools to the council to do this to the tāngata whenua.	
1240	I know the Crown can make things happen because I have seen them make things happen. When we talk about the environment, we talk about the Waipā signing. How the Crown give a Trust Board some pūtea, $30 million to clean up the awa. That pūtea come from our purse. I think the Crown can give us some money out of the same purse to buy our land back. Because the Crown is going to come in and try and take all our other awas. We did not support the signing of the Waipā River in our rohe o Rereahu. It was the Maniapoto Trust Board and all those shareholders. I would like to make it quite clear that the owners of Rereahu	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	we could never ever sell our taongas because the whakataukī of our tūpuna o Tūturu Whakamate. Tūturu Whakamate is our waha tūpuna because the mana whenua of Tūturu Whakamate is Tuwhakahikiati o Te Hape Maraeroa. We could never ever be a part of that. Hence, the reason why we didn't like what had happened with the Government signing these river deals. I would just also like it to be noted that while the Government had come to Tokanganui that the upoko waha Koro Wetere had got up and spoke and said how wrong, how wrong that the Government was giving that taonga over to a Trust Board when it actually belongs to Rereahu. He told the Minister Bill English; told the Minister of Māori Affairs, Peter Sharples that they need to ratify this and that's why I can say to the upoko waha of the Crown that you fellows have the strings to help us. Help us buy our farms back because you did it to a Trust Board. Our whānau in Rereahu were pretty humble people because up in our taongas, our taongas belong to us. As my whānau know in Ngāti Hāre, Waimiha, I don't leave my rohe and go an trample into their rohe to go and get kai for the whānau for our maraes. I stick to our boundaries. I don't go in there – like my family to go and trample unless my family opens the korowai to nau mai, haere mai and tautoko the pātaka o Te Ihingarangi. I would just like to make that quite clear. There is a picture up here, it is to do with this digger dropping down and out and dropped down into the ground. I think we're going to find that photograph. Is that one on there? It is the one with the digger, dropped down onto the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ground onto that tree and then all this – yes, that's it cousin. This taonga that is on there, while they were felling trees up in Piriora a digger fell down into a hole. He fell down into a tree. The tree is on the ground. Well, when they went to remove the digger then they found that it was like a big cave and it had all these taongas growing. So what these digger fellows did is that they went off and they brought all these scientists into our rohe and they went and touched on our taongas. Another breach. I hold the Crown responsible for this because the Crown is the rangatira of New Zealand Forest Product, Carter Holt Harvey. I would also like to just touch on that we as Māori that has got Corporations and Trusts, when a Trust goes haywire in Environmental Court's we find that the Trust uses our money to fight against us and when we take them to the Court's we haven't got that much money but we still have to fight them. And this was a case study regarding freezing works particularly in the water that's going down Waimiha, Ōngarue, Whanganui. I would just like to mihi out there to the mana wahine Barbara Marsh of the Mōkau. We went to go and tautoko our mana wahine, to tautoko her about the pollution that is happening in Piopio. It was the council that put the wharepaku next to the stream. It was only for the sightseers. It was only a little wharepaku, then it come to be a big wharepaku, to come about six wharepakus all sitting in there. It was about the grey water entering the awa where our whānau from Mōkau called out to Rereahu to come down and tautoko them. Like Barbara Marsh down Mōkau,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	she understood where the river begun. It begun just down below my whare up at Tiroa, it's a puna. I touch it every day. She talked to the Judges about how wrong this was, but the Judges that was of the Environment Court, they already decided amongst themselves that they were going to give the resource consent. I would just like to make a point of order, let it be known, that the two worst councils in the world, I know this is true because it was in the *Sunday News*, the tūturu worst council in the world is Waikato. The second worst council in the world is Horizon. I told the Judges at the environment hearing, "There is only one way that they could be dirty like this, is because you Judges give them the resource consent so they can tiko in our water, again." It is the Crown that has to answer what I am saying. When I saw the mana wahine at Mōkau, I had to move away from her quite fast because she was crying heaps, giving me cuddles. I didn't want to be the reason why she starts crying because all my whānau are looking at me like what did I do to her. She was only crying because we haven't seen each other for years. I heard that she had had a stroke and I didn't know how bad it was until I saw her and then my aroha nui went out to her. Māna wahine. One of many mana wahine that's been kōrero throughout the Tribunal to protect their taonga i tuku iho. I would just like to make that quite clear. There is going to be ways forward out of all this, the Crown. I just have to highlight all these things in the order that fits	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the pattern of Ngāti Rereahu Tuwhakahekeao. **Tuna** I would just like to mention to the – about our Uncle Harry's tuna for Ngāti Rereahu. We had a big meeting back at Miringatekakara where all our koroua kuia – they have all passed but I have just got to say their names out loud because they were all part of grooming me to be here today – that's my Nanny Hiraina Pango Pehikino, Uncle Harry Kereopa, Uncle Sonny Kereopa, Uncle Fly, Koro Rua Haupapa, my koroua Koro Tahi Pehikino. Those were the rangatiras that sat with us at the table at the whare wānanga to have a kōrero about saving our tuna. Our tuna in our rohe, it starts from Pukemakau up to the maunga everyone else calls it Piriora, I have just got to let you's, the tūturu of our rohe where it shines on our whare is Hurukia.	
1250	Our tūpunas throughout their lifetimes always been travelling with our tuna, replenishing it. The koreros of my Uncle Harry and them, it's all true. Why we had a meeting at Miringa Te Kakara was so we can go and see Crown Forestry to get funding to help us with the replenishing. We have been doing replenishing ever so slowly because we've been waiting for the rest of our whānau throughout the motu to hokinga mai tātou te mahi o te tuna.	... the tuna may return in plentiful supply.
	We can replenish it up on top but we frighten when our tuna goes back out to see and goes to the islands to have baba,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	is that when it comes up our awa, it might have a crook – a number that we only allowed to catch two tuna behind our marae. Our tuna in our rohe belongs to us, and it's been decreasing each year. We can work with the Crown to do the replenishing. We told our whānau throughout the motu that we are waiting for everyone to assemble. We're all been talking about it. I think the Crown can pull some strings how we can do it better. Ahu whenua trust.	
	TAVAKE AFEAKI	
	Kia ora matua. Can I just interrupt? Sorry that's – appreciate you got a good flow on Mr Emery, but I do note that we've got 10 minutes left.	
	EDWARD EMERY	
	Yeah, yeah.	
	TAVAKE AFEAKI	
	So if you can take us through the next – those topics that you've got on your evidence there, and take us through because I don't know whether or not the Tribunal or the Crown might have questions for you and s –	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes I have got questions for you so –	
	EDWARD EMERY	
	Thank you, tēnā koe, tēnā koe. Ahu whenua. Ahu whenua trust was made up of all our farms got put in under trust boards. We know the names, Waikato, Tūwharetoa, Maniapoto Lands Board. Apirana Ngata when they come in to our rohe here, promised that he's gonna help all our families farms. I just like to point out that they actually put us all in debt. Like my Uncle Harry and his family in Te Ihingarangi with the ahu whenua farm, they crippled their family. I heard what had happened with their family. Our family from Rereahu, we were really aroha because our family from Waimiha had all their taongas stripped off them. Ahu whenua to us is that our lands were indebted. They actually made us millions of dollars in debt to our farms and when our farms come back to our people, it took years for our korouas to actually pay the debt off. The debt come back in 1979. We've only just paid it off last year. My korouas, my aunties, my mum and dad, they never got the fruits of the whenua on the ahu whenua farm because it's all lost. I just like to tell you what we think of ahu whenua farms, and Rereahu is – when you become a shareholder, they try and tell you that you're not an owner. For some of our families	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	that gifted shares to some of our families, when we gift the shares to them, their mana only stays in the fence. They got no mana outside the fence on the rohe to go and look at taongas. Our interpretations is that when, when anything goes bankrupt in these big ahu whenua farms is that you can sell off all the asset but the land has to come back to the owners. That crippled our family. We would like the Crown to change the ahu whenua back around and we would like strings attached to help the tūturu owners pull their lands out of the farm, out of the farm trust, because the trust, they just live off it. They don't help us buy papakaingas. We got millions of dollars of assets but we can't even go to the bank to ask them to help build us a whare. A man is nothing if he hasn't got a whare. If we're looking around today, we can see all the banks. They're out the ahu whenua wards. They all wanna talk to the trustees, not to the owners and awhi them. They might want a mortgage. Those are the things that I see that has hurt my family over the years and again, I ask the Crown that he needs to address that. The possums. The possums were released in 1912 in our rohe. They were released for kai for these workers at our mills. What these possums had done is that they start miming around in the rohe of Te Nehenehenui and then our farms got TB. That brought in the councils to come on to our whenua and employ their mates to drop 10/80 to save	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	our boots. I would like the Crown to address this hara that they had put in. I call it an environmental disaster. They are taputapu, still taputapu today. I'll leave that. We have got the experts to have – to move forward on this but we just like to seek time with the Crown. And also, like to talk about the deer. The deer, we in Rereahu, we don't like it. It's got no fat, nothing. Taputapu kai, touch. We never eat it in our rohe. For the trout, the trout is the ones that actually stop us from putting nets in our awa to catch mullet. 'Cos if we told the ranger that we only here to catch mullet not the trout, he won't believe us. These are the things I want the Crown to re-install because my family has lost the taonga of going to get mullet with the net. Think only got only one more thing to say, Horizons. ~~(inaudible 12:58:00)~~ Ahu Kaimoana. When we were going through the Ahu Kaimoana, sorry Uncle Archie, gonna have to kill you off now, is that our Uncle Archie, he was on the trust – on the board as the Kaimanawhakahaere for the Kaimoana. We told him, this is only pertaining for Rereahu, is that Rereahu could never ever sell their kaimoana, kai-ika, because we are selling our tamariki's kai for the future so we could never ever touch that money. But that money unbeknown to us come in so many ways and shapes and sizes is that, given from a koha from trust	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	boards, when they come and talk to us. If we would have known that the Kaimoana money was used for that, we would have picked it up and burned it in our wharekai, 'cos we shouldn't be touching taputapu money. That's about all I really got to say is – and back to Mangapehi. I would leave this here with the Crown. This is the only case study I could find because all the other case studies had mysteriously gone. These are from the archives to prove that these lands from Mangapehi back up to Maraeroa were taken under Public Works Acts. I just like to thank the Judge for letting me kōrero about a raruraru back in Rereahu, Tuwhakahekeao. I might've missed some things out, but I think I got the guts of everything just in our kōrero.	
1300	I'd just like to acknowledge all our whānau. We all know what our tūpuna used to say, "Kotahitanga kia tau te rangimārie, tūturu Kīngitanga," let's be peaceful about this. That's all my brief of evidence that I would actually leave with you and the Judge. These are the case studies. 'Cos we got short time I will look forward from the Crown to write letters to myself through my, my kaiwhakahaere and my whāngai brother from Tonga.	May peace prevail, long live the King Movement.
13:00:51	**TAVAKE AFEAKI**	
	Kia ora, bro.	
	EDWARD EMERY	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	You can talk to him and so we can address these issues. I'd just like to acknowledge that while we do Marae Restorative Justice in the High Courts and in the District Courts, the way forward for each problems that the Judges and ourselves had to conclude is that we have to admit our wrongs. We have to admit what we're gonna do for the way forward and for all the years we've been doing it and sitting there and coming up with a amicable agreement, I'd just like to mihi to the, to the waha upoko of our mother, the Crown, sitting beside the judiciary process of the kairangatira of the Court of the Tribunal. From our whānau of the Nehenehenui, I'd just like to mihi out there to all our whānau. Nō reira, tēnā koutou, kia ora koutou ka huri.	
	JUDGE AMBLER	
	Tēnā koe. Now the Crown has questions? Can I just find out from our kaiwhakahaere –	
	TAVAKE AFEAKI	
	Your Honour, Afeaki here. The, we've got about another five minutes before the, the whare kai is ready, Sir. But –	
	JUDGE AMBLER	
	Yes, well I would like to get through as many questions as possible, particularly as Professor Temara has to leave shortly. Mr Melvin.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	Tēnā koe, Mr Emery. I've listened very carefully to what you've said and it's been very interesting and helpful, but I don't have any questions for you. Kia ora.	
	JASON POU	
	Sir, Jason Pou down here. I do have some questions, Sir, but given the shortness of time I'd take up the invitation that Mr Emery has made to put some questions through his whāngai Tongan brother if that suits, Sir.	
	JUDGE AMBLER	
	Ka pai. All right.	
	DR AROHA HARRIS	
	Kia ora, Mr Emery. Kia ora. I've just got one question. If I heard you right, you said that you had a meeting at Miringa Te Kakara about replenishing the tuna stocks. When was that meeting?	
	EDWARD EMERY	
	1995.	
	DR AROHA HARRIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And was there – what was the status of the whare there in 1995?	
	EDWARD EMERY	
	The whare kai is quite good. The other whare, it's been down since the 80s.	
	DR AROHA HARRIS	
	Oh, so you still use the whare kai up there?	
	EDWARD EMERY	
	Āe, āe.	
	DR AROHA HARRIS	
	Okay.	
	EDWARD EMERY	
	We still use the whare wānanga for us to have huis out there, to call – when we have a hui at Miringa Te Kakara the, the huis about the take of the day of the rohe, the assembling of all the kaumatuas of our rohe will come back and then we're all gonna talk. When I say kaumātuas, kaumātuas from Ngāti Hari, kaumātuas from Te Hingarangi. They all belong to Rereahu. They come, they came, and then we, we talk about it for about a week, stay there for a	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	week in between both pas and then we come up with a way forward. We went Tūrangawaewae, Crown Forestry Rentals to seek funding to help with the replenishing. I think we were the only ones at the Crown Forestry that ever got any funding. So we think the Crown can open the door up again for us.	
	DR AROHA HARRIS	
	Okay. Kia ora. Thank you.	
	JUDGE AMBLER	
	Tēnā koe, te rangatira. I have got a few matters. You referred to Tuwhakahekeao and you refer to someone changing their name. So was that Tuwhakahekeao who changed his name? No?	
	EDWARD EMERY	
	No. It was my koroua in the front.	
	JUDGE AMBLER	
	Which one? Was that Wehi?	
	EDWARD EMERY	
	Āe.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Wehi Te Ringitanga?	
	EDWARD EMERY	
	Āe.	
	JUDGE AMBLER	
	Ka pai.	
	EDWARD EMERY	
	It's, it's this taonga.	
13:05:15	**PROFESSOR POU TEMARA**	
	That koroua there in the big photo?	
	EDWARD EMERY	
	Āe.	
13:05:19	**PROFESSOR POU TEMARA**	
	Ka pai.	
	JUDGE AMBLER	
	And his brother was the, the koroua who had his leg broken?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	EDWARD EMERY	
	Te Taro. Yes, he was the younger brother.	
	JUDGE AMBLER	
	And what was his name?	
	EDWARD EMERY	
	Te Taro Te Ringitanga.	
	JUDGE AMBLER	
	Te Tāroa?	
	EDWARD EMERY	
	Yeah. Te – Te Taro. They were good mates of Te Kooti. That's how he got to live in our rohe with his wife. That's how his wife got left to my tūpuna Pēhi Te Tōpū.	
	JUDGE AMBLER	
	And it would have been shortly after this photo was taken that he died in the tram accident?	
	EDWARD EMERY	
	Yes. I'd like to point out that in the brief of evidence, is that my koroua doesn't – didn't like the tram tracks actually	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	coming up where they were. There actually was a Public Works Act that was forced on them, but part of the agreement for them to go through is, when my koroua called out for rākau and that, didn't matter if the rākau went up to the Ngāruawāhia, is that when they called out they're s'posed to, they're s'posed to stop the train and, and deliver the wood. But, when my koroua watched four trains go past, he got angry so he chucked all the wood on the, on the tram track and then they took out a proclamation and then they, after he got killed, Ellis & Bernands took my, my koros and them to the High Court. They got trespassed from Mangapihi in the 20s. They got trespassed right up, right up to the 60s and that's, that's the damage that they done to my korouas.	
	JUDGE AMBLER	
	So the, as you understand it, there was an arrangement where they were to supply timber when requested?	
	EDWARD EMERY	
	When I say there was an arrangement, all this raruraru started over from all the other hapus signing their land and, and then that's – this is how it all happened, and then we got forced in with everybody to, to cut our, our ngahere down but we wouldn't do anything on our farms. We held – we held onto them.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Now, the photo we have here. So this is what, in the 1920s? Do you know?	
	EDWARD EMERY	
	Yes, yes.	
	JUDGE AMBLER	
	Do you know the particular year?	
	EDWARD EMERY	
	I think that's about just before Christmas in 1925.	
	JUDGE AMBLER	
	And the whare that they are in front of?	
	EDWARD EMERY	
	Te Ihingarangi.	
	JUDGE AMBLER	
	At Waimiha?	
	EDWARD EMERY	
	Āe. You can see that he’s got his horse right next to him.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	He's holding onto a horse.	
	JUDGE AMBLER	
	Yes. I see that.	
	EDWARD EMERY	
	Yeah.	
	JUDGE AMBLER	
	And he seems to be –	
	EDWARD EMERY	
	He rode, he rode from the hōhipera.	
	JUDGE AMBLER	
	Mmm.	
	EDWARD EMERY	
	In Hamilton to come back for a photo.	
	JUDGE AMBLER	
	Now, in terms of Wehi Te Ringitanga, his name comes up in two reports that I've seen.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	EDWARD EMERY	
	Yes.	
	JUDGE AMBLER	
	Jane Luiten's report –	
	EDWARD EMERY	
	And –	
	JUDGE AMBLER	
	#A24 at page 130, and Mr Sarich's –	
	EDWARD EMERY	
	Yes.	
	JUDGE AMBLER	
	A29 at page 158.	
	EDWARD EMERY	
	Yes.	
	JUDGE AMBLER	
	And he went to, well he was involved in the Rates Petition, is	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	that right?	
	EDWARD EMERY	
	Yes, yes. He was also involved at, I think you heard of drive-bys, the railways, they used to drive past, drive by past my tūpunas whenua and then they used to shoot his stock and then they used to chuck it on the train and take it away. That's when he got the tūpuna, John Ormsby to write to the Minister to tell him that they need to put up a fence. That's what was happening along Puketutu. My koroua had the biggest pig farm in the rohe, Te Taro. They had thousands of pigs and then the railways, that's what we called, we likened it to they instead of shooting the stock and stealing it, I – I likened it, they call it drive-bys. You stop on the train and then you just shoot, run out, grab it.	
1310	My korouas, when these things were happening they would go out there and they could find all this blood and guts, they just gut them leave the blood there, drag 'em back. All the dragging went back to the railways trains but when he went to go and see the constabulary, the cops, the cops he takes about three weeks to get there and by the time he gets there all the blood's dry. So that's what my koroua was moaning about at Puketutu, was that the train was killing his stock but these moa –	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And he got John Ormsby to write on his behalf?	
	EDWARD EMERY	
	Yes, but I would just like to let it note that the Crown did nothing about it and they owed my koroua for hundreds of stock that they were pinching on their carriages. They were pinching heaps.	
	JUDGE AMBLER	
	Okay. Can I just cover off a couple of other matters? The badges that they wore to have free passage on the train, who got those badges, your koroua?	
	EDWARD EMERY	
	Yes, there were quite a few korouas, Henare Tūwhāngai. I think you might have seen some photographs of all the korouas all sitting down there?	
	JUDGE AMBLER	
	Yes I have seen the photograph of him with it, but are you talking about in Henare Tūwhāngai's time or back?	
	EDWARD EMERY	
	No back, back.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Way back?	
	EDWARD EMERY	
	Yes. They all – they were allowed to actually have free passage. This is what was told to them. Sorry, sorry, I just got corrected on the ingoa, Haunui Tūwhāngai.	
	JUDGE AMBLER	
	I see.	
	EDWARD EMERY	
	Yes.	
	JUDGE AMBLER	
	So this is in the time of Tāroa and Wehi? Okay, ka pai. You talk about line rates to do with telephone lines –	
	EDWARD EMERY	
	Yes. Yes.	
	JUDGE AMBLER	
	– I didn't understand that?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	EDWARD EMERY	
	Yes, it's only happening in here around in the Rohe Pōtae. These new power companies, they send out a bill for line rates.	
	JUDGE AMBLER	
	This is a recent thing?	
	EDWARD EMERY	
	But like I would like to point out that the first telephone pole to come into our rohe up in Maraeroa was a telephone line. They used the Public Works Act to put it there. Now they got these other Public Works Act that they changed their names, now it come back as Line Company. I would just like to point out how we look at DOC. Lands and Surveys slept with Māori Affairs ka puta mai DOC Conservation 1986. There is a few more that was actually sleeping together but those are all "Window Companies."	
	JUDGE AMBLER	
	Kia ora. I hadn't heard that whakapapa before but thank you. You talked about the farm that came back with a debt in 1979 and it was only paid back last year, which blocks are you talking about?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	EDWARD EMERY	
	Tiroa and Te Hape.	
	JUDGE AMBLER	
	And Te Hape?	
	EDWARD EMERY	
	I would just like to add to this, back in the ahu whenua days when they were doing this, is that they got all our owners, they got the one acres up to 10 acres. The Crown put them all together and then they said that – they told my korouas that it was going to be used as equity. When we paid back the debt we asked where is the equity? They told us that it had all been sold off. That's what I would like a redress around our farms because some places on these farms belong to these – don't get me wrong I'm part Pākehā too.	
	JUDGE AMBLER	
	Now you mentioned the Crafar Farms case. My understanding is that Tiroa and Te Hape fought in the High Court and Court of Appeal to try and challenge the sale to the other company?	
	EDWARD EMERY	
	Unbeknown to us, that when we gave the mana to our	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	trustees to go off and do these deals that they were supposed to come back and get us. Because when they were going around the motu going to all these places with – like I've got nothing against Michael Fay and Dave Ridgewright. They never ever done anything to us in our rohe but I know that they did a lot of things throughout the whole motu. They bankrupt everybody. But when they come and sat down beside our Trust to help try and buy the farms, we only wanted to buy two farms back. And then the problem was is, as I refer to, people that get shares, people that are owners, there are two different things to it, because when our trustees were going off to the High Court they weren't coming back to the people to find out what was happening.	
	JUDGE AMBLER	
	Okay, I understand your issue. The final matter is your reference to mullet –	
	EDWARD EMERY	
	Āe.	
	JUDGE AMBLER	
	– and I am just curious which rivers and how far inland do mullet come?	
	EDWARD EMERY	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Mōkau, Port Waikato. They come up quite a few miles, few k's. When I say they come up a few k's, some people might just think that we're putting a net across the awa just to catch trout but we love mullet. Mullet was a staple diet of our family.	
	JUDGE AMBLER	
	Ka pai. Ngā mihi ki a koe. Kua mārama au kōrero, au whakautu i ngā pātai. Thank you. I think, is the whare ready?	Thank you. Your evidence is clear and your responses to our questions. Thank you very much.
	KARANGA	
	Te karanga o ngā ringawera, haere mai rā e te iwi, he kai, he kai eē.	
13:16:10	**MŌTEATEA**	
	Kua huri taku tira; ki te wā kāinga; Ki te whakaae mahore ake i aku tūpuna; Kua riro atu ki te pō uriuri; Ki te pō tangotango; Ki a Hinenuitepō; Ka mahia ngākau o Hinetawa;	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Hei whakaruruhau; Mo te iwi kua tae mai nei; Kii whakawhiwhi e tapu; Kei te piki kei korā; Kei Miringa Te Kakara ; Nō Tuawhakarere; Nō aku tūpuna mai; Kia ora tātou.	
	HOUSEKEEPING (DANIEL ORMSBY)	
	A kia ora anō tātou whānau. My family we are about to have our hākari. This is the rā mutunga for our hui. This is an important part of our hui. I am asked to let you know that we follow our kui Titi and the paepae who will be followed by the Tribunal table and they are the first ones to be allowed to go through please. The ringawera have asked this especially. Kia ora anō tātou.	
	VARIOUS SPEAKERS	
	Kia ora rā.	
	HEARING ADJOURNS: 1.17 PM	
	HEARING RESUMES: 2.04 PM	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	SPENCER WEBSTER	
1404	Thank you Sir. Tribunal members all settled in ready for the post-lunch excitement. Sir I have a submission which was filed electronically. There should be hard copies available to the Tribunal so I'm just going to take you through those.	
	JUDGE AMBLER	
	Kai pai. Just before you do, just two matters, the record generally. In terms of Glennis Rāwiri's evidence, there are five odd pages of documents Ms Rongo that you have identified are relevant?	
	EVE RONGO	
	Yes well those are the pages that she told you she had with her today, so I got those together, put them in order and did a little index just – it tells a bit of the story	
	JUDGE AMBLER	
	Yes thank you for that. They were in the record as "R" for "A" and if there are questions arising they can be followed up in writing.	
	EVE RONGO	
	Thank you Sir.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	And secondly, for everyone's benefit, I realise we seem to be bang on time or pretty much but we are under a bit of time pressure because there are two staff who have been driven to Auckland to catch a 9 o'clock flight. So with that, kei a koe.	
	SPENCER WEBSTER	
	Well thank you Sir. Well my submissions are relatively brief and you may be aware that we've also to truncate the time, filed summaries of the evidence. Additionally Nyree Nikora is one of our witnesses. She has been involved this week in a tangi of a close relative. So what I'm proposing there is she's not in a state to present evidence today. That her evidence be taken as read. She may be here during Mr Hikaia's evidence and may be able to answer some questions, but generally, she's advised me that she's not particularly up to presenting her evidence today. So if she's unable to take questions today, then I propose that they be submitted in writing. Thank you Sir. I'm turning in to my submissions, so this is the claims of Ngāti Hauā, being Wai 4881 and 146. There are two broad issues at the heart of the Ngāti Hauā claims. Firstly, much like all the other iwi and claimants, the breach of the Ōhākī Tapu or what's referred to by Mr Hikaia is the Aotea Agreement.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	The Ngāti Hauā involvement in those events was explained in week 1 so we're not proposing to go over those to any great extent. But in essence, Ngāti Hauā say the Crown undermine the Sacred Pact, the intention of diminishing their tino rangatiratanga and that was achieved through a combination of the railway, Native Land Court and an aggressive Crown Purchasing Programme. The second element which they haven't addressed to date is the alienation of their interest in this inquiry district. Firstly be omission through Native Land Court processes, and secondly, by action which is the survey liens land purchasing and environmental management. Turning then to Ngāti Hauā, I've given a brief outline of who they are. They're an iwi of the Whanganui Awa. They trace their descent from the earliest known ancestors Paerangi and Ruatipua through to the ancestress Hinengākau, through her and indeed their other tūpuna. They merged in the west with Ngāti Tama. They merged in the north with Ngāti Maniapoto, and they merged in the east with Ngāti Tūwharetoa and connect throughout the Whanganui Awa to their whanaunga there. Hinengākau's descendants and indeed the Ngāti Hauā are descendants include a number of people who you would have heard about in the evidence presented thus far. Among them Te Hoata, Terekau, Wakaneke, through to more the 19th century rangatira, Tōpine and Ngātai Te Mamaku, Te Pikikōtuku, Hākiaha Tāwhiao, Tūao Ihimaera and others.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ngāti Hauā had two principle groupings being Ngāti Hourua and Ngāti Hekeāwai but there are a number of both historical and contemporary hapū that affiliate to them. I've provided a list there, but it's not an exhaustible comprehensive list, but you'll see those names featuring from time to time in various reports. We make a note at paragraph 7 in terms of claimant groups you have heard from being Ngāti Hekeāwai, Ngāti Hinewai, Ngāti Rangatahi, the Tanoa Whānau and the Tūtemahurangi descendants. Ngāti Hauā say they embrace these groups but not by way of a claim of representation but more to say that those hapū, those whānau are inseparable from Ngāti Hauā, and Ngāti Hauā are inseparable from them. And Sir Archie Tairoa when giving evidence in the Whanganui Inquiry noted that Ngāti Hauā wished to work together with all of these claimants and others to advance a common cause, because ultimately the beneficiaries of respective claims are all connected and intertwined. So in other words, the beneficiaries, the ultimate beneficiaries will be the same, so working together is the way forward and it's consistent with their tikanga.	
1410	Turning then to the Ngāti Haua case. Evidence has already been presented. Mr Hikaia will take you through some of the evidence that hasn't been presented thus far. Some of that evidence will deal with matters in the Whanganui and CNI Inquiries but that is for context only. So I have listed there some of the key events, Ngāti Hauā were involved in or putting them in the key events that you	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	are considering. Starting at 10.1, there is clear evidence of Ngāti Hauā supporting the Kīngitanga and the Rohe Pōtae. The killing of Moffat and other events confirm this. Ngāti Hauā say they supported the 1883 petition, therefore, they are adamant that their references to Whanganui includes them. In relation to the Aotea Block, Ngāti Hauā saw this as the means by which their vision of continuing and maintaining their mana could be realised and there is evidence that Ngāti Hauā considered their lands within the Aotea Block and indeed the Rohe Pōtae, to be protected. Then we move to the pre-Native Land Court manoeuvrings. There was some initial difficulties with the Crown portrayal of he external survey as Wahanui's boundary. At that time some Ngāti Hauā rangatira objected to this and at that point there appears to have been a divergence within Ngāti Hauā and Whanganui about the best way to respond to the Native Land Court and applications that were coming before the Court. But, in the main Ngāti Hauā opposed and initially boycotted the Native Land Court within the Aotea Block in the Rohe Pōtae and in 1886 of course that would result in the alienation of the core, the central core of their rohe being the Waimarino Block or their interests in the Waimarino Block. And that, the Waimarino Block of course as you will be aware included a portion that was covered by the Aotea Block or was intended to be included in the Aotea Block. So non participation in Waimarino leaves the awards to other hapū and largely they are excluded, although some reserves	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	are made later as a result of petitions. We then move to Taupō-nui-a-Tia. Two of the Ngāti Hauā rangatira, Tūao and Tepikikotuku were involved and boundaries were shifted and individuals of Ngāti Hauā were included in the subsequent partitions and then coming through to the Aotea Block in the same year, and I realise the Tribunal has heard all it probably needs to hear. Suffice to say, even though there is reference to Ngāti Rangatahi in the original application for the block, Ngāti Hauā and Whanganui are included of course in the ownership of the block and there are some key names you will see straight away in the list of owners under the Whanganui heading. So clearly whatever the case, whoever made the claim, Ngāti Hauā were included in the Aotea Block. Subsequent, to the hearing of the total Aotea Block, then there is meetings to discuss the tribal boundaries. Ngāti Hauā say the pou that they referred to Mr Hikaia will refer to those, arose out of this process. These confirmed their interests in the southern portion of the Inquiry District. Of course there is then the disputes in relation to those boundaries between Mātakitaki and Taonui on the one hand and Tūao and Ngātai on the other. Tūao and Ngātai rejecting the eastern partition of the boundary at the Ngakonui Stream and then that then is played out in the Ōhura South Block investigation. So the boundary laid out by Mātakitaki and Taonui is the one utilised for the Ōhura South Block. That then gets severed off the Aotea Block. Largely awarded to Ngāti Hauā. From recollection, two partitions are awarded to Ngāti Ngatu, I think and Ngāti Hari	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	and but otherwise, the large majority of the block is awarded to Ngāti Hauā and most of that land is uncontested. When I say uncontested, I mean the actual, the main contest was in relation to the Te Horangapai site rather than the total block being in contention. And post award, Ngāti Hauā make petitions in relation to the boundary of the block. Those are unsuccessful. I made a note there the interesting – I don't know whether it is a coincidence or not, that the list of owners in Ōhura South comprises 225 individuals compared with 221 owners in the Whanganui list for the Aotea Block. Now I did note from Professor Boast's submissions earlier in the week about Ōhura South and whether or not it being heard in Whanganui, the Whanganui Inquiry was deliberate? It was. Ngāti Hauā applied to have it included in the Whanganui Inquiry. Our initial application was heard before a combined panel of the CNI Whanganui and National Park Tribunals. Unfortunately, I have long since archived the papers related to it but it was definitely a conscious and deliberate decision to include it in the Whanganui Inquiry, largely for balance of convenience to use that language, in that it having been awarded largely to Ngāti Hauā, enabled Ngāti Hauā to present the majority of their case in the one inquiry. So we are at this point where Ōhura South is severed and that has its own title and that moves off into its partitioning in survey liens and so on. But that, in my submission, couldn't have been the only block, or it certainly wasn't the only Whanganui interest in the Aotea Block because the location	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	of the boundary and the pou show that there were lands elsewhere that were agreed were to be or were for Whanganui. So accordingly, Ngāti Hauā suited their interests in other areas, above and around and to the side of the Ōhura South Block. They received interests in the Mōkau Mōhakatino Block and various subdivisions of the Rangitoto-Tūhua Block. Their interests in Mangaroa, Taurangi and Waiaraia were not recognised but I submit that the circumstances were rather dubious. Some of those blocks were below the boundary that had been previously laid out. However, they were awarded to others and we have referred to a Taurangi decision in Mr Hikaia's evidence. There is a copy of it there. I will try and get incidentally a better copy of it. I found it a hard read, but the key thing with those blocks is there is a clear connection between Crown purchasing and the Land Court awards. So the awards were to a small number of individuals and the alienations occurred almost immediately after the alienation – sorry, of the awards of the lands to those individuals. And then we move subsequently to how those interests that Ngāti Hauā did receive were dealt with. They were alienated. Some to pay for survey liens, process costs, others were alienated just directly to the Crown or private purchasers. Mr Hikaia will take you through those. Ngāti Hauā also take issue regarding the management of the environment, including the impact of environmental policies and practices on their taonga, resources and including their water ways, minerals, forest and fisheries.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	And they say there are also deficiencies in resource management processes. So summing it all up, the history of the people and the lands in this area and even the Native Land Court hearing and subsequent petitioning and so on, involve a very complex story. And, in my submission, to focus on the claims and counter claims and those petitions and allegations that occurred through the Native Land Court investigations is to miss the bigger picture, and that bigger picture here is how Crown machinery and instrumentality undermined the Ōhākī Tapu and the tino rangatiratanga o Ngāti Hauā and indeed all the other tribes here. So focussing on the actions of individuals or the conduct of individuals is not particularly profitable in my submission. Ultimately, they are apart of a broader system. That system, in my submission, was rotten and the Crown is responsible for that system. In addition, the Crown cannot claim it was an innocent bystander. It imposed the natives lands legislation and it advanced an aggressive purchasing programme effecting these very lands that Ngāti Hauā will talk about. And in some cases of course, the Crown was the direct beneficiary, so it simply wasn't just innocently watching the process that it had proposed and that Māori were therefore at fault for what the results were. So where do Ngāti Hauā end up? Well, in this district and in the Whanganui Inquiry District they do not have a tribal land base. They some meagre fragmented land holdings that are	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	insufficient for their present or future needs. The tenure of reform process has caused considerable tribal division and dissention and that is arguably still evident today. So Ngāti Hauā welcome this Inquiry and look forward to the Tribunal's report, it being an opportunity for the truth to be uncovered and for reconciliation to occur, not only with the Crown but also with their whanaunga.	
1420	Kia ora, Sir. If there's to be any questions well.	
	JUDGE AMBLER	
	I have not been able to read the Taurangi decision either. It is quite hard, but can you just explain very briefly what the outcome was because is it a re-hearing? What was it? A partition hearing? What is it?	
	SPENCER WEBSTER	
	It, no. It's the, mmm. So it's a – this is where it gets complex. As I understand it, Taurangi was a parent block and then there were three blocks that resulted from that, but one or two of those blocks had been heard already previously to it and so when Ngāti Hauā, they didn't appear in their initial decision, say on the Waiaraia Block, or the Mangaroa Block. So they're – they weren't – didn't receive any interests. Then Taurangi's heard which seems to include all of those blocks again and the Court says, well, you're now claiming blocks which apparently have already been heard, so we can't deal with those. It's – you're too	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	late, but the Judge taking a step back looked at it and said, well clearly – well maybe I'm paraphrasing or putting words into the Judge's mouth, but effectively he says there were lands that were due to Whanganui but they've been awarded to other, other groups is the upshot of it.	
	JUDGE AMBLER	
	So by then, Waiaraia is already sold?	
	SPENCER WEBSTER	
	Waiaraia, well I'm not sure if it's sold but it's certainly – the title has been awarded. Mangaroa if I recall rightly, has also been heard and title awarded. Then this Taurangi investigation comes up and it seems to be whether it's the applicants or the counter-claimants are trying to broaden the scope of the investigation but in the final decision they, they miss out on the Taurangi Block and then their other interests are excluded because they're above the boundary that was laid out in the 1880s.	
	JUDGE AMBLER	
	Is this the decision that Professor Boast referred to earlier in the week or was his, his was Ōhura South, wasn't it?	
	SPENCER WEBSTER	
	His was Ōhura South but I think the –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	That is Judge Gudgeon as well.	
	SPENCER WEBSTER	
	Yes, yes, and I, I think the sentiments are similar.	
	JUDGE AMBLER	
	So is there a report on the record that grapples with this? Is the Husbands and Mitchell deal with the Waiaraia Block, but do they – do you know if they deal with this complicated contest? Or perhaps you can think about that and we'll –	
	SPENCER WEBSTER	
	Yeah, I, I think – I suspect where we've worked through with Mr Hikaia here is on the basis of working through some of the source historical documents as well as Husbands and Mitchell and there may be another report which I just – Berghen, and so piecing that all together, this is what we've come up with.	
	JUDGE AMBLER	
	Kia ora.	
	SPENCER WEBSTER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	But it could be – do with some more detail. I'll admit that.	
	JUDGE AMBLER	
	But we'll hear from Mr Hikaia.	
	SPENCER WEBSTER	
	Thank you, Sir.	
	KEVIN AMOHIA HIKAIA	
	Tihei mauri ora. Ā kia ora te marae e takoto nei, me ngā taonga nunui o ngā mātua tūpuna o ngā whare. Tēnā koutou, tēnā koutou, tēnā koutou.	Greetings to the Courtyard without and the treasures of our elders, that is our ancestral houses, I acknowledge you. I acknowledge the iwi, the iwi of Te Rohe Pōtae. Greetings one and all.
1425	Tēnā koe e te rangatira o te tēpu nei, Judge Ambler tēnā koe. Tēnei me tō hoa kei te noho ki a koe, tēnā kōrua me ngā rōia o te Karauna, me ngā rōia o ngā tāngata o te whenua o te motu, tēnā koutou, tēnā koutou, ā tēnā koutou.	Greetings Judge Ambler. And to all the people of the land I greet you all.
	Your Honour I thank you very much for the privilege of being able to speak to my submission. It is more of a summary, the one that I have in my hand of what was previously presented or has been handed to you by my lawyer Webster, Spencer Webster. **READS BRIEF OF EVIDENCE #R021(d)** "My name is Kevin Amohia Hikaia. I am the eldest son of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Hikaia Hikaia and Celia Kawau. I am the claimant for Ngāti Hauā under Wai 48, 81 and 146. My father was the original claimant, he passed away in 1991 and that role passed to myself." My whakapapa here in relation to Your Honour, to Te Rohe Pōtae come from both my Te Puna, Hekeāwai who married a woman of – who was a mokopuna of Tūtemahurangi, Te Uruweherua which gives us a whakapapa to Maniapoto and my mother of course Celia Te Kawau. Her father who is my grandfather who was brought up at Tokanu, he lived there till he was 17 and then he moved into Ōtoko and finally settled at a place called Kawangaroa on the Wangaihu River and lived among the people of Ngawairiki. My grandfather was also of Maniapoto and his Marae out there was Maraeroa and the family I know of and am very familiar with are the Crown whānau and also the Moana, that's his family. We also are related to the people of Rangitoto Maunga of Ōtewā. I was a trustee of lands on the Maunga itself, we developed the property up there and it is now known as the Owawenga Station. I was one of two original, two first trustees for those properties and this is my link to Ngāti Maniapoto through my parents on both sides. So I am going to my evidence. This is a summary of my evidence that I have put before the Tribunal.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	My evidence covers: • An outline of the Ngāti Hauā rohe for the purposes of this inquiry; • The Ngāti Hauā experience in this district in relation to the Rohe Pōtae, Native Land Court and Crown purchase programme; • Some of our interests in the land blocks within this Inquiry District; and • Those redress we are seeking. **Rohe** I have provided an outline of the Ngāti Hauā rohe in my evidence. Significant markers for us in this inquiry are the pou throughout the rohe. Our pou highlight our interests in the southern parts of this Tribunal inquiry, but do not represent the full extent of our interests. To be clear, we are not here to contest mana whenua and re-litigate old cases, because to do so would give credibility to a flawed process that undermined the mana of all of the participants. We are only here to hold the Crown to account for its wrongs perpetrated against us for which we are still suffering. It is for this reason that we are putting our claims to you. **CLAIMS** **Rohe Pōtae** My father told me many years ago Your Honour that the kaupapa of the Rohe Pōtae was to maintain the tino rangatiratanga of Te Rohe Pōtae and the Kīngitanga I have	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	previously explained our support of the Kīngitanga and how we contributed to that. **Native Land Court** Ngāti Hauā rangatira such as Tūroa, Te Huia Te Pikikōtuku, Te Oro Te Pikikōtuku, Te Kere and Ngātai Te Mamaku refused to participate in the processes of the Native Land Court. They understood that their lands would be protected by the Rohe Pōtae Compact. Individuals did participate from time to time but not Ngāti Hauā as an iwi. However, that stance would ultimately harm Ngāti Hauā because land blocks like Mōkau-Mōhakatino and Waimarino were put through the Native Land Court without the involvement of our leaders. As a result the recognition of our interests in these blocks was either minimal or non-existent. Our tūpuna were eventually faced with the choice of participating in the Native Land Court processes or losing all of our interest's altogether. They therefore began participating in the Native Land Court. Tūao Ihimaera and others featured in Taupō-nui-a-Tia hearing, and Hākiaha Tāwhiao and others led the Ngāti Hauā case in Ōhura South and Rangitoto-Tūhua. When Native Land Court moved in to the Aotea Block Iwi initially controlled matters, such as submitting the application and determining the internal boundaries. However the work of the Court overcame any resistance. In addition, the Native Land Court was not equipped to deal with the tikanga or the intricate nature of our whakapapa connections in this	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	area. You were either awarded the land or you missed out. This has caused a considerable amount of tension between the tribes of this area. Another difficulty for Ngāti Hauā is that our lands were split between no less than four Native Land Court districts, and the hearings and appeals for our lands were heard in Whanganui, Mōkau, Ōtorohanga, Kihikihi and Taupō. Our tūpuna were required to be in a lot of places at the same time, which was not always possible. The cost was also a factor. There is evidence of our lands being alienated for survey liens and other costs of the process, a process we did not want. **Crown purchasing** Ngāti Hauā was also prejudiced by the combination of Crown purchasing and speculation. It is significant to us that the Crown got its foot in the door of the Rohe Pōtae through our lands and in dubious circumstances. The map attached to my evidence shows that the Waiaraia and adjacent blocks were among the first to be processed by the Court and alienated to the Crown in this district after the old land claims. The awards in those blocks were to a small number of owners who then sold immediately to the Crown. The Taurangi Block decision is attached to my evidence. In that decision, Judge Gudgeon criticised the Court awards and challenges in Ngāti Hauā blocks, including the Ōhura South, Waiaraia, Mōhakatino-Paraninihi and Umukaimata blocks.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Ngāti Hauā Land Blocks Mōkau-Mōhakatino and Mōhakatino-Paraninihi The Mōkau-Mōhakatino and Mōhakatino Paraninihi blocks were before the Native Land Court in 1882. Our pou Tawhitikaupeka is located on the border of the Mōkau-Mōhakatino and Waiaraia blocks.	
1435	Ngāti Hinewai, a hapū of Ngāti Hauā, was awarded interests in Mōkau-Mōhakatino No2 and No 2A blocks and the list of owners included Pare Kuakirua and Te Huia. However, Ngāti Hauā was not present at the hearing for the Mōhakatino-Paraninihi Block and so we were not awarded interests there. **Taupō-nui-a-Tia and Waimarino** The Taupō-nui-a-Tia and Waimarino Blocks are outside this inquiry district, however, they formed part of the Rohe Pōtae and Ngāti Hauā had land interests in these blocks. The alienation of Waimarino was extremely significant for Ngāti Hauā for the reasons set out in my brief of evidence. **Aotea Block – Initial award** The Tribunal will be aware that the Aotea Block came before the Native Land Court in July 1886 in the same year as the blocks I have just discussed. The entire Aotea Block was awarded to five iwi including "Ngāti Rangatahi of Whanganui", in October 1886. Tūao Ihimaera claimed part of the Aotea Block for Ngāti Hauā based on descent from the ancestor Toakohuru.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Toakohuru was the grandson of Te Hoata II who was one of the principal tūpuna through which Ngāti Hauā asserted their claims to later subdivisions in the Aotea Block, including Ōhura South, Pukuweka and other Rangitoto-Tūhuablocks. The initial list of owners included 201 Whanganui people and is attached to my evidence. It included Ngātai Te Mamaku, Tūao Ihimaera and Mātakitaki of Ngāti Hauā. It also included my great grandfather Hikaia Kārepa and a number of my grandfather's brothers. A supplementary list of Whanganui owners was supplied to the Court, which included Hākiaha Tāwhiao and more of my grandfather's brothers. **Boundaries** There were some disputes amongst our tūpuna regarding the boundary for Whanganui presented to the Court by Mātakitaki which I cover in my evidence. The important thing here is that while the internal disputes occurred what was actually happening was that the Crown goal of breaking up the Rohe Pōtae was coming to fruition. **Aotea Block – Ōhura South** As noted above, the Ōhura South Block was claimed by Ngāti Hauā through Te Hoata. Ngāti Hauā was awarded the majority of lands within the Ōhura South Block. The subsequent hearings on Ōhura South related to the claim by Ngāti Urunumia to Te Horangapai which is not part of this inquiry so I leave that there. For us, the Ōhura South Block and the subsequent alienation of large parts of that block	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	represented a significant blow. Taorua, Waiaraia, Mangaroa and Taurangi Blocks The western blocks of Taorua, Waiaraia and Taurangi were before the Native Land Court in October 1890. The common theme among these blocks was that they were awarded to a small number of owners and alienated to the Crown shortly after the Native Land Court awards. I have noted that Ngāti Hauā rangatira made claims to these blocks which included lands that were south of the agreed boundary. **Waiaraia** The Ngāti Hauā pou Tawhitikaupeka is located on the northern border of the Waiaraia Block. Tawhitikaupeka is the highest point in that general area. It was brought to the Native Land Court through Whāro Kaitangata's opposition to the Umukaimata Block application.	
1440	The application for Waiaraia went unopposed and the block was awarded to seven people in equal shares, including Kahu Huatare, Tumokemoke Waaka of Whanganui and Hoani Paiaka of Ngāti Hauā. The Crown purchased the entire Waiaraia Block in 1891 for the sum of £1,545 which was financed by a Railway finance loan. **Taurangi and Mangaroa** The Taurangi Blocks lie adjacent to the Umukaimata Block. Wārahi Te Whiutahi of Ngāti Wera and Tūao Ihimaera and Hākiaha Tāwhiao of Ngāti Hauā, all presented claims for	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	parts of the Taurangi and Mangaroa Blocks. The Mangaroa Block had previously been awarded to Ngāti Ruaroke but during the Taurangi application, our tūpuna claimed Mangaroa for the descendants for Terekau. The Court dismissed the Ngāti Hauā claims to the Mangaroa Block on the basis that a rehearing of the facts of the Mangaroa Block was outside its jurisdiction. The Court also dismissed the Ngāti Hauā and Ngāti Wera claims to Taurangi based on the Whanganui boundary presented by Mātakitaki. **Rangitoto-Tūhua Blocks** The Rangitoto-Tūhua subdivisions sat on the borderlands between Ngāti Hauā, Whanganui, Ngāti Maniapoto and Ngāti Tūwharetoa. Hākiaha Tāwhiao claimed interests for Ngāti Hauā in several of the southern Rangitoto-Tūhua subdivisions. I list the Ngāti Hauā Rangitoto-Tūhua Blocks in my evidence. Much like the results in the other blocks, Ngāti Hauā received awards in some of the partitions and in others the claims were dismissed. **Pukuweka** The Pukuweka Block is adjacent to the Ōhura South Block. Both Ngāti Hauā and Ngāti Maniapoto claimed interests in this block. Ngāti Hauā claimed the lands through our tūpuna, Te Hoata. I have provided a comprehensive outline of this block in my evidence, however, the important points are: (1) Our tūpuna were involved in the processing of this	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	block for two decades. It went through the Native Land Court title process twice; the Native Appellate Court twice; and was subject to a number of petitions before title was finalised; (2) This investigation process caused considerable friction between our tūpuna; and (3) The majority of this block has been alienated. **Taraunui, Horokio, Ngararanui** Taraunui was awarded to the Ngāti Hauā claimants. It is our understanding that Hākiaha and Kahukarewao Tōpine sought to partition 1,500 acres of the Taraunui Block to pay the Government survey charges of the Rangitoto-Tūhua Blocks 3 (Taraunui) and 4 (Horokia) and 5 (Ngararanui), as well as any general lien over Rangitoto-Tūhua proper and protect their other lands. Horokio seemed to be this block. Horokio was awarded to the Chief Surveyor and Miriama Kahukarewao, the wife of Hākiaha and the daughter of Whakaneke. Judge Mair amended the area of Horokia to 1,770 acres in 1902 to ensure there was sufficient land to pay the charges. The extra 270 acres were removed from Taraunui Block. **Whatitokarua** The Whatitokarua Block came before the Court in 1897 and was heard together with the Taraunui Block. This was another block on the border between Ngāti Hauā and Ngāti Maniapoto. The Native Land Court awarded the block to the Ngāti Maniapoto claimants based on occupation. Hākiaha	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Tāwhiao and others appealed to the Native Appellate Court in 1900 on behalf of Ngāti Hauā but they were unsuccessful. Hākiaha Tāwhiao and others petitioned against that award, however, the Royal Commission recommended no further action. I believe that the majority of this block was alienated to the Crown. **Prejudice** What I have tried to explain briefly is how in 20 years we went from having complete control of our rohe to being alienated from most of our lands. Today, we own a small fraction of those lands. We are not in this position because of the disputes with our whanaunga. We are here today because the Crown refused to respect our tino rangatiratanga and the Rohe Pōtae. More than that, they actively undermined it. In essence, that is our grievance. **Remedies** We have made a claim for a wide range of redress. We seek land restoration and the ability to re-invigorate our iwi and hapū. But the concerns of Ngāti Hauā are more fundamental than that, we are seeking what our tūpuna sought to protect in the 19th Century through the Kīngitanga and the Rohe Pōtae. So while we certainly need a package that will assist us with our economic and cultural revitalisation, we will continue to seek what our tūpuna fought for whether in this process or another. Included on this record of this Inquiry is the evidence presented in the Whanganui Inquiry by Sir Archie Tairoa. He worked his entire life for the iwi on the river and the land	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	claims. To him the compensation was not the reason we were doing this. It is fitting that I reproduce his request for redress for our iwi: I started my evidence accounting the many attempts by Ngāti Hauā to assert our status under Te Tiriti. For too long our status has been undermined. My question to the Crown is, how many more generations of Ngāti Hauā must inherit this bitter legacy of continually seeking justice and the full recognition of our tino rangatiratanga? Ultimately, what our tūpuna and what we are seeking is: • The recognition of our rangtiratanga. • The restoration of the Tiriti partnership. As a priority, the constitutional status of Te Tiriti has to be ratified. What we need is constitutional change that provides a constitution for this country based upon Te Tiriti. Otherwise, we will forever be fighting unnecessarily. The Tiriti partnership also needs to be looked at and at the moment I don't see any Tiriti relationship with the Crown. Hapū and Iwi liaise with agencies of central and local government, rather than directly dealing with the Crown itself. This must change if the Tiriti relationship is going to have meaning in the future." Kia ora. Kua mutu aku kōrero.	
	JUDGE AMBLER	
	Mr Melvin?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	WAIATA	
	Moenga e rohe i ngā aituā; Rere mai akatea te ao mārama; He rau rama ēnei; E ngā mana kairangi; I te matapihi Whanganui eee ; Ruateute te mana; Whanganui te awa; Ātihau te iwi; Tihei mauri ora eē.	
	GEOFFREY MELVIN	
1450	Tēnā koe te rangatira.	
	KEVIN AMOHIA HIKAIA	
	Tēnā koe.	
	GEOFFREY MELVIN	
	Thank you for your brief of evidence and the summary that you presented this afternoon. I have some questions about the Waiaraia Block and the purchase of that. Were you here earlier in the week on	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Tuesday when there were witnesses whose evidence also addressed that block?	
	KEVIN AMOHIA HIKAIA	
	No I wasn't. Well I was yeah, but I think I was busier out there talking to whānau rather than being in here.	
	GEOFFREY MELVIN	
	Yeah right well –	
	KEVIN AMOHIA HIKAIA	
	Seemed to get waylaid.	
	GEOFFREY MELVIN	
	Well it's that line of questioning that I – because you raise the same issue, I should put those points to you as well for your response. There's a report on the Record of Inquiry for this inquiry by Leanne Boulton.	
	KEVIN AMOHIA HIKAIA	
	Yes.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	It's #A67 and it deals with Crown Purchasing in the latter part of the 19th century in this – for this inquiry district. And she says in her report that the Waiaraia Block was part of the Taorua parent block?	
	KEVIN AMOHIA HIKAIA	
	Yes.	
	GEOFFREY MELVIN	
	That's – you'd agree with that?	
	KEVIN AMOHIA HIKAIA	
	Okay, okay.	
	GEOFFREY MELVIN	
	And she says in her report that the Whanganui leader Paiaka ~~Te Paiaka~~ Te Pakonga Te Pikikōtuku informed the Government in August 1890 that he was willing to sell blocks that had been subdivided from the Taorua Block, and according to her report, a few months after the Native Land Court had subdivided the parent block and determined ownership of each subdivision, Wahanui began negotiations to sell Waiaraia to the Crown. And it was understood by Wilkinson who was the Native Agent and Land Purchase Officer, it was understood by him that Wahanui's offer to sell – yes his offer to sell Waiaraia was a fulfilment of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Pikikōtuku's offer that Pikikōtuku had made in August 1890 to sell land in Taorua. So do you have any comment in respect of that, that account?	
	KEVIN AMOHIA HIKAIA	
	Well I don't really know much about that particular part of it, but I do have information from the Court in my files at home, whereby, Waiaraia was sold by two people who knew very well that they were not the owners of those lands. Now that's what Gudgeon of the Native Land Court said, and he wrote that. And he said, "I do not understand why these two men knowing very well that these lands do not belong to them," in this particular process of selling the land. I can't remember the exact words. But I know the men that he names and they were both of Maniapoto in this particular file that I had on ... A. One of them was Wahanui and he criticised them for it Sir, and that's why we have brought this to the table, for that reason. There may be other information somewhere else about who else may have sold these lands. I haven't got a clue about that, but what I found in the Native Land Court files, Judge Gudgeon's comments. The point that I make here, he was the Judge sitting. Why did he allow it to go through when I believe, according to my father's kōrero that the Native Land Court or Māori Land Court also have a discretionary power. Judge Gudgeon allowed that to continue. So one has to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	look at the prejudices that could arise from such an action, especially from a Judge of his, of his standing. I can give you the other name to the seller. His name was Rewi Maniapoto. Now in the same writings, because I guess its truth time. This is truth time, and I'm not here to hide anything from anybody, so I'm sorry to my whānau over here. If you feel as though there's something you know in my kōrero that is disturbing, but it is time to tell the truth, because that is written in the Native Land Court. And so, my view here is what was his reason for allowing it to happen? Who was he actually employed by? Was he employed to bring justice to the applicants or was he there to secure perhaps, easily done for and on behalf of the Crown perhaps. You see, I'm taking a layman's view, which is a practical common sense view. Why did he allow this to happen? But the information Sir that you gave me, I'm sorry I have not read that stuff. I'm only going according to what the Land Court file actually says. And at the same time, Wahanui gave the boundaries to the lands. He said that all waters running south into the Ōhura Stream belongs to Whanganui. And all the waters running north belongs to Maniapoto. I know the area quite well. I've been over that particular country and I know what he's talking about and I know where those lines he's talking about goes to. Goes through	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	the Otangiwai Valley and out towards Ōngarue there's a range of hills there known as Te Hiwis, and that is what we claim as our boundary that has been identified by these two men. Sorry if I –	
	GEOFFREY MELVIN	
	In your evidence at paragra – or in the summary that you presented this afternoon at paragraph 23, you note that when the Native Land Court determined title to the Waiaraia Block it was awarded to seven people in equal shares including Kahu Huatare, Tumokemoke Waaka of Whanganui and Hoani Paiaka of Ngāti Hauā.	
	KEVIN AMOHIA HIKAIA	
	Yes.	
	GEOFFREY MELVIN	
	So you then name a person of Ngāti Hauā descent who was awarded – who was one of the seven owners and presumably, he was also one of the seven who agreed to sell the Waiaraia Block?	
	KEVIN AMOHIA HIKAIA	
	Well I have to admit that I have not seen any evidence on that. I'm sorry, so I can't address that particular question to	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	you. Do you want me to find the information and come back with an answer? I can certainly do that for you.	
	GEOFFREY MELVIN	
	No I'm not asking you necessarily to do that, but it does perhaps raise an interesting question in terms of Judge Gudgeon's decision saying the block was wrongly awarded and sold when there was a Ngāti Hauā owner amongst the other owners. Also, Tumokemoke Waaka of Whanganui.	
	KEVIN AMOHIA HIKAIA	
	What is the question?	
	GEOFFREY MELVIN	
	Well it's – that's more of an observation than a –	
	KEVIN AMOHIA HIKAIA	
	More of an observation –	
	GEOFFREY MELVIN	
	– from me, than a question.	
	KEVIN AMOHIA HIKAIA	
	Yes. Well I'm just – what I've spoken to you about Gudg – Judge Gudgeon is what came out of his mouth.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	GEOFFREY MELVIN	
	Yes.	
	KEVIN AMOHIA HIKAIA	
	And what came out of his mouth. To me that is a statement made by a man of his standing as a Judge of the Native Land Court and those are the comments that he made by allowing this thing to happen because he did say exactly that, he said, “These men have sold these lands knowing full well that they did not belong to them.” I can produce that document.	
	GEOFFREY MELVIN	
	Do you know the name Hoani Paiaka?	
	KEVIN AMOHIA HIKAIA	
	Paiaka, yes I do, as a matter of fact his granddaughter is sitting in here, I hope she is still here, Celia Paiaka. She is here and yes I do know and I didn’t know him because he was quite an elderly gentlemen when he married my cousins mother, Ruth Paiaka. And I was talking to Celia just a few moments before coming in here and asked her if that was her dad or her grandfather, she says it was her grandfather.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Do you think Judge Gudgeon was correct in saying that Hoani Paiaka amongst the others was incorrectly awarded ownership of that block?	
	KEVIN AMOHIA HIKAIA	
	Well he doesn't make any mention of that I suppose, I'm not quite sure but I do know that the application went unopposed and the block was awarded to seven people but I suppose having – to tell you the truth I really don't know.	
	GEOFFREY MELVIN	
	That's probably as far as we can take it then, thank you.	
	KEVIN AMOHIA HIKAIA	
	Well I can only go on the evidence that I have produced and that I do have in my care which is Land Court record and I just based my own particular findings on that one document.	
	GEOFFREY MELVIN	
	Kia ora Mr Hikaia.	
	KEVIN AMOHIA HIKAIA	
	Kia ora.	
	GEOFFREY MELVIN	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Thank you Sir.	
	JUDGE AMBLER	
	Tēnā koe. Any other counsel?	
	MARK McGHIE	
	Sir I had a question or two. One of my clients has asked me to ask a question about Ngāti Hinewai.	
	KEVIN AMOHIA HIKAIA	
	Can you please speak up.	
	MARK McGHIE	
	Sorry. One of my clients has asked me to ask you a question about Ngāti Hinewai, he belongs to Ngāti Hinewai of Piriaka which he says is separate from Ngāti Hauā. But you have talked about a Ngāti Hinewai in Mōkau Mohakatinau which is a part of Ngāti Hauā. Could they be different Ngāti Hinewai's?	
	KEVIN AMOHIA HIKAIA	
	I'd like my step daughter here to answer that for me Mark please if you don't mind. And the reason I am doing this is because this is Nyree Nikora to those who don't know her, she is of both Ngāti Maniapoto and Ngāti Hauā and Nyree is	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	my claims manager and she is also our senior researcher and it is her that puts a lot of this documentation together on my behalf and also in helping our lawyers to put together something.	
	MARK McGHIE	
	Kia ora.	
	NYREE NIKORA	
	Tēnā koe Mark. The Ngāti Hinewai that we speak of is the Ngāti Hinewai of Ngā Poutama, sorry Ngāti Poutama, that's her brother, those are our Maniapoto connections. We have a lot of whānau on the awa who whakapapa back into the river, all the way down to Pūtiki, same with the same Hinewai of Ngāti Tūwharetoa, that's how they claim interest into the awa and just to clarify Mark, the Hinewai we speak of is a female.	
	MARK McGHIE	
	Thank you for that. Are you saying there could be more than one Ngāti Hinewai?	
	NYREE NIKORA	
	We definitely know there are two.	
	MARK McGHIE	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Thank you.	
	NYREE NIKORA	
	One of Maniapoto the other of Tūwharetoa hence the reason why those families down the awa can whakapapa back to into the awa.	
	MARK McGHIE	
	Thank you.	
	NYREE NIKORA	
	Kia ora.	
	MARK McGHIE	
	I just have one more question about boundaries Mr Hikaia Amohia ~~Hikaia~~ said Wahanui gave a boundary where the waters, streams flowing south into the Ōhura were Whanganui and flowing north into – well flowing north where Maniapoto, is that the same boundary that much the same as Tūao gave?	
	NYREE NIKORA	
	No he was speaking on a wider tribal rohe in terms of the Whanganui Catchment everybody is familiar with the Whanganui Catchment, our pou were the rangers from	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	hence our water flows from, that was part of the old peoples kōrero that was passed out to us and how we got into those areas was our relationships and our marriages through those chiefly lines. Hence the reason why the Te Rohe Pōtae was strong, is strong and must stay strong in that way but we don't go over there or upstream and tell them what to do. You know they look after our thing for us there, we look after their things here.	
	MARK McGHIE	
	So Wahanui's boundary was a general boundary?	
	NYREE NIKORA	
	Yes.	
	MARK McGHIE	
	All right thank you.	
	JOHN BAIRD	
	Thank you Mr Hikaia.	
	KEVIN AMOHIA HIKAIA	
	Kia ora.	
	JOHN BAIRD	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Just in paragraph 9 you talked about the Taupō-nui-a-Tia hearing and the participation of some of the elders in that. Was that before or after other hearings like Mōkau or Mahakitino and Waimarino?	
	KEVIN AMOHIA HIKAIA	
	I'll ask Nyree to address that one for me too please. As I said she is my lead researcher and has done most of the work on these submissions so you will have to excuse me Sir.	
	JOHN BAIRD	
	Yes sure.	
	KEVIN AMOHIA HIKAIA	
	I'm 77 years this year and I'm starting to lose a little bit but not a lot.	
	JOHN BAIRD	
	You are doing very well.	
	NYREE NIKORA	
	Thank you Sir, what was your question?	
	JOHN BAIRD	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	The question was, was the Taupō nui a tia before or after other hearings such as – that you have mentioned here, Waimarino and Mōkau and Mōhakatino?	
	NYREE NIKORA	
	Yes well at that time the Ngāti Hauā hapū had to collectivise themselves because there were the Land Court hearings being held outside of our districts which we weren't in attendance and mainly because you know, everybody is in the garden at a time when Court sittings want to take place for a lot of our people collecting kai is more important then travelling all over the where for the hau kāinga to feed us you know so all I know is our old people were still in the gardens when these Land Court hearings were happening on the coast and around us.	
	JOHN BAIRD	
	The brief says in paragraph 9 that our tūpuna eventually face with the choice of participating or not, they therefore began participating and some of them featured in the Taupō nui a Tia hearing. So my question was, was that before or after Mōkau Mōhakatino?	
	NYREE NIKORA	
	Yeah the time dates, I'm not quite sure on a date of the Mōhakatino Court sitting but I am aware of the date for the Taupō nui a Tia 1886 carried on over into 1887. An	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	example of how many of our rangatira were present in the Taupō nui a tia there were only two, the rest had to be down at Pūtiki for the Waimarino Block which was getting sold around about the same time. The Rohe Pōtae got chucked in there and we not cut up once or twice, we got cut up at least four times being so central to the Central Plateau.	
	JOHN BAIRD	
	So how sure are you of the fact that you had missed those missed certain visits to certain hearings by the Land Court before you decided to participate?	
	NYREE NIKORA	
	Well Sir I mean -	
	JOHN BAIRD	
	Do you see what I mean?	
	NYREE NIKORA	
	Yes I do. The kaupapa from our old people was to resist in the Land Court's so they couldn't cut us up and we were part of the Kīngitanga who held fast to that.	
	JOHN BAIRD	
	Okay thank you very much.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
1510	Tēnā kōrua. Just firstly a small matter and it's sort of ironic we get to the end of this hearing week where we have been talking about Rangitoto-Tūhua so much and we have heard a lot about where Tūhua is and on the way through in your introduction Mr Hikaia, you mentioned where Rangitoto was.	
	KEVIN AMOHIA HIKAIA	
	Yes.	
	JUDGE AMBLER	
	But I have not seen it pointed out specifically. Are you able to, to tell us where Rangitoto is? The maunga?	
	KEVIN AMOHIA HIKAIA	
	Rangitoto is actually west of Ōtorohanga.	
	JUDGE AMBLER	
	I see.	
	KEVIN AMOHIA HIKAIA	
	West – sorry, east, sorry.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	East.	
	KEVIN AMOHIA HIKAIA	
	You turn right to Ōtewā. Ōtewā Marae and Rangitoto is just a little bit further on further there. Just a few ks more on, yes.	
	JUDGE AMBLER	
	Hence, why the block was called Rangitoto-Tūhua because it starts at Rangitoto, is that right?	
	KEVIN AMOHIA HIKAIA	
	Well I, I believe that that's what these – those are – those two names identify the lands in between.	
	JUDGE AMBLER	
	Yes. Now I want to come back to Waiaraia as well. Unfortunately I have not been able to read this copy of the Taurangi judgment, but in the Taurangi judgment, in the Ōhura South judgment that Professor Boast took us to, Judge Gudgeon is quite critical of what had taken place earlier in the Native Land Court, and as I say, without reading it I, I do not understand all the detail but I just want to get a sense of what you are saying. Firstly, just in terms of who was awarded the block, there were seven owners and in the Husbands and Mitchell Report #A79, at page 556,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	they identify the owners as Wharoa Kaitangata of Mōkau, Kahuhuatare Tumokemoke Waaka of Whanganui, Patupatu Keepa Kaiwhakahaere, Hari Te Whanonga Wahanui's representative, Hoani Pāiaka of Whanganui, and Mita Karaka Kaiwhakahaere. Now they are awarded it in equal shares. So, you have already been asked about Hoani Paiaka and –	
	KEVIN AMOHIA HIKAIA	
	Yes.	
	JUDGE AMBLER	
	And he is of Ngāti Hauā? Yes. And the other two Kahuhuatare and Tumokemoke Waaka, they are of Whanganui?	
	KEVIN AMOHIA HIKAIA	
	I only –	
	JUDGE AMBLER	
	Do you know the names?	
	KEVIN AMOHIA HIKAIA	
	I only go by the name Huatare. I think that's a Maniapoto name. I could be wrong, but there may be some people here who understand that one, but I – I'm going by memory	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	too.	
	JUDGE AMBLER	
	But –	
	KEVIN AMOHIA HIKAIA	
	I have heard the Huatare name as belonging to Maniapoto.	
	JUDGE AMBLER	
	Yes. As in Wahanui Huatare?	
	KEVIN AMOHIA HIKAIA	
	(Missing audio due to powercut 15:12:58 to 15:15:58)	
15:15:59	**UNIDENTIFIED MALE SPEAKER**	
	…yes it is, yes it is. You've got to turn it on again.	
	JUDGE AMBLER	
	There we are.	
	Me tūpato ahau ki te whakahua i te ingoa o Wahanui nē? Hoki mai Mr Amohia, yes.	I should be careful to mention Wahanui's name.
	KEVIN AMOHIA HIKAIA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Kia ora, kia ora.	
	JUDGE AMBLER	
	Now our koroua, Hōne Henare has just explained that Kahu Huatare was Wahanui's half brother, but from your knowledge, you do not know those, those two individuals Kahu Huatare, or Tumokemoke Waaka?	
	KEVIN AMOHIA HIKAIA	
	I'm – I did know quite a lot about Huatare, Your Honour, but like I said my memory is sort of, you know, I haven't got it there because I do have a lot of information about that particular man, but it's something I haven't gone through for many, many years.	
	JUDGE AMBLER	
	Mmm.	
	KEVIN AMOHIA HIKAIA	
	Because at the time I didn't deem it at this time anyway necessary, but there were other claims in and around our particular area here where he was involved and – but I mean, I don't want to describe who he is, what he is, and whatever anything else that happened unless I'm absolutely certain of what I'm talking about.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	All right. You mentioned Wahanui and Rewi Maniapoto being responsible for the sale.	
	KEVIN AMOHIA HIKAIA	
	Yes.	
	JUDGE AMBLER	
	But I do not see Rewi Maniapoto's name in the list or in the discussions by those researchers. So, where does your kōrero there come from?	
	KEVIN AMOHIA HIKAIA	
	Well I just take it from the fact that he was there with, with Wahanui and the Judge spoke about these two men. These two men and the two men that were there addressing that particular item at the time were both of those, those two people. I will, I will try to find that document for you, Judge and pass it on.	
	JUDGE AMBLER	
	Well if it is the Taurangi Block judgment that your lawyer has produced, the two people that Gudgeon singles out are Wahanui and Wharo.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	KEVIN AMOHIA HIKAIA	
	Wharo, Whāro.	
	JUDGE AMBLER	
	Yes.	
	KEVIN AMOHIA HIKAIA	
	That the one you're talking about?	
	JUDGE AMBLER	
	Yes.	
	KEVIN AMOHIA HIKAIA	
	Well I know Rewi was there.	
	JUDGE AMBLER	
	All right.	
	KEVIN AMOHIA HIKAIA	
	I do know he was there.	
	JUDGE AMBLER	
	The –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	KEVIN AMOHIA HIKAIA	
	But I will look it up and if I've made any mistakes I certainly apologise to yourself and to the people, of course.	
	JUDGE AMBLER	
	But leaving aside those individuals, the Waiaraia Block is an unusual block. It is an unusual shape. Anthony Pātete has said something along the lines that there were none of the hapus actually claimed that they lived there and it is a funny shape, like it becomes –	
	KEVIN AMOHIA HIKAIA	
	Yes.	
	JUDGE AMBLER	
	In between other blocks of greater significance and the sense that I got on reading the research was that it had been identified as a block to sell, but that conflicts with Ngāti Hauā's traditions, is that right?	
	KEVIN AMOHIA HIKAIA	
	Well it appears that way, Your Honour. All we are looking at is what for those pieces of land that actually disappeared. I know the area you're talking about. It bounds onto the confiscation line at Waitanga, and Waitanga from the Trigg	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Station over then that travels down towards the Mōhakatino Block which is of, which is the corner of –	
1520	I did do some research into that particular, not for this purpose but some of the families from Piopio asked me to go and check the area out. They were looking towards logging it and I did say to them it's beautiful timber, beautiful country but there is that much swamp there I believe that that was the headwaters of the Mōkau River and that it should be left forever and forever and a day, never to be destroyed. Because at that time Your Honour I was working for Forest Products as a logging contractor and I had learnt a lot about the native bush from my father's partner, Rangi Te Kanawa, who was also of Maniapoto and they were debaters of cobblers and this is where I learnt all those kinds of things, it was from those two men, and that was my decision not to log that area. Because it will, it will, the Mōkau will die, in my view, because the headwaters will be taken out.	
	JUDGE AMBLER	
	The headwaters of the Mōkau or the Mōhakatino?	
	KEVIN AMOHIA HIKAIA	
	The Mōkau as far as I'm aware, yes Sir.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	All right.	
	KEVIN AMOHIA HIKAIA	
	If you go through the bush where the flat country is Your Honour, it's all water and yet the trees in there are in great abundance and they are very, very huge. You might be lucky today if you get one log on a truck and that's how big they grew because I am very, very familiar with logging whether it's in the old days or the early days.	
	JUDGE AMBLER	
	Ka pai.	
	KEVIN AMOHIA HIKAIA	
	I learnt my logging experience in the 1950s.	
	JUDGE AMBLER	
	Ka pai. Ngā mihi ki a koe. That is all I have. Mr Webster, anything arising?	
	SPENCER WEBSTER	
	No questions Sir.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Kia ora.	
	SPENCER WEBSTER	
	As noted before Sir, Ms Nikora will have her evidence taken as read. She advises she is up to the task of responding to questions, so perhaps if we can have her take questions on her evidence please Sir?	
	JUDGE AMBLER	
	This is #R022(a)? Mr Melvin?	
	AMY WILLIAMS	
	Tēnā koe Ms Nikora, Ms Williams for the Crown. Thank you for agreeing to answer questions today, that is really helpful. We just wanted to just clarify with the issue of mining that you have raised at paragraph 14.	
	NYREE NIKORA	
	Yes.	
	AMY WILLIAMS	
	Are you able to give us a little bit more information about, you say there are ahu whenua trusts on the blocks –	
	NYREE NIKORA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Yes.	
	AMY WILLIAMS	
	– and that no consultation was carried out with those trusts about the mining licences. Are they licences for exploration or are they licences to actually build substantive mines and put in a, you know, mining operation?	
	NYREE NIKORA	
	Well I just have to go back on a little bit of history there which brings us about to today. The Tatū Mine which I am sure all the whānau are familiar with from Waimiha and Ōhura, Matiere ~~(inaudible 15:24:13)~~, that was put in place as part of the Government's plan to extract coal out of that area, hence, the reason why you got the Mōhakatino and the Paraninihi Blocks, the Waiaraia, Taurangi were quickly brought under Crown control through the Native Land Court process as quickly as possible, as early as possible, because they were well aware of the minerals in those, in that whenua. That's what set off a chain reaction for Ngāti Hauā and the tribes that were around that area.	
	AMY WILLIAMS	
	So are you just talking about the Tatū Mine or are there some other mines that you have got concerns about that are within the Inquiry District?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	NYREE NIKORA	
	The only mines that I'm aware at the moment in the southern portion of Te Rohe Pōtae is the Tatū Mine.	
	AMY WILLIAMS	
	Okay.	
	NYREE NIKORA	
	Okay.	
	AMY WILLIAMS	
	I think that is probably as far as we need to take that, if that is okay?	
	JUDGE AMBLER	
	Ka pai.	
	AMY WILLIAMS	
	Thank you. I do not think we have any other questions for you.	
	NYREE NIKORA	
	Can I respond? With that said, you know, one of the most strongest kaupapa that Koro Hikaia always made sure of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	with regard to water, land, forests, was to ensure that our people got paid royalties through the Crown in order to make sure that we had some financial redress to help us get back on our feet, all the hapus that live within these areas because there was nothing that went back to those families and those hapus and those marae and to those iwi. And that's one of the tono to the Crown, for us to sit down and engage with to see how we can be part of their 5% royalty that they automatically get when overseas companies want to file a resource consent for mining and other minerals.	
	AMY WILLIAMS	
	Okay. Thank you very much for that.	
	NYREE NIKORA	
	Kia ora Ms Williams.	
	JUDGE AMBLER	
	Ka pai. No other counsel?	
	DR AROHA HARRIS	
	Kia ora. Thank you for your –	
	NYREE NIKORA	
	Tēnā koe Aroha.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	– evidence. I think I possibly have a question for you about Mr Hikaia's brief as well because you did the research for that?	
	NYREE NIKORA	
	Yes.	
	DR AROHA HARRIS	
	So can you just say, did you – have you done that research by mainly going through the Māori Land Court records?	
	NYREE NIKORA	
	Yes and just some of the diaries that our old people had left behind recording some of the events that were happening in their day to remind us on what the vision was for our people and to make sure that we get there no matter who is the last one standing.	
	DR AROHA HARRIS	
	And so are those diaries privately held?	
	NYREE NIKORA	
	Yes they are. They are the property of Mr Hikaia and my mother who were handed those taonga as everybody	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	started to leave the district. And so I don't have the right to say who can sight those, those are really up to the families to come and uplift them –	
	DR AROHA HARRIS	
	Okay.	
	NYREE NIKORA	
	– because they are theirs and now we are all singing from the same hymn book and we are all on the same vision. So that was part of the reasons why those taonga were held so that we could give them back to the families when they were ready. Now they are.	
	DR AROHA HARRIS	
	And have those sources been used in front of other Tribunals like the Whanganui Tribunal?	
	NYREE NIKORA	
	Yes the National Park and the Whanganui Inquiry. A confidentiality was put on those documents. It was a big call for us to put our traditional historical report in this Inquiry because of the process that the public sector follows. It's now all in the public domain but we just made sure we kept out the ngako of that kōrero back for our own families –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	Okay.	
	NYREE NIKORA	
	– for the marae.	
	DR AROHA HARRIS	
	I am interested in asking you about your willingness to place any material that you think is important to this Inquiry on the record of document. I don't – you don't necessarily have to answer that now and it might be a discussion that you have with the whānau and perhaps your lawyers will help with that, but if there is anything that you think would assist this Inquiry and this Tribunal, then I encourage you to think about that and, you know, come back to us later or something?	
	NYREE NIKORA	
	I will take your invitation on that Aroha. Unofficially, I have already wanted to file those documents –	
	DR AROHA HARRIS	
	Okay.	
	NYREE NIKORA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	– but seeing the timeframes that were being allocated to us, well that was culturally unacceptable that we get squeezed into timeframes despite the Crown's process because we have waited for at least 150 years, surely our people could have been given more time to allow us to speak. And we have been through two inquiries so far, others this is their first, you know, so we're lucky we've had – we got our hands a little bit, you know, into the mahi. But for those other families I feel aroha for, because this is a new process, it's not something that happens every day and to them.	
	DR AROHA HARRIS	
1530	Kia ora.	
	JUDGE AMBLER	
	Yes but if you got documents and you want them on the record, you have not got a lot of time, so you need to talk to your lawyer about that to make a decision pretty soon.	
	N~~G~~YREE NIKORA	
	Thank you my Judge.	
	JUDGE AMBLER	
	Kia ora.	
	DR AROHA HARRIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Okay and I have a question from your brief of evidence, your – and I'm looking at your main brief rather than your summary. You talk about the consultation process that got you to the tangata whenua planning document with the Ruapehu District.	
	NGYREE NIKORA	
	Yes.	
	DR AROHA HARRIS	
	So the hui that you list there, there's a series of hui and some drafting, so the document that eventually is produced is based on discussions at that hui, those hui?	
	NGYREE NIKORA	
	Yes that's correct.	
	DR AROHA HARRIS	
	And do you – did you participate in those hui yourself?	
	NGYREE NIKORA	
	No all my uncles and aunty did. They thought it was time for Uncle Hepi to come over, Uncle Archie to come home, for Aunty Julie to come up the river, and our whanaunga at	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Tamaupoko, to try and get the tribes around the table to put together a district plan so that their policies and procedures wouldn't be culturally insensitive to us in any way.	
	DR AROHA HARRIS	
	And you think that – do you feel that people felt it was a good process to you?	
	NGYREE NIKORA	
	Yes it was a good process in that way because that mahi is for us to carry out, not for the council to carry out. With that said, just in the last five years, relationships between consent authorities are now starting to warm to the idea that they may have to sit with us at a governance level to make sure that our plans are also implemented into the district plan, especially consultation with tangata whenua as opposed to consultation with trust boards.	
	DR AROHA HARRIS	
	Okay kia ora. Thank you for that.	
	NGYREE NIKORA	
	Thank you your honour.	
	DR AROHA HARRIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Those are my questions.	
	JUDGE AMBLER	
	Tēnā koe. Just one question really and it again goes back to Mr Hikaia's evidence and probably a bit dangerous to get caught up on the Waiaraia Block. But was the reference to the Ōhura River has been a boundary between Whanganui in the south and Maniapoto in the north, and I have been looking at the maps. We have a map which shows the Ōhura River #A119(b). And when I compare that to the maps of the blocks, then the Waiaraia and Taurangi blocks seem to be to the north-west of the Ōhura River. Is that – am I right there?	
	NGYREE NIKORA	
	You are right Matua, but there's two other was that flow from those ranges, which is the Hiao and the Tangarākau.	
	JUDGE AMBLER	
	So fixing our vision on the Ōhura River itself is not accurate.	
	NGYREE NIKORA	
	Mmm.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	You are talking about watersheds really?	
	N~~G~~YREE NIKORA	
	Absolutely.	
	JUDGE AMBLER	
	Okay, ka pai, kia ora. Kia ora, ngā mihi ki a kōrua. Ka nui tēnā. Nothing arising, ka pai. Ko mutu.	
	WAIATA	
	(Māori 15:34:10 to 15:36:40)	
	JUDGE AMBLER	
	Ms Rongo.	
	EVE RONGO	
	Tēnā koe Sir. So these are the opening submissions on behalf of Ngāti Hinemihi, Wai 1447. I'm very conscious of the time Sir so I'll be speaking to a few paragraphs of my openings and have the rest taken as read.	
	JUDGE AMBLER	
	Yes, what is the document?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	EVE RONGO	
	It is #3.4.66.	
	JUDGE AMBLER	
	Thank you.	
	EVE RONGO	
	Okay. **READS OPENING SUBMISSION #3.3.66** "The Wai 1447 claim is brought by Mr Īhāia Corbet Te Ākau, Dominc Otimi and Edwin Ashford for and on behalf of Ngāti Hinemihi, a hapū of Ngāti Tūwharetoa. Hinemihi have significant interests within Te Rohe Pōtae District Inquiry. It is important to note that Ngāti Hinemihi also have extensive interests east and west of Te Rohe Pōtae in particular within the Tribunal's Whanganui and Central North Island Inquiries. However, the pleadings within today's inquiry are limited to the interests within Te Rohe Pōtae. The Tribunal will hear evidence from Mr Dominic Otimi. The evidence will show that: Hinemihi is a hapū of Ngāti Tūwharetoa; That Hinemihi have affiliations to other iwi and hapū within Te Rohe Pōtae	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	That Hinemihi have significant interests in the Rangitoto-Tūhua Block That the Crown had failed to recognise and protect Ngāti Hinemihi's customary interests in Rangitoto- Tūhua whenua and forests through various acts and omissions. The meagre land interests that Ngāti Hinemihi have managed to hold onto pale in comparison to what they originally held, and	
1540	Due to Crown acts and omissions Ngāti Hinemihi are not able to access their remaining whenua which are for all intents and purposes landlocked. These submissions today are by no means intended to be exhaustive. Rather, they highlight the most significant of the breaches in relation to Ngāti Hinemihi. Now Sir, if there are no questions I'd like to call our next witness.	
	JUDGE AMBLER	
	Yes thank you.	
	EVE RONGO	
	Right our next witness is Mr Dominic Otimi., the named claimant for Wai 1447 and his evidence is #R002.	
	DOMINIC PĒHI OTIMI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Kia ora. Ngā mihi te tēpu, nō reira tēnā koutou.	
	READS BRIEF OF EVIDENCE #R002 "My name is Dominic. I am Ngāti Tūwharetoa, my hapū is Hinemihi. This claim is made for and on behalf of the descendants of Ngāti Hinemihi. I present my evidence alongside my whānau of Tūwharetoa, Wai 575. My evidence will touch on the settlement of my tūpuna in this area, my childhood growing up in Puketapu, hunting on the eastern side of Tūhua (Waituhi ki Tūhua), the effect of the railway and land loss on my whānau and what I would like to see for Hinemihi in the future."	
	EVE RONGO	
	Mr Otimi?	
	DOMINIC OTIMI	
	Yeah where are you?	
	EVE RONGO	
	Would you be able to move on to paragraph 12?	
	DOMINIC OTIMI	
	Where are you?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	EVE RONGO	
	Over here.	
	DOMINIC OTIMI	
	Yeah I was going to. Kia ora.	
	EVE RONGO	
	Thank you.	
	DOMINIC OTIMI	
	No thank you Eve. Yeah, you're talking about background.	
	EVE RONGO	
	Yes please.	
	DOMINIC OTIMI	
	Yeah number 12. **CONTINUES READING BRIEF OF EVIDENCE #R002** "I am one of the many mokopuna of Tūtetawhā. I was born and raised in this area. I went to school at the University of Ngāpuke Primary School and Taumarunui High School. During these times I was also in the Hauhungaroa with my dad and my uncles – my mentors. I had no choice.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I had to go with them. In my earlier years I saw the effects of urban drift. Many of my cousins moved with their families to seek work in the cities, while my dad took up the option of leasing whānau land to farm. From a very young age, along with a couple of my cousins, with my dad and Uncles as kaitiaki, we'd hunt the country of our tūpuna for kai. Later, with my cousins and friends, I hunted pigs and deer, shot birds and found - fished for tuna and trout." So if we go to number 15.	
1543	**CONTINUES READING BRIEF OF EVIDENCE #R002** "Not many had the same opportunity my cousins and I had. We know where the puna for the rivers are and significant sites. The puna for the Pungapunga awa is Te Wai Pungapunga and starts in Te Pungapunga Kāinga Tawhito and the Taringamotu River is at the base of Tūhua, at Waituhi ki Ngāpuke Tuarā. Our uncles told stories, of Tūwharetoa. They didn't focus solely on the hapū. Hinemihi, it was about all our tūpuna (there's a mistake there. It should read tūpuna, not tuna,) in Puketapu and Tūwharetoa as a whole. In the same way that our uncles mentored and shared their kōrero, we pass this on to the next generations, our tamariki and mokopuna. We show them the little things the same way we learnt basic skills like harvesting pikopiko, kōmata,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	koikoi and tuna, as well as preparing and making hāngi. Under tikanga, we hunted pigs, deer and fished for tangi, birthdays and retirements. Being brought up in a marae environment, whoever went out hunting shared the kai around the whānau. **North Island Main Trunk Railway** One of the main issues for Hinemihi is forestry. But this is not an issue isolated to Hinemihi or even Tūwharetoa. The Crown ran parallel processes in surrounding areas. What happened in Taupō happened in Whanganui as well as in Te Rohe Pōtae. It all started with the North Island Main Trunk Railway. As soon as Te Rohe Pōtae was opened up for the building of the railway, timber was taken and taken and townships sprung up.	
1545	Timber was taken for building infrastructure, the actual railway lines, tramways, branches of the railway lines, stations, fences and railway houses. The Crown was desperate to open up Te Rohe Pōtae for settlement. They used every means possible to make the Crown's proposition better. The Crown wanted to access all lands for the riches of the resources. The railway did not go directly through our lands but it affected our lands. Our people were hit hard. The Crown paid pittance for the timber they took from our land in Puketapu and Hauhungaroa. The Crown drove the prices of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	timber down so they wouldn't have to pay the true worth of the timber. What happened to Tūwharetoa, happened to Maniapoto with respect to timber pricing. Rating of lands were introduced. The rates were gradually increased over time. When the rates were not paid, the royalties from timber were withheld. Our people could not pay rates, they could not afford to live on the land or utilise it, all this led to a lack of growth and missed opportunities. All this happened in the Rangitoto-Tūhua, as with many other areas moving through Te Rohe Pōtae along the railway line. We were affected by the forestry harvest that occurred in the lower parts of what became known as the Rangitoto-Tūhua Block. Timber was also taken from Waituhi ki Tūhua. The railway affected the Taringamotu River too. We have had flooding issues, sedimentation and erosion for many years due to the removal of trees from whenua for the railway. Just like any waterway, when someone diverts the natural flow of waters there are consequences, not only environmental, but also the gaining and loss of lands. People should not interfere too much with the environment, because the natural circle of life changes. During the forest harvesting years the Crown ignored potential issues such as soil erosion. There was no consideration for conservation subsidies for stream bank protection. To correct stream bank erosion you have to retire and replant the land. The loss of land and resources because of the railway	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	affected our kaitiakitanga as well. Some of our whānau struggled to feed their families and their manuhiri. Children were sent to other whānau to be looked after. Some whānau had to make a home in sheds for a while. Our people started selling what they had to survive. Later during the urban drift whole families had to leave our rohe. Their connection to the land was being eroded and it still affects them today.	
	Te Kōpani Marae Ngāti Hinemihi te hapū. Te Pungapunga me Taringamotu ngā awa. Puketapu te whenua puta noa. Kauriki me Petania ngā marae. Ko Matua i te Whare Ōhāki me Hinemihi ngā whare tupuna. Tihei mauri ora.	Ngāti Hinemihi the hapū. Te Pungapunga and Taringamotu are their rivers. Puketapu is the lands. Kauriki and Petania are the marae. And Matua i te Whare Ōhāki and Hinemihi are the ancestral houses.
	Tūwharetoa and Maniapoto shared a large wharenui called Te Kōpani (Pūkai Marae). Te Kōpani was built by Tūwharetoa early in the century. The wharenui was a 100 feet long and stood at the foot of Pukaiangaanga. Pukaiangaanga is in Puketapu and sits above the Taringamotu Stream. Puketapu is known as the lower part of Rangitoto-Tūhua and heads south along the Hauhungaroa Ranges to the Whanganui River (the north of the Whanganui district inquiry boundary). Te Kōpani was built while the Native Land Court was trying to establish legal ownership of the Pukeweka Land Block. The Pukeweka Block was surveyed and the railway line – the survey line cut right through the wharenui at Te Kōpani. The effect of the survey line is best described as a parasitic	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	attachment. The pain and frustration and anger eating us from the inside out."	
	EVE RONGO	
	Mr Otimi, I will get you to move onto paragraph 35 please.	
	DOMINIC OTIMI	
	Pardon?	
	EVE RONGO	
	Paragraph 35 please.	
	DOMINIC OTIMI	
	Yes, I was going there. Thank you.	
	EVE RONGO	
	Thank you.	
	DOMINIC OTIMI	
	Thank you Eve. **CONTINUES READING BRIEF OF EVIDENCE #R002** "Now, the front section of Te Kōpani was relocated to Petania and was given the name Hinemihi in respect to Ngāti Hinemihi's eponymous ancestress. This part of the	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	wharenui sits in Te Rohe Pōtae, while the rear portion of the wharenui was relocated at Kauriki. It was given the name Te Matua i te Whare Ohaaki. The name was later changed to Ko Matua Whare Te Ohaaki. Once the front part of the marae was relocated to Petania, Petania later became surrounded by private land accessed by public roading. Private landowners and whānau used the old bridge to gain access to their respective properties, but it became impossible to access their properties after forest harvesting further up the river caused flooding and washed the bridge out in the late 1960s to early 1970s. Petania Marae along with whānau land was landlocked. Access to the Marae and surrounding land was limited to crossing the river by foot once the bridge was washed away.	
1550	A new bridge was built by the local Taumarunui County Council to connect the public road to privately owned land. Hinemihi still could not get access to our marae or surrounding land. We had to ask the Piikeha owner if we could get access to our Marae and other lands. They gave access at their discretion, whānau could not get unfettered access the rest of the time. Not being able to access our lands led to pure frustration for whānau. Some whānau sold their lands, again at less than its value. The actions of the Taumarunui County Council can be described as best as scant disregard for our interests and at worst profound racism by local government. It breaks our hearts having to ask permission to go to our marae and urupā. At an already strassful time grieving	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	whānau have to ask permission to go to our urupā. This is not right. Sometimes, when given permission, we used the urupā for burials. Now the marae is mainly used at Christmas time for whānau gatherings, tangi and unveilings. I am one of the trustee's of the marae and the papakāinga. Today whānau own only sma" parcels of Māori land in Te Rohe Pōtae including the land at Petania Marae. The artificial survey lines caused many issues. Survey lines do not align with whakapapa, whakapapa links or the links to the land. What upsets whānau is that our contribution, in the use of Tūwharetoa resources, to the economy of New Zealand over the years has been immense and should never be overlooked or forgotten. Tūwharetoa supported the development of the nation and endeavoured to ensure that the kaitiakitanga ethic was incorporated to provide for the future generations. **Native Land Court** We believe the object of the Native Land Court was to bring the bulk of Māori land under European ownership and to destroy the Māori way of life. Hinemihi suffered a great loss to our mana when the Govemment, having no faith that we could manage our own affairs, created the Native Land Court and developed its Native Land policies. The results of these policies have manifested themselves in	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	social problems.”	
	EVE RONGO	
	Mr Otini, just so everyone knows where we’re up to could you move up to 49.	
	DOMINIC OTIMI	
	Yep. **CONTINUES TO READ BRIEF OF EVIDENCE #R002** **“Ngā wawata me ngā moemoeā** Hinemihi are responsible people and are very sensitive and cognisant of the wider values and issues in their challenges. We act responsibly and given the tools and community support, are in the best position to implement economic changes to reach an appropriate equilibrium with the environment and preserve sensible long term values. It's all about balance. There are opportunities to share the cost and benefits more equitably and we have already demonstrated that, given the resources, we can take responsibility and deliver a long term sustainable future for Hinemihi. Where Hinemihi is concerned, the Crown is in a position where it has breached the principles of the Treaty of Waitangi. Hinemihi seek the following redress: (a) The Waitangi Tribunal make findings that:	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	(i) our Wai 1447 Ngāti Hinemihi claim is well founded. (ii) The Crown breached the Treaty of Waitangi and the effects of those breaches on Ngāti Hinemihi. (b) Guaranteed access to Petania Marae, urupā and surrounding lands. (c) Retum of any Hinemihi whenua and taonga within Te Rohe Pōtae. (d) Hinemihi involvement in govemance groups and committees for the protection of our whenua and taonga in order for us to exercise our role as kaitiaki. (e) An appropriate apology. (f) Compensation for the loss of customary use, occupation and enjoyment of lands, estates, forests, fisheries, other properties, rivers, waterwaysand other resources and taonga as a result of breaches to the Treatysince its execution to the present." Kia ora.	
	EVE RONGO	
	Thank you Mr Otimi, could you please remain there for any questions that the Crown or Tribunal might have.	
	DOMINIC OTIMI	
	I'm aware of the time is going tick tock.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	You're fine, ka pai.	
	GEOFFREY MELVIN	
	Tēnā koe Mr Otimi, thank you for the evidence. I don't have any questions for you today thank you.	
	JUDGE AMBLER	
	No other counsel? Tēnā koe e te rangatira, I have got a couple of questions. You refer to your father farming, he took up a lease of whānau land, was that on a block within our inquiry district or?	
	DOMINIC OTIMI	
	Next door.	
	JUDGE AMBLER	
	Next door, was that Hauhungaroa?	
	DOMINIC OTIMI	
	Nō Manuanui.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	All right.	
	DOMINIC OTIMI	
	Thank was interesting, even though that's in Tūwharetoa. At the time those resources were being taken, Tūwharetoa negotiated with Crown at the time, well, to leave some lands for Tūwharetoa to – for their commercial, you know for commercial – is that all right? Getting into just after the Second World War a Conservation Act was put in place and the lands whānau were forced to develop those lands, now those lands were Manuanui, they went across to what's know as the Puketap Moerangi Blocks, it also includes Wahipukawa, Waituhikorotau, and then going north towards Hauhunga 1C. A piece of land approached, if the whānau did not develop those lands for farming and I am talking about on the Western Bay's there the farm, the lands would have been taken on the Conservation Act so for us you know, to be forced to develop into economic basis really it's really pissed us off over the years. The thing is we did it but we had to do it with our money.	
	JUDGE AMBLER	
	So your father was a reluctant farmer?	
	DOMINIC OTIMI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	No he wanted to farm.	
	JUDGE AMBLER	
	He did want to farm?	
	DOMINIC OTIMI	
	The issues with that is that they never had the training.	
	JUDGE AMBLER	
	And that also applied you say to some of the blocks within our inquiry district?	
	DOMINIC OTIMI	
	Yep. I suppose what really hurts me though is the access into Petania, I hear Tame, I think my cousin Tame goes along with you so that I couldn't do it, I was too tired I had to go home to speak.	
	JUDGE AMBLER	
	Yes I want to come to that.	
	DOMINIC OTIMI	
	Why I was tired is just yeah.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	No not that.	
	DOMINIC OTIMI	
	Okay.	
	JUDGE AMBLER	
	I want to come to Petania because we went, some of us including Pou went on Tuesday night and crossed the new bridge and saw your very significant whare and the urupā that's there and I just wanted to be clear, do you now have legal access across that road and that bridge?	
	DOMINIC OTIMI	
	I think the point is that there is a concrete bridge that was put up but it's further down and it's off Waitangi Road. That bridge serviced two farms. The legal public access went from the road that you travel on, the tar seal road, down across the bridge and maybe 10 metres on the other side of it. The legal access stopped there. To get where Petania is you had to follow the river around to the right, that wasn't made a public road. Now you travel about 500 metres then you hit public access again. Just along from there, there was a bridge that I have in the report, that's the bridge that washed out. The point is a bridge was put up with rated money but he paid rates for that bridge to be put up and yet	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	we couldn't use it to get to Petania.	
	JUDGE AMBLER	
	Yes it was put further down the river but as at today, as you come across that concrete bridge that's been put in, in recent times, do you have – and as you drive along that farm track to get to Petania is that now legal access or is it still something where you have to ask permission of the neighbour?	
	DOMINIC OTIMI	
1600	I'll just ask my cousin, is it still legal, is it legal cuz or do we ask the whānau? No it's not. So my point is, getting back to that other bridge that's where the legal access should have been but there's been barriers put in place by the current farmer that lives there and he's just following the guidelines that are set in place by the council. I'm not sure there is much – anything else I could say about that but to get from that bridge to where the public road is which is not far from where that bailey bridge is, on the left when you look at the Bailey Bridge. Still have to ask.	
	JUDGE AMBLER	
	Yes, no pai.	
	DOMINIC OTIMI	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	I remember like with my Uncle used to go over there, do work at the urupā there. I'm talking about Whatakingi Otimi. He would stop. He would have access but the shepherd's would stop and make their dogs jump all over his car, even on his roof and scare the hell out of him. Yes, it's just those ridiculous things that go on, you know.	
	JUDGE AMBLER	
	How big an area of land is still owned by you around Petania?	
	DOMINIC OTIMI	
	Well what you see around Petania is still whānau land. I'm not sure what the acreage is, in behind there. When you look at that Bailey Bridge, the Bailey Bridge was put in by the Māori Trustee.	
	JUDGE AMBLER	
	Yes.	
	DOMINIC OTIMI	
	The Māori Trustee paid for it and it was to provide access for a whānau leasing land in the back. That's what it was put in for, not for access to get to Petania Marae.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	So there is still Māori land at the back that is leased out?	
	DOMINIC OTIMI	
	Yes.	
	JUDGE AMBLER	
	Ka pai. And finally, can I just clarify about the wharenui at Te Kōpane. So you are saying that the survey line literally cut straight through the wharenui?	
	DOMINIC OTIMI	
	They put the survey line right through the middle of it.	
	JUDGE AMBLER	
	And the other thing I just – and I do not want to get into differing traditions, but what we were told about on the bus trip on Sunday was that the whare of 99 feet long was in fact cut into three not into two. So is that just a different tradition?	
	DOMINIC OTIMI	
	No, no, it's correct.	
	JUDGE AMBLER	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	That is correct?	
	DOMINIC OTIMI	
	That's correct. But it was 100 feet. If you look at being down to 99 feet, you would lose a certain amount of area don't you, when you start shifting buildings around? So it lost a foot during that – those relocation.	
	JUDGE AMBLER	
	I see, yes. And it was taken to Kauriki, Petania and Te Rongoroa?	
	DOMINIC OTIMI	
	Āe.	
	JUDGE AMBLER	
	Ka pai. Kua mārama. Ngā mihi ki a koe.	
	DOMINIC OTIMI	
	Āe.	
	JUDGE AMBLER	
	Anything arising Ms Rongo?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	EVE RONGO	
	No Sir.	
	JUDGE AMBLER	
	Ka pai.	
	DOMINIC OTIMI	
	Kia ora.	
	WAIATA	
	Tongariro te maunga; Pihanga te wahine; Eke mai ki Kauriki e; Hinemihi te hapū; Te Ōhākī te wharepuni; Ngā tūpuna o tātou e; Matua Ōhākī te tangata; Ohutu whakamaharatanga; Ngā Whakaeke tūpuna; Nā Puketerore o te tapu te whenua; Anei tātou ngā uri eee;	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Anei tātou ngā uri eee.	
	KELLY DIXON	
	Āe, tēnā koe e te Kaiwhakawā, ā koutou te Rōpū Whakamana i Te Tiriti.	Greetings Judge, Waitangi Tribunal members.
	Ko Kelly Dixon tōku ingoa, appearing for Wai 575, Ngāti Tūwharetoa comprehensive claim.	My name is Kelly Dixon.
	Sir, the evidence that Mr Otimi is providing today should be read alongside his previous evidence #J022 as set out in a memorandum by Ms Faint. This brief largely looks at the participation and experiences of Ngāti Tūwharetoa in the Waikato war. The impact of the Waikato war and raupatu on Ngāti Tūwharetoa hapū, including the flow of refugees to stay with the Ngāti Tūwharetoa hapū. And finally, the political ramifications of fighting against the Crown.	
1605	One administrative issue arising, Mr Otimi has asked if paragraph 9 could be moved to the middle of paragraph 24, four lines down where it ends “swiftly”..	
	JUDGE AMBLER	
	Sorry I will just find that part. Could you repeat that, paragraph?	
	KELLY DIXON	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Paragraph 9 if we can move that to paragraph – middle of paragraph 24 where the sentence ends with the word "swiftly".	
	JUDGE AMBLER	
	Thank you.	
	KELLY DIXON	
	And Mr Otimi just last night, suffered an injury, so with your leave if he can please be seated while he gives his evidence.	
	JUDGE AMBLER	
	Certainly. Kei a koe te rangatira.	
	PARANAPA OTIMI	
	Kāti rā, kia rongo tātou, tēnei te mihi ki te tēpu. Tēnei te mihi ki a tātou katoa e tau nei i raro i te kaupapa. Tēnei te tū, kei te tangi te auē ki ō tātou mate i te tuatahi, rātou i waihotia ēnei ngā moemoeā mō tātou hei whāriki kei mua i a koutou e te Rōpū Whakamana i te Tiriti o Waitangi.	Greetings. Greetings to the table and to the congregation gathered here. I stand and lament our losses, but they have left a legacy of their dreams and aspirations for us to bring before the Waitangi Tribunal.
	Tino taumaha tonu te tangi, te auē kei runga ki aku nei pakahiwi. Hei ahakoa, kua mutu wera ngā mahi kei Ōrākau i tēnei wiki. Tū tonu te puehu ki reira. Tū tonu te puehu kei runga i aku hū. Nā reira, ahakoa te tangi, te auē kia rātou,	Lamentations are great, the burden's still heavy, the clouds are still dark for the events commemorating at Ōrākau. The dust, the very earth moved, such was the occasion. So dispite the tears that fell and the wailing, we are still here on

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	kei te tū tonu tātou kei runga ki te mata o te whenua.	the land.
	Ka hoki ana i au ki ērā ngā kōrero mai Ōrākau, "Kei te whawhai tonu ai tātou mō ake, ake, ake tonu atu." Nā reira, tēnā tātou.	And I return to the time honoured words of Ōrākau, "We shall fight on forever, forever."
	Ko taku nei kōrero e pā ana ki te take raupatu o Ngāti Tūwharetoa.	My evidence pertains to the raupatu of Ngāti Tūwharetoa.
	Judge so I understand that paragraphs 1 to 4 are taken as read. 1856 Hīnana ki Uta. I refer to my evidence of the 25th of February 2013. I set out the background, significance of the hui held at Pūkawa, Hīnana ki Uta, Hīnana ki Tai. An aspect of that time shows that Te Hoariri representing Tītīraupenga Maunga was also in support of Ngāti Tūwharetoa and Pōtatau Te Wherowhero, as Māori King. I've been asked to elaborate Your Honour in respect of Te Hoariri. Te Hoariri is actually Hitiri Te Paerata's father. His whakapapa connections to Tūwharetoa and I know that voice that he Raukawa tērā tupuna.	People said he is Raukawa.
	Hoariri's whakakapapa to Tūwharetoa and his involvement in Tūwharetoa issues. He was a recognised rangatira o Ngāti Tūwharetoa.	
	His whakapapa is, ka moe a Ngāti Te Koherā, ā Koherā tō tātou tūpuna ki tō tātou Whaea Kuia a Ketekiri. Nā Ketekiri te tamaiti wahine o taku nei tūpuna a Tūrumakina. Ko Tūrumakina te hapū o tō tātou whare ariki a Te Heuheu,	Koherā, our ancestor Te Koherā married Ketekiri ancestress, and they begat the daughter of my ancestor Tūrumakina. Tūrumakina is the hapū of the Royal House of Te Heuheu. That is the link. Although through the descendant lines to

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	heke iho nei. Koina te tūhonohonotanga. Ahakoa e heke iho nei nā tōna nei whakapapa, Ngāti Huānga. Nā, anei te tū honohonotanga o tōna nei kāwai whakapapa ki Ngāti Tūwharetoa.	Huānga, this is the connection of Hitiri to Tūwharetoa.
1610	Te Hoariri will feature in a lot of our histories, and in particular, he was the matataua for Te Heuheu Herea. Te Heuheu Herea being the first Ariki of the Te Heuheu whare, who came to Ngāti Maniapoto to be skilled as a warrior in the use of the pouwhenua by our whanaunga, by our tūpuna of Ngāti Maniapoto-Huahua and Ngāti Matakore. Te heuheu on his return to Taupō, his scout was Te Hoariri." I go to paragraph 6 Your Honour.	
	Pōtatau Te Wherowhero, āe, hei Kīngi, hei Kīngi, hei Kīngi.	Pōtatau Te Wherowhero to be King.
	CONTINUES READING BRIEF OF EVIDENCE #R023 "In 1858, Te Heuheu Iwikau and many of the Tūwharetoa leadership who were present at Pūkawa including Te Hoariri who provides 6000 birds from the bird snaring areas of Ngāti Tūwharetoa, Ngāti Maniapoto and Ngāti Raukawa for the King's coronation." In 1863, and Your Honour, I have an old map that I have collaborated with, Ngāi Tūhoe. It's an old map of Ōrākau and it sets out some of the timelines that I refer to in my evidence. And so 1863 and then you can see by that Your Honour, so paragraph 7, I would ask to be taken as read.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Paragraph 8. In respect of the battle of Rangiriri.	
	CONTINUES READING BRIEF OF EVIDENCE #R023 "Kei reira, ka hinga Te Pareki, ka ora a Te Hoariri." So at the Battle of Rangiriri it's said that Te Pareki died there and Te Hoariri survived.	It was there that Te Pareki fell but Te Hoariri survived.
	CONTINUES READING BRIEF OF EVIDENCE #R023 "Hoki whakamuri a Te Hoariri ki tētahi hui o te kotahitanga o Kīngi Tāwhiao, ka kōrero huaina a Kīngi Tāwhiao te ingoa 'Te Paerata" ki runga i a Te Hoariri. Ka kī atu a Te Hoariri "Kāti mai koe i konā". It is there that – "	Te Hoariri retreated to a meeting with King Tāwhiao, and King Tāwhiao placed the name Te Paerata upon Te Hoariri. And Te Hoariri said, he said that is –
	'E tuhera ana ngā kōrero a Te Hoariri. E tuhera ana a waenga he ara Kuini, māku e whakakopi ka kopi mai.'	The words of Te Paerata says, 'There is a path to the Queen and I will lead it.'
	And Your Honour that evidence has already been given by Ngāti Raukawa and their presentations in respect of the evidence at Ōrākau, and I refer to –	
	KELLY DIXON	
	Document #K024.	
	PARANAPA OTIMI	
	Yeah.	
	Our understanding of that saying was that whatever roads were built for the Queen, I will prevent. This was a year	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	before the Battle of Ōrākau. In respect of Ōrākau, paragraph 10, **CONTINUES READING BRIEF OF EVIDENCE #R023** "There was dissention among Tūwharetoa over the lack of support to Waikato and the Kīngitanga call to arms. Tūwharetoa were growing suspicious of Grace's advice to Iwikau to stay out of Waikato conflict. In an act of muru Te Tuhi Maruera of Pūkawa plunders the mission house, he burns Grace's belongings as Grace flees with his family to safety on the other side of Lake Taupō. In 1864 there are reports of an extended invasion of Waikato –" So I take that as read Your Honour, and some of those dates are on that map. **CONTINUES READING BRIEF OF EVIDENCE #R023** **"Te Pakanga i Ohia"**	
	Ki a tātou, "Ohia", ki Ohia. Kāre i Rangiowhia, kāre i a Rangiohia. Kia tātou Tūwharetoa, "Ohia".	The Battle of Ohia. We term Rangiowhia of Tūwharetoa. We call it "Ohia".
	CONTINUES READING BRIEF OF EVIDENCE #R023 "Ko Nuku ko Wetini ētahi toa o Te Rangihirawea he mata taua toko ono te mata karu haere ki Ohia".	Nuku and Wetini were warriors of Te Rangihirawea and were two of six in a scouting party to Ohia.
	Nuku and Wetini and there's records say either Wetini or Tini, were some of the braves that went with our tūpuna Rangihirawea, and they were given a task of sending a	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	scouting party to Ohia. **CONTINUES READING BRIEF OF EVIDENCE #R023** "Nuku and Tini were warriors of Te Rangihirawea, and were two of a six scouting party to Ohia. Some say that the scouting party drew attention to themselves which led to the foray at Rangiohia and the aftermath that followed including the burning of the church and the loss of life."	
	E kīia nei te kōrero e haere ana rātou ki te kaukau kei roto ki tētahi o ngā awa iti.	They were going for a swim in one of the streams nearby.
1615	Our traditional kōrero says that they were actually bathing at night in a stream when they came – were come across by Māori friendlies on behalf of the troops moving at night, the British troops. So they got tied up into those issues in respect of Ohia. **CONTINUES READING BRIEF OF EVIDENCE #R023** "Ngāti Apakura and those of our wounded sought refuge and protection to the south. The first wave of refugees from Rangiohia travelled to Aotearoa then on to Tītīraupenga to the people of Te Hoariri. Te Wetini travelled ahead after arriving at Aotearoa to prepare Tūwharetoa to receive the refugees and to report that "he aituā mate" an unknown sickness travels with our kin and to report to Iwikau of a possible incursion of British forces into the territories of Ngāti Tūwharetoa from the Northwest. Te Wano and Ngāti Apakura were further disheartened	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	when arriving at Tītīraupenga to find Te Hoariri's pā virtually abandoned with very little food and provisions for the sick, the injured, the young and elderly. They pushed on to the near – on to near the summit of Tītīraupenga to where Te Wano looked back and gave his final gaze saying:	
	Kei te mōhio tātou ngā te wāhanga tuarua – tuatahi, o te rā o tātou waiata.	And we all know chapter – verse 1 of this famous waiata.
	MŌTEATEA	
	E pā tō hau; He wini raro; E homai aroha; Ka tangi atu auīl konei eee; He aroha ki te iwi; Ka momotu ki tawhiti ki Paerau; Ko wai e kite atu; Kei hea aku hoa i mua rā; I te tōnuitanga; Ka haramai tēnei ka tau wehe; Ka raungaiti au i.	
	Kā mate aue! Ka takoto ia ki runga i Tītīraupenga. Nā Rangiamoa e mau ana i ōna nei kōrero, te wāhanga tuatahi o te waiata e mōhiotia nei e te motu, "E pā tō hau".	And he died. And was laid in state upon Tītīraupenga. And Rangiamoa held fast to his words the famous verse 1 of "E pā to hau".

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Haere tonu a Ngāti Apakura.	Ngāti Apakura still survives.
	CONTINUES READING BRIEF OF EVIDENCE #R023 On reaching the nearby Hurakia ranges the refugees were supplied with food and provisions from from Ngāti Te Koherā, Tarakaiahi, Te Maunga, and Parekawa and were requested to stay near to the mountain ridgeline of Hauhungaroa until reaching Whakahau. Food and provisions were provided along the track. After arriving at Whakahau and Whenuakura, provisions were provided by Ngāti Hinemihi, Ngāti Te Maunga, Ngāti Hari and Ngāti Urunumia of Ngāti Maniapoto. They were to follow Te Maniatangaroa River to the lake and at a certain point they were to travel down to the lake at Te Hāpua where canoes awaited. It was a long paddle from Te Hāpua to Poukura," because they couldn't land. They were not permitted to land because of the 16:20:21 aituā mate, kei runga i a rātou. **CONTINUES READING BRIEF OF EVIDENCE #R023** "So they rode to Te Rere o Waihī. From the kōrero of our tūpuna of Tūrumakina and Ngāti Kurauia the only tangi karanga was on their approach to the shore. As they arrived food was provided and an assessment was being undertaken of all those who arrived." Ka kī ai te kōrero Rāhuitia ngā mate, rāhuitia ngā papakāinga, 'Isolate the sick, isolate our homes'.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	A hundred and eight were being cared for initially at Waihī. The second wave came via Ngāti Maniapoto injuries sustained at Ohia were not the main concern of our elders but the lingering illnesses that they had never seen before being carried by the old women and children in particular. Our elders were familiar with leprosy and we had a place for the treatment of that Pākehā mate at Ōremu," Which is on the turn-off of the state highway as you go in, into Waihī Village. **CONTINUES READING BRIEF OF EVIDENCE #R023** "Within a week of arrival, six were lost to sickness which had never been seen before. They were buried at our urupā at Waihī. It was decided to separate the men, women and children and seek the advice of the Pākehā." The refugees of Ohia, and our old people say there were others, from Koheroa 16:22:05, the year before and from Rangiriri. **CONTINUES READING BRIEF OF EVIDENCE #R023** "The refugees remained with us for over 40 years. Many were unable to move because of lingering illness and so many are buried here because of mass deaths of these unknown illnesses. I am aware that six are buried at Whakatara Urupā at Waihī," And we have a saying at Ngāti Tūrumakina, Ngāti Apakura, he hapū i whakatara. **CONTINUES READING BRIEF OF EVIDENCE #R023**	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Sixteen are buried at Piripekapeka Tokaanu (epidemic unknown); 30 to 40 are buried at Kaiawatea (a Marae given to Ngāti Apakura by Ngāti Tūrangitukua as a home – epidemic unknown). Sixteen are buried at Pouorongo," On the slopes of Pihanga, **CONTINUES READING BRIEF OF EVIDENCE #R023** "...while preparing to move south to Ngāti Raukawa ki te tonga - epidemic unknown). A few married into Ngāti Tūwharetoa Maniapoto and those, some of those moved south. Their connections are today are known to us on the shores of Lake Taupō. Ngāti Tūwharetoa is aware of issues of Ngāti Apakura and those of Ohia wishing to repatriate the remains of their kin. I have been asked to say that most lie in unmarked graves like many of our illustrious ancestors who lie in the same unmarked areas together. With respect I say,	
	Kia hahu a wai? Kaiawatea he wāhi tapu mai te wā o ērā ngā mate tae atu ki tēnei rangi. E rua aku pāpā e ora tonu e mau tonu te kōrero o rātou mā, e takoto ana ki reira. He kōrero tino taumaha. Ka kī atu tētahi o aku Pakeke, kia hahu ngā kōiwi kia hahu ai ngā mate. Waiho mā mātou e tiaki mā rātou e moe.	
	1864 In late March of 1864, Horonuku Te Heuheu, Matuaahu Te Whharerangi, Te Iringa and others returned from the Waikato	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Te Pūkawa. Waihī and Tokaanu." Pūkawa – Waihī and Tokaanu were still isolated to care for refugees of Rangiohia. Paragraph 22, taken as read. **CONTINUES READING BRIEF OF EVIDENCE #R023** "Nā Iwikau i tuku te maranga taua …"	
1625	Paragraph 24, Your Honour. **CONTINUES READING BRIEF OF EVIDENCE #R023** "At the Pūkawa hui the assembled leadership called for Tūwharetoa to respond. Horonuku lead the Ngāti Tūwharetoa force to Ōrākau. Horonuku immediately told the older leadership including Iwikau, Te Huri, Tekehakeha and others to remain at home as the force that moves will need to move swiftly." And that paragraph 9 should be read there in its place. **CONTINUES READING BRIEF OF EVIDENCE #R023** "Reports of colonial troops amassing at Kihikihi had already been reported to Iwikau. Te Kehakeha, Iwikau's brother also known as Te Tōkena, also known as Te Kerēhi, continued to argue that despite battle wounds he could still use a gun and pātītī. Iwikau reminded him of an occasion when Te Hoariri, who was at the battle of Ōrākau, warned that a war party that moved quickly across the grass plains of Tapararoa (and Tapararoa was a suggested trail to be taken to Ōrākau) could not be seen and their flayed grass	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	trail could not be found. Ka kī atu a Iwikau, "Noho tāua ki te mahi māra." "Let us remain and tend to the gardens." **1864 Ōrākau"** Take 25 as being read, Your Honour. Those are just some of the names of some of those who were called to arms to go to Ōrākau. **CONTINUES READING BRIEF OF EVIDENCE #R023** **"31st of March 1864** On the 31st of March 1864 only 30 to 40 toa arrived with Horonuku. From a distance they could hear a calamity of noise and gun fire realising that the battle had begun. From a bush covered area at the south western end, Your Honour, of a swamp which lay between them and the pā, scouts reported hundreds of soldiers already in positions at all points heavily armed with horse and heavy gun support.	
	Ka kī atu te kōrero, "Nā te repo i aukati i a mātou ki te pā, ngā hōia me ngā pū nui i waenganui me ngā hōia ki runga hōiho pūhia whiu hoari mai tēnā whaitua ki tēnā whaitua. Aue te hokowhitu, matā taua o Te Hoariri. The swamp had cut us off from the pā and the enemy force with big guns in between horsemen with guns and swords at all positions. Alas, the 144 of Tū fought the multitudes of the enemy.	The swamp had cut us off from the pā and the enemy force with big guns in between horsemen with guns and swords at all positions. Alas, the 144 of Tū fought the multitudes of the enemy.
	Attempts were made by scouting parties to cross the swamp during the night, Kākā was of one of the mata taua who was wounded in one foray. He returned to Whakahau –	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Whakahau is out here, out at Terenga – but because of infection he died four days after his return. Hopu te whakaara Pā." There was a request to capture the sentinels calls. **CONTINUES READING BRIEF OF EVIDENCE #R023** "Tūwharetoa kōrero says that the scouts would enter into the swamp to catch the sentinel calls and gather Intel on the opposing forces and gather information on the condition of our kin. On reflection, the Ngāti Tūwharetoa force arrived too late, being cut off by the swamp and enemy forces surrounding the Ōrākau Pā Site. **Day 1** By the first night Horonuku's forces had grown to about 60 to 70 men. Scout parties of six men were sent into the swamp and surrounding areas. The mata taua, the scouts, reported overwhelming forces and fire power, and they could hear several voices from within the Pā calling out, "E hoki, e hoki. Return, go back." Some of the force voiced concern that they could be of little help other than haranguing the opposing forces to provide a chance for their kin to escape. Horonuku called to his kin in the Pā, koia nei tana nei kōrero, "Ka moe a Herearakiterangi ki Pukohurangi ka puta ko Pukohutairi. Herearakiterangi and Pukohurangi begat Pukoutairi." Paragraph 31 in relation to that saying.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	KELLY DIXON	
	Mr Otimi?	
	PARANAPA OTIMI	
	Yes?	
	KELLY DIXON	
	Sir, if I can just make a correction there, it is Herearakiterangi not Herearikiterangi.	
	PARANAPA OTIMI	
	Yes, that's right. And Pukohurangi, Pukohutairi is also the other correction. **CONTINUES READING BRIEF OF EVIDENCE #R023** "Horonuku's grandfather was named Herearakiterangi, a heavenly being who lay with Hinepūkohurangi, the maiden of the mists and begat Pukohutairi. The fog of fortunes, Pukohutairi. All Māori who fought at Ōrākau were descendants of these three deities. Herearakiterangi – Tūwharetoa, Raukawa and Manaiapoto. Hinepūkohurangi – Tūhoe, Kahunungu and others. Pukohutairi – Waikato Tainui." This was a sign for those at Ōrākau to consider trying to escape the next morning.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	CONTINUES READING BRIEF OF EVIDENCE #R023 **"Day 2** At the dawn of the second day, at the south east end of the swamp, part of our forces performed the haka Peruperu and 20 horsemen were dispatched into the swamp to draw out part of the British cavalry forces. The British forces preceded to cross the swamp and give chase but at a certain point they returned to hold their positions. Years later Ahumai Te Paerata – **(Missing audio 16:32:36 to 16:36:28)**"	
	E te Tiati, "Kia tāwharautia a Mātaatua. Let Mātaatua be sheltered." Paragraph 41. This paragraph, "Te Rā i Taka," this paragraph of this kōrero is from Te Hau Paimārire. Te Hau Paimārire has connections to Rotoaira, as well as he has connections to Taihape and to our Ngāti Waiwai whanaunga down at Tokorangi. This kōrero he gave at a hearing of the Ōwhāoko Blocks in about 1872 or 1878. He was suppose to be giving evidence in respect of the land, but he gave kōrero about his participation at this battle of Ōrākau. Some kōrero has said that he gave it because he was challenging Kaweko, his whanaunga, Kahungungu whanaunga.	And the word is Mātaatua must be sheltered.
	CONTINUES READING BRIEF OF EVIDENCE #R023 "He rangi werawera ka tīmata te paku ngā pū, ka hoki ētahi	It was a hot day when the guns resounded and some

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	ki roto i te ngahere. Ngā mata taua anahe i tū ki ngā tōpito o te papa. Te hau i te ahiahi ka kite atu ētahi hōia i whakaoti te keri papa ki te pā kia mutu te pūhia…"	retreated into the forest. It was the true warriors alone who stood upon the field. In the afternoon they could see soldiers completing their sap close to the pā.
	Hau Paimārire is saying there, "It was a hot day. The guns began and several of ours returned to the safety of the bush line. The scouts, only some scouts were left at various points on the whenua. It could be seen that the soldiers had finished – the kiri papa refers to the sap – the kiri papa kia mutu te pūhia – so the sap had been completed by the soldiers."	
	CONTINUES READING BRIEF OF EVIDENCE #R023 E kite ana mātou i roto te karu porowhita. We could see through a spy glass. Ka haere tētahi hōia rangatira ki te kōrero. Ka karanga mātou ki ō tātou rangatira. We called to our chiefs be prepared. Ki te kōkiritia engari i kite atu ngā rārangi hoa whawhai i wehewehetia. We found that we could see that the forces of British troops were starting to separate. Ka tīmata anō te paku o te pūhia engari e kite mātou ngā whanaunga e oma nei kei waenganui ngā rārangi hōia i wehewehetia. The guns fired again and we could see our whanaunga running between the ranks of those soldiers who had separated."	We could see them and an officer went forward to treat and called out to our chiefs. He prepared for an attack and there saw – Gunfire began again but we could see the kin –
	JUDGE AMBLER	
	Mēnā e pai ana ki a koe, waiho mā te mea, he uri o Tūhoe e whakapākehā i ngā kōrero?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	PARANAPA OTIMI	
	A kare au e kite atu e te whanaunga, kei roto ki tēnā whare au.	
	JUDGE AMBLER	
	Nō reira kōrerohia te kōrero i roto i te reo. Kei a koe.	
	PARANAPA OTIMI	
16:40:22	Āe. **CONTINUES READING BRIEF OF EVIDENCE #R023** "Tuatahi, e kore te hoa whawhai i pūhia engari ka tīmata ētahi o rātou. Ka karanga aku rangatira, "Rārangi matua kōkiritia! Kia tere! Pūhia! Tiaki a ō tātou whanaunga!" Kei te ngahere tonu te nuinga engari ka haere tonu tātou ki te repo mai te rā whiti ka pūhia taku pū. Ka pūhia te Matataua e tū ana ki te pitonga, ka pūhia he pū mai te ngahere ka oma haere mātou ki roto i te repo. Ka huri whakamuri ahau ki te kite atu ngā hōia i runga hōiho, ko tētahi ki runga i ahau ka hikinga taku pū ki te paraitia te hoari e kore au i whakangungu i au, ka taka au i te mamaetanga o taku pakahiwi. Ka ngōki atu au ki te huruhuru whenua engari te tino mamae te wera i roto i taku hope. Ka pūhia te hoa whawhai i ahau ka tāporepore au."	At first, the enemy was not shot at but some of them began to shoot and our leaders called out, "The front line attack!. Quick! Care, shelter our kin." Most of us were still in the forest but some of us went to the swamp on the eastern side and fired off our weapons. And fired them at the soldiers at the extreme. We shot from the forest as we ran into the swamp. I turned to look and could see the soldiers, the cavalry coming and one came directly at me. I lifted my rifle to parry him. As he came for me I fell and my shoulder was broken. I crept through the mānuka but because of the great pain and the heat from my hip, I shot my enemy as I staggered along.
	So even though Te Hau Paimārire was wounded by a sword on his shoulder and being shot in the hip, he was still alive in	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	1894.	
	CONTINUES READING BRIEF OF EVIDENCE #R023 "Horonuku's force provided covering support to survivors who made their way over the Pūniu River where Maniapoto, Paretekawa, it should read Your Honour, and Ngāti Raukawa forces were halted by the British troops. From the Pūniu, Horonuku and others retreated to Tokanui where they disbanded and prepared to support the survivors by helping them to various refuges. Tūwharetoa gave what weapons and munitions they had to Matuaahu Te Wharerangi to distribute amongst our allies. Matuaahu remained awhile amongst our allies and accompanied some of the survivors to Aotearoa. He also accompanied our Te Koherā and Parekawa survivors back to Tūaropaki and Ruahine. Horonuku and his company returned to Taupō and our boundary lines to prepare a defensive plan for the tribe."	
	Ka kī atu ētahi, "E Napa kāre mātou e rongo ki ēnei kōrero, tēnei te tuatahi." Ka kī atu ki au, "No one's ever asked us for our story and everyone concentrates on the conflict that was actually happening within the pā." But as of Ngāti Tūwharetoa the other day at the commemoration celebrations of Ōrākau we were asked to lead the iwi into Ōrākau. By fate that did not happen, that was led by our Tūhoe, Tauranga Moana, Kahungungu and we were last going through the gate. He tino mamae ki a tātou i taua wā kāre tātou e taea ki te pā. I tēnei rangi koina tonu. Koina	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	tonu te mamae kei runga i a tātou, Ngāti Tūwharetoa. We carry that mamae, we will never lose that mamae. Koina te kōrero a ō tātou koroua tūpuna mā. Kei te haere tonu mō ēnei kōrero Your Honour. **CONTINUES READING BRIEF OF EVIDENCE #R023** **"Te Pakanga I Ōmarunui Pētāne** The Ahuriri Tribunal already has some of this kōrero. In 1865, 90 horsemen of Ngāti Hineuru attempted to take Napier. Ngāti Tūwharetoa has given evidence in the Mōhaka Ahuriri Inquiry on this history. The Inquiry found that Ngāti Hineuru suffered the raupatu to the hands of the Crown because of their participation in those battles, yet the lands confiscated were of Ngāti Tūwharetoa, of which Ngāti Hineuru is one of our hapū. Ngāti Tūwharetoa tūpuna who were at Ōrākau were also at the battle of Ōmarunui and Pētāne, including Te Rangitāhau, including Kiriwera who died at that battle and others. The majority of the horsemen were Kingite supporters and some followed Te Uahaumene's supporters. Ngāti Tūwharetoa still argue that we did suffer raupatu with the confiscation of our lands today being awarded to Ngāti Hineuru Incorporation, an iwi born entity to suit the Crown settlement agenda. **What have the impacts on the Crown's Raupatu Agenda been on Ngāti Tūwharetoa?** 1864, yes we were at Koheroa, Rangiriri, Hairini, Ōrākau	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Because of our support of the Kīngitanga and our participation at Ōrākau, we suffered the loss of life and the loss of land and were branded rebels. This perception has impacts on our tribal leadership, lands and resources. **1865 at Ōmarunui and Pētāne** Our participation in this conflict saw several of our tūpuna imprisoned and once again, there was a loss of land and life, and in the Ōmarunui, Pētāne incident we lost land as well as possessions." And I quote, "Kiriwera was there. Died there. Te Kāhia was there. Maniapoto Te Hina were there." Some of these tīpuna names will be referred to as I go through Your Honour. **CONTINUES READING BRIEF OF EVIDENCE #R023** "1867 Official Government maps identify Ngāti Tūwharetoa, Ngāti Raukawa and Ngai Tūhoe as being the rebel country." I changed my attention Your Honour to 1869, Te Pakanga I Te Pōrere. Evidence has already been given but it's about the impacts on Te Pakanga I Te Pōrere. **CONTINUES READING BRIEF OF EVIDENCE #R023** "1869 Te Pakanga I Te Pōrere Ngāti Tūwharetoa supports Te Kooti as he tries to escape Government forces. Lives are lost and Horonuku is placed under house arrest.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Horonuku is placed under house arrest from 1869 to 1872. Government forces burn down homes, steal crops and personal belongings and cut down our ancient pou whenua as well as pou whenua o te Kīngi. In 1869, Tūwharetoa, Raukawa and Tūhoe are excluded from Native Land Court hearings by Gilbert Mair's militia." Gilbert Mair who gave the surrender terms five years earlier from the sap at Ōrākau. **CONTINUES READING BRIEF OF EVIDENCE #R023** "What the gun could not take from us, the pen would. In 1872, Horonuku is still under house arrest and is being paraded in Auckland. In 1872, Tūwharetoa, Raukawa and Tūhoe are excluded from the Native Land Court sittings in respect of the Kaingaroa. Some of our elders dress up as women to enter the Court and plead our case. They are removed by the militia. In 1875, Horonuku appears before Judge Scannell, Judge Scannell who fought as a soldier at Te Pōrere, and has his words interpreted by Gilbert Mair who fought at Te Pōrere and at Ōrākau. 1883, Te Rohe Pōtae, Te Ohaaki Tapu." And I have already given evidence previously. **CONTINUES READING BRIEF OF EVIDENCE #R023** "1885, Rārangi Matua, the Taupō-nui-a-tia Determination."	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
1650	At this point I want to refer to both Scannell and Mair. They participated in battles against Horonuku and our kin, and they participated as Magistrates of the Native Land Court. They participated in battles against Horonuku and our kin, and they participated as Magistrates of the Native Land Court. And that's why I refer back to that statement Your Honour, what the gun couldn't take, the pen would.	
	E kīia nei te kōrero, "Kāre te pū e mau ana werā ngā taonga whenua, nā te tuaka." Nā te tuaka – the quill the pen would.	The gun could not take – it was the pen that took –
	Ka kī atu au, one and a half million acres of land was lost – e kore te pū e mau ana, nā te tuaka i raupatutia.	
	The tools of alienation, Christianity, the gun and the pen.	
	Nā reira huri noa tā tātou whare, tēnei te mihi ki a tātou e tau nei. Ngā iwi o Te Rohe Pōtae, ka hoki ana i au ki ērā tangi kōrero, "Ka whawhai tonu ana tātou mō ake, ake tonu atu." Kia ora tātou.	One and all, I greet you and acknowledge you. The people of Te Rohe Pōtae I return to those time-honoured words, "We shall fight forever and ever." Thank you.
	JUDGE AMBLER	
	Tēnā koe e te rangatira. Mr Melvin, do you have any questions?	
	GEOFFREY MELVIN	
	One brief one Sir.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Tēnā koe te rangatira, Mr Melvin here for the Crown. Thank you for your evidence. It resonates particularly strongly given the commemorations that occurred in the last few days. I have a question regarding what you say in paragraph 47(i) where you say you suffered the loss of life and the loss of land on account of your support of the Kīngitanga and your participation at Ōrākau. The loss of land that you refer to there, is that land within the Rohe Pōtae Inquiry District?	
	PARANAPA OTIMI	
	The loss of land is in respect of all of our associations with the other iwi. Tūwharetoa's association in whakapapa is direct to Maniapoto, Raukawa and those of Tainui, Ngāti Paretekawa who suffered at Ōrākau at the confiscations of the Waikato. Under whakapapa, yes we lost. And in the Rohe Pōtae hearings, Te Heuheu Horonuku turned up and said, "I do not whakapapa to the Rohe Pōtae because of my Tūwharetoa connections. I whakapapa because of my whakapapa to Ngāti Maniapoto, Ngāti Paretekawa, Raukawa and Tainui Waka.	
	JUDGE AMBLER	
	Other counsel, no?	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	DR AROHA HARRIS	
	Kia ora. Thank you for your evidence today. I just want to make a similar comment to what I made with Ms Nikora earlier. If you could – if you've used sources that aren't already on the record, and I'm thinking of your paragraphs 41 and 42, so just talk with your lawyer and work out what sources you might want to file that would benefit the panel. And with that, I'm thinking also crediting some of the sayings that you've used, because I noticed that you credited –	
	PARANAPA OTIMI	
	Some of those things were old and traditional kōrero handed down. Some of them had been recorded like I said in the hearings of the Native Land Court for the Ōwhāoko Blocks. It was heard in Taihape but it was never ever referred to.	
	DR AROHA HARRIS	
	Okay so the hearing – the Ōwhāoko Block hearings, are those minutes in te reo?	
	PARANAPA OTIMI	
	The transcription that we have and still on very thin paper. It's very old. It actually comes from Te Hau Pai Mārire himself.	
	DR AROHA HARRIS	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Okay. So that's a kind of thing that I could be corrected but I doubt is on this record for this inquiry. So that's the kind of thing –	
	PARANAPA OTIMI	
	No it's not.	
	DR AROHA HARRIS	
	Well that's the kind of thing I'm saying, if you could work – sit with your lawyer and work out what you could usefully file copies of for the Tribunal's benefit, and even with the oral material, you did credit people as you said, some of the sayings.	
	PARANAPA OTIMI	
1655	So what does that mean? Do I have to quote where I got, rere ana ki te rangi from?	
	DR AROHA HARRIS	
	No, no, no. You don't have – no, no, no. I'm not saying to quote where you got it from. I'm saying that in a couple of instances – let me find an example.	
	PARANAPA OTIMI	
	Some of those sources were of iwi – of Horonuku. Some of	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	them are from family private collections of Te Kerēhi.	
	DR AROHA HARRIS	
	You said it would be good to know that – I think it would be good to know that specifically and I think it's something that your lawyer can help to do. I don't think it's a huge job.	
	PARANAPA OTIMI	
	So you just want me to list all of my sources in respect of some of that kōrero – some of the written kōrero.	
	DR AROHA HARRIS	
	Yeah there's only – particular thing.	
	PARANAPA OTIMI	
	Yeah we – I could do that.	
	DR AROHA HARRIS	
	Thank you.	
	JUDGE AMBLER	
	Tēnā koe te rangatira, me te tika māu hei whakakapi ngā kōrero katoa o te wiki nei. Nō reira ngā mihi ki a koe.	Thank you Sir. How appropriate that you close our witness evidence.
	He mihi hoki tēnei nā Pou ki a koe. Kua wehe atu ia ki te	I'd like to pass on Pou's sentiments. He had to leave early for

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	whai atu i – kaupapa kē mō te Panekiretanga. Nō reira, anei tana mihi ki a koe, me te whakamōhio atu ki a koe i tae atu mātou ki Petania i te Tūrei ki tērā o ngā whare. Kotahi taku pātai, te wāhanga 13. E kī ana koe, haere ngā tāngata i puta i Rangiaowhia ki Aotearoa. Kei hea a Aotearoa?	other prior commitments to Te Panekiretanga. So he like to let you know that we went to Petania on Tuesday and I have but one question. In section 13 you state that the people from – who escaped from Rangiaowhia fled to Aotearoa. Where's that?
	PARANAPA OTIMI	
	Kei roto i a Raukawa.	
	JUDGE AMBLER	
	Ka pai. Koina taku. Tēnā koe. Anything arising Ms Dixon? Ka pai ka nui tēnā.	That's all I have sir.
	PARANAPA OTIMI	
	He kōrero whakamutunga māku. Aroha mai. Ka hoki ki te kōrero taku nei tuākana a Dominic mō tērā o tō tātou whare i Kōpani.	And returning to the words of Dominc about Kōpani.
	Tēnei te kōrero mai ētahi o tātou tūpuna. Ko te Kōpani e paningia wetahi e hinga ana ki ngā parekura o Waikato. Ko Pangingia, anā kia mau ai rātou tērā ingoa Kōpani kei runga ki tērā whare. Kia ora tātou.	What I heard from our elders, Te Kōpani. Some of the people there felt – fell at the battles at Waikato and that is why that name was called Kōpani for the orphans – people orphaned after the battles at Waikato. Thank you.
16:57:57	**HAKA**	
	Kanapu tū te whenua;	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Kanapu te whenua; Ka haere ngā tāngata ki whea? Aua. Ko Ruamoko Tahiri te whenua; Puritia tō mana kia mau ai; Aha i tā, i tā mau tonu.	
	PARANAPA OTIMI	
	Koina te ngeri e haka ana a Iwikau i tērā atu hui mō te Kīngitanga i Pūkawa i te tau 1856. Kia ora tātou.	That was the battle cry that Iwikau rallied the troops at Pūkawa 1856. Thank you.
16:58:48	**JUDGE AMBLER**	
	A heoi anō tātou mā, e tū ana tēnei te pōtiki o te rōpū nei ki te mihi atu ki a koutou. Nā te mea, kei Pōneke kē a Tā Hirini a kei te whakawhiti atu a Pou ki Heretaunga. Nō reira he tū whakaiti tēnei a te Kaiwhakawā, te taha o te rōpū nei ki te mihi atu ki a koutou. Koutou o te marae nei Ngāti Rangatahi, koutou mā, koutou ngā kaikōrero o te wiki nei, ngā kaikōrero mō Ngāti Huru, Ngāti Hari a Ngāti Hauā i te rā nei; koutou o Whanganui, Ngāti Maniapoto tae noa ki a koutou e Napa mā ō Tūwharetoa.	Ladies and gentlemen, I stand here the youngest member of this Tribunal because Tā Hirini is in Wellington and Professor Temara is on his way to Hawkes Bay. So I stand here humbly the Judge before you on behalf of the members to acknowledge you the members of this marae Ngāti Rangatahi and others, the witnesses and the witnesses for Ngāti Huru, Ngāti Hari, Ngāti Hauā and the people of Whanganui and Ngāti Maniapoto and unto you Napa of Ngāti Tūwharetoa.
	Me kī pēnei, he pai ngā kōrero i whakatakotohia i te wiki nei. He mārama. He mārama ngā kōrero. He mārama te auē me te mamae a koutou o tēnei pito o Te Rohe Pōtae. Nō reira tēnā koutou.	Let me say this, excellent evidence we heard this week. Clear evidence. Clear was heard, the pain and the sense of injustice felt by you at this end of Te Rohe Pōtae. Thank you all very much.

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	He wiki nui tēnei mō koutou. He wiki hei maumahara ki tērā o ngā pakanga nui o te motu nei a Ōrākau. Ki taku nei, kei reira koutou katoa ki tērā o ngā pakanga nō reira ngā mihi.	This has been a significant week for you. This is a week to commemorate the battle of Ōrākau. In my view, you were all there. You were all present at that battle so thank you.
	Ki a koutou, Tame, koutou mā a i kite nei mātou te taumaha i runga i a koutou. He roa koutou e pīkau ana i tērā taumaha, i ngā take a kātahi tēnei wiki kua whakatakotohia ki mua i a mātou, ki mua hoki o te Karauna. Nō reira kua ea tēnā.	Thank you Tame, you and the rest of your staff. We saw the burden upon you and you for a long time you have carried those burdens and grievances and this week you laid forth those grievances and pain before the Tribunal, before the Crown.
	Hei tērā wiki ka hoki mai mātou a tātou katoa ki te rohe nei ki Oparure ki tērā o ngā huihuinga a tātou. Nō reira kāre e toroa ngā mihi, tēnā koutou, tēnā koutou, kia ora mai tātou.	Next month, the month of May we will return to Te Rohe Pōtae to Oparure to week 12 so on that note I will tarry.
	WAIATA	
	Māku te mihi atu; Kia koutou te iwi Māori; Nō reira tēnei te mihi; Kia koutou kia ora rā ; Ka tangi te manu tīoriori; Ka tangi te ngākau tangata; Nō reira tēnei te mihi; Kia koutou, kia ora rā; Kia koutou, kia ora rā.	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	JUDGE AMBLER	
	Nō reira tēnā tātou. Ka whakahokia te rākau ki a koutou.	
17:03:16	**KAUMĀTUA**	
	A kāti rā tēnā tātou katoa. Ā i mua i te hoatunga o te rākau ki tō tātou kaumātua nei ka tū atu tēnei. E tika ana ki a tātou kia haere rā ngā wiki ki a koutou e te tēpu a koutou te taonga a tātou me koutou ngā rōia. Kua haere mai ki te tīmata mai a koutou. Haere mai rā te nuinga o mātou kia mauria mai nā nawe kei runga i a rātou, ngā pēhitanga me werā mahi katoa i runga kei runga i a rātou. Nā koroua, arā mātou katoa o ngā kōrero kua uhia mai ki runga i a mātou i tēnei rā tonu, ngā tangi, ngā mamae kei runga i a rātou. Ākuanei, ā i muri atu tēnei hui o tātou kua whakahokia mai werā whenua ki a mātou. Ahakoa te nuinga o wera whenua ki te kitenga mātou he ngahere katoa, he ngahere katoa. Nā te mea ko mātou ki muri noa atu, kei raro atu te toenga o mātou nei whenua i tēnei wā tonu. Nā reira kei te mihi atu ki a koutou hoki te Karauna. Kua rongo ira koutou nā nawe kei runga i a mātou ki a tātou kua haere mai. Nā kua uhia mai i ō rātou ki runga i a koutou. Ākuanei kua rongo hoki rā koutou wera nawe kia whakahokia mai werā whenua ki a rātou. Nō reira kei te mihi atu.	Before we hand over to our elder to close with a prayer, I would like to thank you the Tribunal, the Crown and legal counsel. And we have come with our grievances and our pain this week and we lament for the injustices and experiences we heard, and it is our hope that lands will be returned to us and we return to what little lands we have left. So thank you the Crown. You have heard our grievances and they have placed their words upon us. So thank you, thank you, thank you.
	Ki a koe hoki te Kaiwhakawā me tō rōpū. Āhākoa kua haere tērā whanaunga o tātou kua hoki rā a kei konei rā koutou. Tae atu rā ki a koe e te rangatira i ūhia mai i roto i a Taitokerau i te whare tapu hoki o Rāhiri, o Ngāti Raora a Te	And thank you Judge, you and the Tribunal. Although Professor Temara left prematurely you are here present. And thank you Dr Harris of the descendants of Rāhiri and Te

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Rarawa. Heoi anō rā tēnei te mihi atu ki a koe.	Rarawa. Thank you for your efforts this week.
1705	Kei te mōhio mātou i ahu mai, i haere mai ki konei ki te pōro rākau, ā kei konei tonu. Moe atu ki ngā putiputi o konei ka puta ko tātou hoki e noho mai ana i runga i ngā paepae o konei. Heoi anō rā, tēnei te mihi atu ki a koe e te whanaunga.	Many of my kin came here in the pine milling days and they found their partners here, the beautiful women of this region, and decided to stay. So greetings to you.
	Ā kia koutou ngā rōia, tae atu ki a koutou. Ngā – ki a koutou te iwi ko haere mai, ko mauria mai. Ahakoa ko ingoa noa nei ngā rōpū katoa, ko wareware katoa wenei ingoa, engari kei koneki koutou. Kua mauria mai o koutou nei nawe, o koutou nei pēhinga, nā ko utaina ki runga te tēpu nei kei – kī runga i wenei pā mō koutou. Koina, tēnei te mihi atu ki a koutou. Ko koutou kua haere mai. Ā tōna wā, tēnā pea ko hoki mai werā whenua kia koutou.	So greetings to everyone here and to all the people who have come to listen. And so we have heard your grievances and they have come and we observe your taonga arrayed here. You who have come –
	Ahakoa ko ngahere katoa werā whenua, kei rerira tonu e noho ana, kei roto i ō koutou nei ringaringa.	Although those lands have all been denuded of forestry, they are still in your hands.
	Nā te mea, e te Karauana, i tīmata mai mātou 66 miriona eka kei waenganui i ō mātou nei ringaringa. I tēnei wā tonu 3 miriona eka kei ō mātou nei ringaringa. Ā tōna wā pea, ko hoki mai anō wetahi o wera whenua ki runga i a mātou. E rongo ana mātou e hia ana rānei ngā eka ko ngaro atu i a rātou.	To the pound – we had 66 million acres in the beginning. We now only have 3 million acres left in our hands. In time perhaps, some of that 66 million acres – 63 million acres will return to us.
	Heoi anō rā tēnei, tēnā pea ko hoki mai anō te pito noa iho. Ahakoa, ahakoa he pitopito noa iho, he pounamu. He pounamu, kia utainangia ki runga tēnei tēpu o mātou. Nō	But perhaps only a small percentage may be returned to us, but no matter how small, it will be treasured. It will be treasured. So thank you all, thank you all.

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	reira tēnei te mihi atu ki a koutou. Ā tēnā koutou, tēnā rā koutou, ā tēnā rā tātou katoa.	
	WAIATA	
	Ko wai, ko te Atua; Te tūmanako o te ngākau; E huia rā ki te katoa; Puritia ngā mahara; O te ao, te korimako; Te (inaudible 17:07:30) ngā puehutanga; I ngā puke te Pai Whenua; Mō te orange o te katoa; Ka puta mai te ao mārama; Hopukia hei orange; Te tohu ko te mōrehu; Tuituia tuituia; Tūītuia, tuituia.	
	KAUMĀTUA	
	Mai rā, ka hoki anō ki ngā kōrero o rātou mā, kia pai rā tō koutou nei haere, hoki ki ō koutou nei kāinga kia ūhia mai ngā manaakitanga o Ihoā ki runga i a koutou, i a koutou e haere tonu mai i tēnei rā. Ā, kia tātou hoki ko haere mai,	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	heoi anō rā, kei te haere tonu ngā mihi.	
	Ki a koutou ngā kaimahi i mahi mai i muri, e mahi ana i ngā wā katoa kia haere tonu. Haere tika tō mātou nei hui. Heoi anō rā, tēnei te mihi atu ki a koutou. Ahakoa kāre mātou e kite i a kanohi ki a koutou, e mōhio ana, kei te haere tonu ngā mahi kei runga i a koutou. Heoi anō, tēnei te mihi atu, ā, ki a tātou hoki kua haere mai. Ā tēnā rā koutou, ā tēnā koutou, ā tēnā rā tātou katoa.	
	HONE HENRY	
	(inaudible 17:09:18) E mihi ana, e mihi ana, e mihi ana. E mihi ana ki (inaudible 17:09:33) tātou i raro i te tuanui o tō tātou whare.	Acknowledgements to us all.
	E mihi ana hoki ki a koutou te hunga kua horahia nei e koutou, nā mamae i mua o te aroaro o te Taraipiunara me te Karauna, mā rātou hei tirotiro hei wherawhera (inaudible 17:09:53). Nō reira, e mihi ana ki a koe.	And to you who laid bare your emotions and your grievances for the dissection of the Waitangi Tribunal and crown counsel and others.
1710	Ngāti Rangatahi, he mihi atu ki a koutou. Nōku te (inaudible 17:10:04) ko homai e koutou tēnei hōnore ki au ki te whakatuwhera i tā tātou hui i te ata nei, kei āu te kapinga o tā rātou hui i te pō nei, kei āu te whiore.	And Ngāti Rangatahi thank you. It is my good fortune and honour to be given this opportunity to close our week and to open our hui.
1710	Nō reira kua tae mātou – tātou, huritanga o te pō, kia ora huihui mai anō rā tātou. Tēnei rā ka tuku atu i te atawhai.	So we have come to the evening of our hearing. Let us pray.
	KARAKIA	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	E Pā. Tēnei anō hoki mātou e tū atu nei i mua i a koe, e inoi atu nei ki a koe kia (inaudible 17:10:40) mai mātou i roto i te korowai o tōu aroha. Huria mai hoki rātou nā mea kua (inaudible 17:10:48) rātou, kua (inaudible 17:10:50) i tēnei Taraipiunara.	Oh Father. Here we are Thy servants, and may you cloak us with your cloak of love, and bless those who have laid their claims before this Tribunal.
	Arohangia mai hoki pea, tērā pea ka paheke te pene a te Karauna, ā te – kua hoki mai ētahi o ngā whenua nei.	And show love upon the Crown and perhaps in time their pen may flow freely upon paper.
	Nō reira rā e Pā, i runga anō o tau Tama kotahi, tō mātou Kaiwhakawā hei (inaudible 17:11:11). Korōria ki tōna ingoa Tapu.	And bless our Judge, glory to Your Holy name.
	HĪMENE	
	Whakāria mai tō ripeka ki au; Tiaho mai ngā roto i te pō; Hei konā au; Titiro atu ai; Ora mate, kei āu koe noho ai; Whakaaria mai tō ripeka ki au; Tiaho mai ngā roto i te pō; Hei konā au; Titiro atu ai; Ora mate kei āu koe noho ai;	

TIME	TE REO AND ENGLISH (VERBATIM)	INTERPRETATION OF TE REO INTO ENGLISH
	Āmine!	
	KARAKIA	
	Kia tau ki a tātou te atawhai o tō tātou Ariki a Ihu Karaiti, me te aroha o te Atua, me te whiwhitahitanga te Wairua Tapu, āianei, ake, ake, ake, Āmine.	
	ALL PRESENT	
	Āmine.	
	HEARING CONCLUDES: 5.13 PM	